

**COUNTY OF NAPA**  
**DEPARTMENT OF PLANNING, BUILDING AND ENVIRONMENTAL SERVICES**  
**1195 THIRD STREET, SUITE 210**  
**NAPA, CA 94559**  
**(707) 253-4416**

**Initial Study Checklist**  
**(Reference Napa County's Procedures for Implementing CEQA, Appendix C)**

1. **Project Title:** Liao Vineyard, Agricultural Erosion Control Plan Application (ECPA) #P21-00066-ECPA
2. **Property Owner(s):** Goldvista Holdings LLC
3. **Contact Person, Phone Number and Email:** Donald Barrella, Planner III, (707) 299-1338, Donald.Barrella@countyofnapa.org
4. **Project Location and APN:** 3580 Monticello Road, Napa, CA 94558, APNs 033-040-057 and 033-040-058 (**Figures 1 and 2**)  
Section 16 Township 06 North Range 03 West, Mt. Diablo Base  
Longitude 38° 22' 07.88" N / Latitude 122° 11' 55.64" W
5. **Project Sponsor:** Goldvista Holdings LLC  
Attn: Angela Liao  
PO Box 9446  
Rancho Santa Fe, CA 92067  
**Agent:** Sarah Pistone (CPESC #9225)  
HDVine LLC  
2778 Royal Oak Place  
Santa Rosa, CA 95403
6. **General Plan Description:** Agriculture, Watershed & Open Space (AWOS), Agricultural Resource (AR)
7. **Zoning:** Agricultural Preserve (AP) and Agricultural Watershed (AW)
8. **Description of Project:** The proposed project involves the clearing of vegetation, earthmoving, and installation and maintenance of erosion control measures associated with the development of approximately 9.85 gross acres of vineyard (i.e., development area, project area or proposed clearing limits) with approximately 8.0 net planted acres in three proposed blocks located on a 41.8-acre property (i.e., project site). Of the total project area, one acre (0.8 net planted acre) occurs on slopes of 5% or less. Slopes within the development area subject to an ECPA (Agricultural Erosion Control Plan) range from 15 percent (%) to 22%, with 1 acre (0.8 net acre) on slopes less than 5%, and 0.5 acre on slopes greater than 30%. An estimated 139 trees (covering approximately 2.75 acres of oak woodland) are proposed for removal with development of the proposed project. Rock removed during the clearing and development of the land would be buried or used for landscaping. There would be no transport of spoils off-site. New/upgraded wildlife exclusion fencing would connect with existing fencing on the project site to enclose the proposed vineyard blocks.

**Erosion Control Measures:** Temporary erosion control measures include installation of fiber rolls, application of straw mulch at a rate of 4,000 pounds per acre, and other practices as needed. Permanent erosion control measures include: installation of rolling dips and a permanent cover crop maintained at a minimum vegetation cover density of 80% for the proposed blocks. Details of the proposed erosion control measures are provided in the Liao Vineyard ECPA, January 28, 2022, prepared by Sarah Pistone (CPESC #9225) of HDVine LLC (**Exhibit A-1**).

**Earthmoving:** Earthmoving and grading activities associated with the installation of erosion control measures and subsequent vineyard operation include, but are not limited to vegetation removal, soil ripping, rock removal, disking, trenching for irrigation pipelines, and the development of erosion and runoff control measures.

**Other Activities and Features:** Other activities and features of the proposed project and subsequent vineyard development and operation include:

- a. Installation of vineyard trellis and drip irrigation systems, and planting rootstock in a 5-foot by 8-foot spacing pattern for an approximate vine density of ±1,089 vines per acre.
- b. Avenues that require turnaround would be 24-feet wide and may be narrower (6-10 feet) parallel to vine rows.
- c. Ongoing inspection and maintenance of temporary and permanent erosion and runoff control measures.
- d. Ongoing operation and maintenance of the vineyard, which includes vine management (pruning, fertilization, and pest and disease control), weed control, cover crop mowing, irrigation and trellis system maintenance, and fruit harvesting. Pre-emergent herbicides would not be strip sprayed in the vine rows for weed management. Contact or systemic herbicides may be applied annually between March and July to ensure adequate vegetative cover. Weed control between rows would be done by a tractor-operated mower annually between June and August.

**Table 1** lists a general schedule for the construction of the proposed project as identified in #P21-00066-ECPA and **Table 2** outlines typical general ongoing vineyard operations. The vineyard would be developed in one phase, with construction occurring up to six months during the year. The final implementation schedule is pending action on #P21-00066-ECPA.

**Table 1 – Implementation Schedule**

April 1 to October 15 <sup>1</sup>	Clear and prepare planting area. Install erosion control, drainage improvements, rolling dips, etc. Install drip, trellis system and vines. Seed cover crop and straw mulch disturbed areas.
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<sup>1</sup> During the winter months (October 15 to April 1 of the succeeding year), no earthmoving work is allowed by the Napa County Code (NCC) Section 18.108.070(L).

**Table 2 – Typical Annual Operations Schedule**

January to February	a. Prune vines.
March to August	a. Sulfur application to protect against mildew. b. Mow cover crop. c. Weed control.
September to October	a. Harvest. b. Winterize vineyard and vineyard avenues.
November to April	a. Monitor and maintain erosion control measures and repair as necessary during rain events.

Vineyard construction would require up to two truck trips delivering heavy equipment generally occurring during the first and last four weeks of construction. Up to four passenger vehicle round trips per day would occur during construction. Anticipated construction equipment would include a tractor with grader and a caterpillar bulldozer.

Pruning would require up to four workers and harvest would require up to ten workers. Up to four passenger vehicle round trips per day would occur seasonally during operation. Up to two truck round trips per day would occur during harvest. Anticipated equipment for vineyard operations would include a tractor with trailer, a forklift, and ATVs and passenger vehicle and/or light trucks.

Implementation of the proposed project would be in accordance with the Liao Vineyard (#P21-00066-ECPA) Updated Track I Erosion Control Plan prepared by HDVine LLC (January 2022 - **Exhibit A-1**). The proposed project is further described in the application materials including the Supplemental Project Information sheets. All documents are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services (PBES, and at <https://pbes.cloud/index.php/s/nijr4genaoYmDiR>).

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

The 41.8-acre project site is located at 3580 Monticello Road, in Napa, California (**Figures 1-3**). Existing facilities include a single-family home, approximately 15.3 acres of vineyard, a water storage reservoir, and an existing well. Surrounding land uses include agricultural land, rural residential and undeveloped land. The land cover types on the project site include Oregon white oak woodland, mixed oak woodland, red willow thicket, sedge rush marsh, blackberry bramble, harding grass sward, wild oat grassland, existing vineyard, ruderal, and open water habitat. The project site contains wildlife exclusion fencing, as shown on the Updated Track I ECPA's January 2021 Topographic Map and ECPA Detail Figure (**Exhibit A-1**).

The project site lies at the eastern base of a steep ridge in the Howell Mountain Range separating Milliken Canyon to the west from Wooden Valley to the east. The project site drains eastward as sheet flow to an unnamed tributary (a dashed blue line stream) to Wooden Valley Creek along its eastern boundary. The tributary joins Wooden Valley Creek at the southern end of Wooden Valley. Wooden Valley Creek flows south through steep ridges to Suisun Creek, which flows south through Suisun Valley to Grizzly and Suisun bays. A spring and wetland complex is located in the southern portion of the project site.

Elevations range from approximately 600 to 900 feet above mean sea level (msl). The closest active fault to the project site is the West Napa Fault located approximately 3 miles east with traces of the fault located approximately 0.5 to 0.75 mile to the south (Napa County GIS Faults Layer). Soils in the project site have been classified according to the Soil Survey of Napa County (USDA 1978) as Forward silt loam, 2 to 26% and 5 to 39% slopes, Bale clay loam, 0 to 2% and 2 to 5% slopes, and Clear Lake clay.

- 10. Background:** The project originally included 10.4 gross acres of proposed vineyard, approximately 1 acre of which occurred on less than 5% slopes, with the original plan submission on April 2, 2021. The applicant has subsequently reduced the proposed acreage to 9.85 gross acres (8.85 gross acres plus 1 gross acre under 5% slope) in response to the Application Completeness Determination letter from Napa County dated April 29, 2021. Specifically, the plan was revised to avoid a 180 square foot wetland located in the southern portion of the project site, provide a 50-foot setback from the wetland, and to avoid oak woodland and associated canopy cover within the central portion of the project site.

This application was submitted after the effective date of the Napa County Water Quality and Tree Protection Ordinance (WQTPO - Ordinance #1438, effective on May 9, 2019); therefore, processing and review of this application will be subject to the County Conservations Regulations (NCC Chapter 18.108) as amended by the WQTPO.

11. **Other agencies whose approval may be required** (e.g., permits, financing approval, or participation agreement that may potentially be required from the identified permitting authority/agency).

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

California Department of Fish and Wildlife (CDFW) (T)  
Regional Water Quality Control Board (Regional Water Board) (R)

**Other Agencies Contacted**

Middletown Rancheria  
Mishewal Wappo Tribe of Alexander Valley  
Yocha Dehe Wintun Nation

12. **California Native American Tribal Consultation:** Have tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on April 16, 2021. The County received a response letter from the Yocha Dehe Wintun Nation on April 29, 2021 (Identification Number YD-04202021-01) indicating that the project area is within the aboriginal territories of the Yocha Dehe Wintun Nation, and the reply requested a site visit and incorporation of Yocha Dehe Wintun Nation's Treatment Protocol into the mitigation measures for the project. On March 26, 2021, the County replied to the Yocha Dehe Wintun Nation indicating that a site inspection with the Tribe was scheduled for June 2, 2021, and the reply stated that the requested recommendation to incorporate Yocha Dehe Wintun Nation's Treatment Protocol and any recommendations as a result of the site inspection would be incorporated into either mitigation measures or conditions of approval for the project, should the application be approved. The consultation invitation with Yocha Dehe Wintun Nation was closed by the County in a letter dated March 26, 2021 because the Tribe did not request consultation. Due to staffing changes within the Yocha Dehe Wintun Nation, an additional site visit occurred on June 23, 2022. Recommendations from the Yocha Dehe Wintun Nation have been incorporated into the mitigation measures for the project in **Section XVIII (Tribal Cultural Resources)**. The County also sent consultation closure notices to the Mishewal Wappo Tribe of Alexander Valley and Middletown Rancheria on June 17 and May 26, 2021, respectively, because no request for consultation was received and more than 30 days had elapsed since the County's consultation invitation was provided. This is discussed in detail in **Section XVIII (Tribal Cultural Resources)**.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                                   |
| <input checked="" type="checkbox"/> Biological Resources    | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy  |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials                 |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning       | <input type="checkbox"/> Mineral Resources                             |
| <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing                 | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation                     | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Wildfire                           | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

## 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 visit(s) to the project site and proposed development area.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with ECPA #P21-00066-ECPA as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or <https://pbes.cloud/index.php/s/nijr4qenaoYmDiR>.

- HDVine LLC, January 28, 2022, Updated Track I ECPA P21-00066, Liao Vineyard, APNs 033-040-057 and 058, 3580 Monticello Road, Napa, CA 94558 (**Exhibit A-1**)
- HDVine LLC, February 8, 2022, Liao Vineyard Canopy Calculations (**Exhibit A-2**)
- Northwest Biosurvey, March 15, 2021, Biological Resource Assessment with Botanical Surveys and Delineation of Waters of the U.S. for the Liao Family Vineyard Project, APNs 033-040-057 and 058, Napa County, CA (**Exhibit B-1**)
- Northwest Biosurvey, September 13, 2021, Response to Napa County Review Letter for Liao Family Vineyard Project Biological Resource Assessment, Dated March 15, 2021 (**Exhibit B-2**)
- HDVine LLC, September 1, 2021, Liao Vineyard USLE Analysis (**Exhibit C**)
- HDVine LLC, February 3, 2022, Liao Vineyard Water Availability Analysis (**Exhibit D**)
- HDVine LLC, September 1, 2021, Liao Vineyard Hydrology Analysis, Updated Tables (**Exhibit E**)
- Archaeological Research, November 23, 2020, Cultural Resources Evaluation of a Portion of 3580 Monticello Road, Napa, CA, APNs 033-040-057 and 058
- Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation (**Exhibit F**)
- Project Revision Statement (**Exhibit G**)
- Site inspection conducted by Napa County Conservation and Engineering Division staff (Don Barrella, Planner III: Alexei Belov, Assistant Engineer) on April 23, 2021, and on June 2, 2021 (Don Barrella, Planner III: Pam Arifian, Planner III) with Yocha Dehe Tribal Representative.
- Napa County Geographic Information System (GIS) sensitivity maps/layers

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. Attached as **Exhibit G** is the signed Project Revision Statement.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



\_\_\_\_\_  
Signature

September 23, 2022  
\_\_\_\_\_  
Date

Donald Barrella  
\_\_\_\_\_  
Printed Name

Napa County Planning, Building and Environmental Services

**ENVIRONMENTAL CHECKLIST FORM**

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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-b. The project site is approximately 80-100 feet east of Monticello Road, which is a Napa County-designated scenic roadway (Napa County GIS, Scenic Corridors Layer). However, the proposed project would not have a substantial effect on the scenic roadway because the development area is at a lower elevation than the road, setback between 200-455 feet from the road, and intervening woodland/vegetation between the development area and the road would be retained. Additionally, visual impacts related to construction equipment and activities at the development area would be short-term and temporary in nature.

Existing vineyards are located within and surrounding the project site and the proposed project would be consistent with these land uses. As described in the Project Description and in **Section IV (Biological Resources)**, trees would be removed during project construction; however, the majority of the trees are not visible from public viewpoints and this would not result in damage to a scenic resource.

The project site is not located on a prominent hillside or a major or minor ridgeline (Napa County GIS, Ridgelines Layer) and there are no historic buildings on site. There are no significant rock outcroppings or geologic features on the project site that would be impacted by the proposed project. Therefore, for the reasons described above, the proposed project would have a less than significant impact on a scenic vista, scenic highway, historic buildings, scenic trees, or rock outcrops.

c. The proposed project would result in the removal of existing vegetation within the development area and includes the development of new vineyard. The proposed project is consistent with the Napa County Agriculture, Watershed & Open Space (AWOS) and Agricultural Resource (AR) land use designations and with adjacent land uses, which include other vineyards, wineries, and rural residential uses. Although trees would be removed, as explained in questions a-b above (and discussed in **Section IV [Biological Resources]** below), the majority of the trees are not visible from public viewpoints, and their removal would not substantially degrade the existing visual character or quality of public views of the site or its surroundings. For these reasons, the impact would be less than significant.

d. Proposed agricultural operations on the project site would require some lighted nighttime activities consistent with the nighttime activity already occurring on the project site and in the surrounding area, which includes vineyard and agricultural uses. Lighting would be in the form of headlights or downward direction lights on equipment being used during nighttime harvest. The proposed project would include harvest activities (typically occurring in September and October), that could include nighttime activity (typically from 10 p.m. to 6 a.m.). The proposed project would include sulfur applications that could occur between 4 a.m. and 7 a.m. approximately five times per year. Although some nighttime activity would occur for limited periods, the proposed project would not introduce a new source of substantial light or glare, and the type of nighttime lighting would be consistent with surrounding land uses. Therefore, the proposed project would result in a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (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 Resource Code Section 12220(g)), timberland (as defined in Public Resource 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?	<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 or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The California Department of Conservation's Important Farmland Finder identifies the project site as Grazing Land. The proposed project would result in an increase in agricultural land; therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and there would be no impact.
- b. The project site has AWOS and AR General Plan designations and is zoned Agricultural Preserve (AP) and Agricultural Watershed (AW). Therefore, the establishment of vineyard totaling approximately 9.85 gross acres (8.0 net acres) is consistent with project site's land use and zoning designations. The subject property does not have a Williamson Act contract associated with it. Therefore, implementation of the proposed project would not change the primary agricultural activity within the development area and the proposed project would not conflict with its land use designation or a Williamson Act contract, resulting in no impact.
- c-d. "Forest Land" is defined in California Public Resource Code Section 12220(g) as "land that can support 10% 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." "Timberland" is defined in California Public Resource Code Section 4526 as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forests products, including Christmas Trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others." The project site does not contain forestland or coniferous forest (Napa County GIS). The project site is not zoned forestland as defined in Public Resource Code Section 12220(g), timberland as defined in Public Resource Code Section 4526, or a Timberland Production Zone (TPZ) as defined in Government Code Section 51104(g). Therefore, no impact would occur.
- e. The proposed project does not include the construction of roadways or other infrastructure that would result in the conversion of existing farmland or forestland in the area to non-agricultural or non-forestland uses. As such, the proposed project would have no impact on agricultural or forest resources of Napa County.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
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**

See **Section VIII (Greenhouse Gas Emissions)** for the greenhouse gas (GHG) emissions disclosure and impact assessment.

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 were designed to establish the level at which the Air District believed air pollution and greenhouse gas emissions would cause significant environmental impacts under CEQA. The thresholds were posted on the Air District's website and included in the Air District's updated CEQA Guidelines (updated May 2012)<sup>1</sup>. 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.

The Air District published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's 2015 opinion in *Cal. Bkdg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Ca 4th 369.

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts: CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022<sup>2</sup>. The proposed thresholds to evaluate GHG and climate impacts from land use projects are qualitative; therefore, there is no bright-line (quantitative) level to mitigate below. Projects that decline to integrate qualitative design elements can alternatively demonstrate consistency with a local Greenhouse Gas (GHG) Reduction Strategy that meets the criteria of the State CEQA Guidelines section 15183.5(b).

There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions that represent the vast majority of project GHG emissions.

In short, these thresholds of significance changes can be used by agencies as guidelines for determining climate impacts from projects subject to CEQA. However, agencies are not required to abide by these thresholds, as they are only guidelines.

<sup>1</sup> [CEQA Thresholds and Guidelines Update \(baaqmd.gov\)](https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines): https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

<sup>2</sup> [Microsoft Word - FINAL CEQA Thresholds Report for Climate Impacts 03 30 22 revisions with tracked changes \(baaqmd.gov\)](https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en): https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en

a-b. The project site is generally located in the foothills along the eastern side of Napa Valley, within the Napa County climatological subregion of the San Francisco Bay Area Air Basin, which is under the jurisdiction of BAAQMD. The topographical and meteorological features of the Napa Valley subregion create the potential for air pollution. In the short term, potential air quality impacts are most likely to result from construction activities. Construction-related emissions, which are temporary in nature, mainly consist of particulate matter (PM) generated from fugitive dust during grading or other earthmoving activities and other criteria pollutants generated through the exhaust from construction equipment, and vehicular haul and worker trips. In the long term, potential air quality impacts would likely result from ongoing activities associated with the operation and maintenance of the proposed vineyard. Operational-related emissions, which are seasonal in nature, are primarily generated from vehicular trips associated with workers going to and from the site and equipment necessary for ongoing vineyard maintenance. Refer to **Section XVII (Transportation)** for the anticipated number of construction- and operation-related trips.

The potential impacts associated with implementation and operation of the proposed 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 (O<sub>3</sub>), ozone precursors oxides of nitrogen and reactive organic gases (NO<sub>x</sub> and ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended PM of ten micrometers or less and two and a half micrometers or less (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead (Pb) and sulfur dioxide (SO<sub>2</sub>), would not be substantially emitted by the proposed development or associated 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 gives 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 BAAQMD CEQA Guidelines described above, which outline substantial evidence supporting a variety of thresholds of significance.

The thresholds of significance identified in **Table 3** are consistent with the BAAQMD CEQA Guidelines, and are used to determine if an air quality impact would be significant.

In order to assess potential air quality emissions, a review of the emissions analysis associated with vineyard development/construction and operations performed for three certified Environmental Impact Reports (EIR) in Napa County was completed: Suscol Mountain Vineyards<sup>3</sup> for an approximately 560-acre vineyard development, Walt Ranch Vineyard<sup>4</sup> for an approximately 507-acre vineyard development, and Circle-S Ranch Vineyards<sup>5</sup> for an approximately 400-acre vineyard development<sup>6</sup>.

The analysis within the Circle-S EIR anticipated construction in phases of approximately 150 acres, which would generate approximately 100 15-mile one-way trips per day (75 worker trips and 25 truck trips). The analysis anticipated that maximum operational emissions, occurring during harvest, of an approximately 400-acre vineyard would generate approximately 170 15-mile one-way trips per day (approximately 160 worker trips and eight grape haul truck trips). The Walt Ranch EIR analysis anticipated vineyard development in phases of approximately 127 acres, which would generate approximately 160 15-mile one-way trips per day, and annual vineyard operations generating up to approximately 160 one-way trips of approximately 15 miles per day occurring during harvest. The Suscol Mountain EIR analysis anticipated vineyard development in phases of either approximately 150 or 250 acres, which would generate approximately 50 to 60 15-mile one-way trips per day, and annual vineyard operations generating up to approximately 116 15-mile one-way trips occurring during harvest.

**Table 3** shows the approximate anticipated construction emissions associated with the development of vineyards of the sizes described above. Also shown in **Table 3** are the BAAQMD CEQA Guidelines draft thresholds of significance for emission of the following criteria pollutants: ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.

Variations or similarities in emissions modeling results between the three projects can be attributed to the modeling platform and version used, and differences in modeling assumptions and inputs such as quantities and types of vegetation to be removed, construction trips, construction equipment and duration of use/operation, and operational equipment operation and trips.

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<sup>3</sup> #P09-00176-ECPA, Analytical Environmental Services (AES) March 2012, SCH #2009102079 certified February 3, 2013

<sup>4</sup> #P11-00205-ECPA, AES March 2016, SCH #2008052075 certified August 1, 2016

<sup>5</sup> #P06-01508-ECPA, AES April 2011, SCH #2007062069 certified December 22, 2011

<sup>6</sup> These EIRs are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services permanent files.

**Table 3 – Emissions from Vineyard Development and Operation**

Emissions and Thresholds	Criteria Pollutants – Constituents			
	ROG	NO <sub>x</sub>	PM <sub>2.5</sub>	PM <sub>10</sub>
<b>Construction Emissions</b>				
<b>Pounds per day: 150-acre vineyard development<sup>1</sup></b>	8.43 to 11.39	34.39 to 52.16	3.93 to 4.47	13.93 to 14.53
<b>Pounds per day: 150- to 250-acre vineyard development<sup>2</sup></b>	9.43 to 11.03	43.85 to 53.16	3.91 to 4.62	12.87 to 17.22
<b>Pounds per day: 127-acre vineyard development<sup>3,4</sup></b>	4.6	42.3	5.21 <sup>4</sup>	24.21 <sup>4</sup>
<b>Construction threshold</b>	54	54	54	82
<b>Operational Emissions</b>				
<b>Pounds per day: 400-acre vineyard operation<sup>1</sup></b>	7.78	2.85	0.80	4.22
<b>Pounds per day: 560-acre vineyard operation<sup>2</sup></b>	6.58	1.84	0.75	3.91
<b>Pounds per day: 507-acre vineyard operation<sup>3</sup></b>	4.3	22.3	1.4	2.3
<b>Operational threshold (lbs/day)</b>	54	54	54	82
<b>Tons per year (Metric)<sup>1,5</sup></b>	0.78	0.35	0.11	0.58
<b>Operational threshold (tons per year)</b>	10	10	10	15

<sup>1</sup> As identified in Circle-S EIR; <sup>2</sup> As identified in Suscol Mountain EIR; <sup>3</sup> As identified in Walt Ranch EIR; <sup>4</sup> Includes dust and exhaust emissions; <sup>5</sup> Calculation based on 365 days of operation. Project emissions are anticipated to be less than identified as vineyard operations are seasonal in nature.

Sources: Circle-S Ranch Vineyard EIR 2011; Suscol Mountain Vineyard EIR 2013; Walt Ranch Vineyard EIR 2016; BAAQMD CEQA Guidelines May 2017.

Because the proposed project's 9.85 gross acre vineyard (approximately 8.0 net-planted acres) is smaller than any of the projects presented above, construction and operational emissions from the proposed project that could negatively affect air quality are expected to be less than those identified in **Table 3** and therefore below identified thresholds. Additionally, project approval, if granted, would be subject to the standard Air Quality Conditions of Approval described below, which includes standard air quality and construction best management practices (BMPs) consistent with BAAQMD measures identified in Table 8-2 of the BAAQMD CEQA Guidelines that would further reduce potential air quality impacts associated with construction and ongoing operation of the proposed project. These BMPs would be incorporated into the proposed project.

**Air Quality – Conditions of Approval:**

The owner/permittee shall implement the following air quality BMPs during construction activities and vineyard maintenance and operations:

- 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.
- Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
- Cover all haul trucks transporting soil, sand, or other loose material offsite.
- Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five minutes (as required by state regulations). Clear signage shall be provided for construction workers at all access points.
- Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities onsite to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.
- 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<sup>7</sup> or the PERP website<sup>8</sup>.

Installation of the proposed project is expected to generate emissions that are below the thresholds presented in **Table 3**, would contain other features that minimize fugitive dust (such as vineyard cover crop), and would introduce fewer new vehicle trips than the projects shown in **Table 3** during both installation and operation (see **Section XVII [Transportation]** for anticipated project trips). Therefore, implementation of the proposed project would result in less than significant air quality impacts, and would not conflict with or obstruct implementation of an air quality plan or result in cumulatively considerable effects.

c-d. Land uses such as schools, playgrounds, child care centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to

<sup>7</sup> [http://www.arb.ca.gov/portable/perp/perfaq\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perfaq_04-16-15.pdf)

<sup>8</sup> <http://www.arb.ca.gov/portable/portable.htm>

respiratory infections and other air quality related health problems than the general public. Residential areas are also considered sensitive to air pollution because residents, which include children and the elderly, tend to be at home for extended periods of time.

Land uses adjacent to the project site include agricultural land, rural residential and undeveloped land. The project site consists of approximately 41.8 acres of land and existing facilities include a single-family home, approximately 15.3 acres of existing vineyard, a water storage reservoir, and an existing well. The closest school is located approximately 4 miles southwest of the project site (Vichy Elementary) within the City of Napa (Napa County GIS, Schools Layer). The next closest schools are over 6 miles to the west within the City of Napa. The closest offsite residence is located approximately 75 feet north of the project site.

During installation of the ECPA, vineyard planting, and subsequent vineyard operations, airborne pollutants and odors would be created through the use of grading and farm equipment (e.g., tractors, trucks, and ATV's). These sources would be temporary and/or seasonal in nature and would occur approximately 4 miles from the closest school and approximately 75 feet from the nearest residence, providing dilution of pollutants and odors. For the reasons identified above, the proposed project would not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors. Therefore, impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

The following sources were utilized in this analysis and are incorporated herein by reference and available in the project file for review:

- Northwest Biosurvey, March 15, 2021, Biological Resource Assessment with Botanical Surveys and Delineation of Waters of the U.S. for the Liao Family Vineyard Project, APNs 033-040-057, and 058, Napa County, CA (**Exhibit B-1**)
- Northwest Biosurvey, September 13, 2021, Response to Napa County Review Letter for Liao Family Vineyard Project Biological Resource Assessment, Dated March 15, 2021 (**Exhibit B-2**)

Northwest Biosurvey conducted an assessment of biological resources on the project site on March 2, July 30 and August 5, 2020. The surveys covered two parcels totaling 42 acres. At the time approximately 11.28 acres were proposed for new vineyard within the project site.

The surveys were completed to document: biological communities; existing conditions and to determine if suitable habitat to support special-status plant or wildlife species exists; aquatic natural communities; and any special-status species that may be present onsite. The survey dates corresponded to blooming periods sufficient to observe and identify special-status plant species determined to have the potential to occur in the

project site. The field surveys were conducted by botanists familiar with the flora of Napa County and surrounding counties. The surveys followed the protocol for plant surveys described by resource agency guidelines (CNPS, 2001; CDFW, 2018; USFWS, 1996). Plants were identified using *A Manual of California Vegetation* (Sawyer et al., 2009) and *The Jepson Manual of Higher Plants of California* (Baldwin, et al, 2012) to the taxonomic level necessary to determine whether they were rare.

A list of special-status plant and animal species that have the potential to occur within the vicinity of the project site was compiled based on data in the California Natural Diversity Database (CNDDB) and RareFind 5 databases, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS, 2020), California Wildlife habitat Relationships System (Version 9.0), and the Napa County *Baseline Data Report* (Napa County, 2005) that may be affected by projects in the Mt. George and surrounding 7.5- minute topographic quadrangles.

The project site consists of the following biological communities (or habitat types): Oregon white oak woodland, mixed oak woodland, red willow thicket, sedge rush marsh, blackberry bramble, Harding grass sward, wild oat grassland, vineyard, pond, and ruderal (disturbed). Oak woodland and marsh (wetlands) are considered sensitive habitat types. The habitats and their acreages are shown in **Table 4**.

**Table 4 – Biological Communities and Habitat Types on the Project Site**

Biological Communities or Habitat Type	Approximate Pre-Project Conditions (acres) <sup>9</sup>
Grassland	9.84
Oak Woodlands	10.2
Vineyard	18.98
Pond	1.92
Sedge Rush Marsh	0.91
Ruderal (disturbed)	0.33
Red Willow Thicket	0.46
<b>Total</b>	<b>42.64</b>

Source: Northwest Biosurvey, March 2021 (**Exhibit B-1**); Napa County, 2022

- a. **Special-Status Plants:** Based upon a review of the resource databases listed in **Exhibit B-1**, eight special-status plant species have the potential to occur in the plant communities identified in the project site. Results of the plant survey identified 88 native and non-native plants and determined no special-status plant species are present within the development area (**Exhibit B-1**). Therefore, the proposed project would have no impact on special-status plant species.

Protecting the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats is encouraged by Napa County General Plan Goal CON-3.<sup>10</sup> Additionally, pursuant to Napa County General Plan Policy CON-13,<sup>11</sup> the County shall require that all discretionary agricultural projects consider and address impacts to wildlife habitat and avoid impacts to habitat supporting special-status species to the extent feasible, and where impacts to special-status species and their habitat cannot be avoided, projects shall include effective mitigation measures and management plans to provide protection for habitat supporting special-status species through buffering or other means, and enhance existing habitat values particularly for special-status species through restoration and replanting as part of the project or its mitigation.

The project as proposed would not remove special-status plants and/or populations, which is consistent with the following Napa County General Plan Conservation Element Goals and Policies and Zoning Ordinance: General Plan Goal CON-3 as it protects the continued presence of special-status plant species or its habitat; Policy CON-13 in that impacts to special-status habitat can be avoided while allowing for the new development of up to approximately 9.85 acres of agriculture on the project site (as further disclosed and assessed below); Policy CON-17<sup>12</sup> because the removal and disturbance of a sensitive natural plant community that contains special-status plant species is prevented; and, the purpose and intent of the Conservation Regulations (NCC Chapter 18.108) in that it preserves natural habitat or existing vegetation, and does not adversely affect sensitive, rare, threatened or endangered plants.

<sup>9</sup> The acreages identified may slightly differ from acreages identified in the property's other various parcel and project reports and assessments, and associated CEQA disclosures/determinations due to the various mapping platforms, spatial characters, modeling data, and rounding utilized by the various preparer's. Because approximate biological/plant communities, habitats, and project acreages have been corroborated through County GIS mapping, the values disclosed herein are considered by the County to be adequate for CEQA review and disclosure purposes of the subject application.

<sup>10</sup> Goal Con-3: Protect the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats, and comply with all applicable state, federal, or local laws or regulations.

<sup>11</sup> Policy Con-13: The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to: Provide protection for habitat supporting special-status species through buffering or other means.

<sup>12</sup> Policy CON-17: Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The County, in its discretion, shall require mitigation that results in the following standards: Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species.

Special-Status Animals: Based upon a review of the resource databases listed in **Exhibit B-1**, 14 special-status could occur within the area of the project site. Of these, six special-status species have a moderate or high potential to occur within the project site: western pond turtle (*Emys marmorata*), white-tailed kite (*Elanus leucurus*), loggerhead shrike (*Lanius ludovicianus*), Lawrence's gold finch (*Carduelis lawrencei*), Lewis' woodpecker (*Melanerpes lewis*), and pallid bat (*Antrozous pallidus*). Additionally, a variety of native bird species with protections under the Migratory Bird Treaty Act and California Fish and Game Code may use vegetation within the development area for nesting.

Western pond turtles prefer slow or ponded water with sheltering vegetation but will range widely through less suitable habitat in search of these sites. Stream channels are often used as movement corridors between waterways or ponds. Eggs are laid on land in sheltered nests. Young overwinter in the nest and emerge the following spring in Northern California. Food includes aquatic insects, crustaceans, fish, and riparian vegetation. When present, pond turtles are readily observed basking along shorelines or on logs in shallow water. Western pond turtles were identified in the water storage reservoir (pond) on the project site in 2007. Habitat for western pond turtles is present in the pond on the project site and in ponds on adjacent properties.

White-tailed kite are usually found near agricultural areas. The kite prefers open terrain near woodlands and water. These raptors hunt over open country and prefer large, deciduous trees surrounded by expanses of grassland, meadows, farmland, and/or wetlands for nesting and roosting sites. They feed mostly on small diurnal mammals, but will sometimes eat birds, insects, amphibians, and reptiles. The woodlands and forests adjacent to the grassland in the project site provide moderate habitat for kites for both nesting and feeding. The wooded grasslands with proximity to water make this site ideal habitat for nesting white-tailed kites.

Loggerhead shrike is considered a sensitive species by Napa County. These passerines prefer open-canopied woodlands with grass groundcover, and grazed open pastures. Preferred habitats include valley-foothill woodlands and riparian. They build well-concealed nests in the dense foliage of oaks and shrubs. They eat large insects but are fairly unique for passerines in that they also eat small amphibians, reptiles, birds, and mammals that they may impale on thorns or barbed wire fences. Shrikes use fence posts or shrubs as observation posts. Nesting occurs between March and early July when the young are fully fledged. Potential habitat for this species may be found in the mix of grassland and woodlands in the project site.

Lawrence's gold finch are passerine (perching birds) bird that prefer to nest in the dense foliage of oaks in dry open woodland near brushy and grassy areas or chaparral. Proximity to water is important. Their diet consists primarily of seeds but includes some insects. They frequently nest near other pairs during a breeding season that extends from late March through July, with birds migrating south in August. Suitable habitat occurs in the project site.

Lewis' woodpecker excavate nest cavities in dead trees and dead limbs of live trees in open woodlands. They hunt insects, eat fruits and berries throughout the spring and summer, and shift their diet to cached acorns and emerging insects in the fall and winter. Breeding occurs between early May and July. The open oak woodland in the project site contains many dead and downed trees that are likely to provide habitat for this and other woodpecker species. No acorn storage trees were identified during the site visits.

Optimal habitat for pallid bats consists of open, dry habitats with rocky areas, but the bats are also found in oak savanna grasslands and in open forest and woodlands with access to riparian and open water for feeding and drinking in northern California. Foraging occurs over open country. These bats prefer the cool summer temperatures of caves, crevices, and mines as roosting sites where they are known to wedge themselves into small spaces; they will also roost in buildings, bridges, and hollow trees. Preferred roosts are high above the ground and inaccessible to terrestrial predators, although they are occasionally found roosting on the ground underneath sacks and other items left by humans. Pallid bats take a variety of prey, including insects, reptiles, and rodents. The bats have a home range of 1 to 3 miles and, like the Townsend's bat, are known to roost with other bat species. This species is extremely sensitive to human disturbance of roosting sites. Populations in California have declined due to habitat destruction and use of pesticides. The denser woodlands on the project site have the potential to contain habitat for pallid bats, including the numerous fallen oaks within the grassland and the proximity to agricultural ponds. Two potential bat habitat trees were identified within the project area; however, no historic or current signs were found at the sites during the surveys indicating use by bats.

The above described special-status species were not observed during the reconnaissance-level biological surveys. In addition, migratory birds and raptors have the potential to nest within the trees throughout and adjacent to the development area. Tree removal and temporary and intermittent increases in noise levels may cause nest abandonment and death of young or loss of reproductive potential at active nests located near project activities. Potential direct and indirect impacts to special-status species and protected bird species would be significant.

The proposed project would not affect western pond turtle and this impact would be less than significant.

To reduce potentially direct and indirect significant impacts to special-status and protected bird species, as a result of the project to a less than significant level, **Mitigation Measure BR-1** would be implemented to include pre-construction bird surveys and measures to avoid any nests with an exclusion buffer.

**Mitigation Measure BR-1:** The owner/permittee shall revise Erosion Control Plan #P21-00066-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County Conservation Division and the USFWS and/or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.
- e. Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

To reduce potentially direct and indirect significant impacts special-status bat species as a result of the project to a less than significant level, **Mitigation Measure BR-2** would be implemented.

**Mitigation Measure BR-2:** The owner/permittee shall revise Erosion Control Plan #P21-00066-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of special-status bat species:

- a. Bat habitat tree removal and trimming between August 31 through October 15, and March 1 to April 15: Under the supervision of a qualified biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying), bat habitat trees shall be removed or trimmed in a two-phased system conducted over two consecutive days. The first day (in the afternoon), limbs and branches will be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices and deep bark fissures will be avoided, and only branches or limbs without those features will be removed. On the second day, the entire tree will be removed. All felled trees shall remain on the ground for at least 24 hours prior to disposal to allow any present bats within the trees to escape.
  - b. Bat habitat tree removal or trimming between October 16 and February 28/29 of the following year or between April 16 and August 30: A qualified biologist shall conduct pre-construction survey within 14 days of project initiation to determine absence or presence of special-status bat species within identified bat habitat trees. A copy of the survey results shall be provided to the County Planning Division prior to commencement of work. If special-status bat species are not present removal can proceed as prescribed in Measure BR-2(b)(i). If bats are found to be present a plan for removal or exclusion will be developed by a qualified biologist in conjunction with the County Planning Division and CDFW. The removal or exclusion plan shall be reviewed and authorized by the County Planning Division and implemented prior to commencement of the ECPA.
- b-c. Seasonal wetlands are known from a variety of topographic positions and soil types where surface waters collect and flows are reduced, or subsurface waters approach the soil surface as a rising water table or seep. The approximately 0.91 acre of wetlands on the project site are located outside the development area. The wetland areas have been avoided and provided with a minimum 50-foot buffer; therefore, impacts to seasonal wetlands would be less than significant.

The assessment of biological resources on the project site also included a delineation of waters of the U.S. In addition to the 0.91 acre of wetland mapped, the project site also contains 2.02 acres of streams and the constructed water storage reservoir. The streams on the project site are not subject to U.S. Army Corps of Engineer's regulatory authority under Section 404 of the Clean Water Act. Additionally, the ephemeral drainage located on the northern portion of the project site in the development area was reviewed during a site visit on June 2, 2021 and was confirmed as a constructed drainage ditch, not a stream. The proposed project has been designed to avoid the ephemeral streams along the eastern and southern boundaries of the project site, with setbacks exceeding the minimum 35-foot setbacks in accordance with NCC 18.108.025. The proposed project has also been designed to maintain existing soil loss (sedimentation) and

hydrologic/runoff characteristics (i.e., result in no net increase in soils loss or runoff as compared to existing conditions). Therefore, the proposed project would not result in significant impacts to these drainages, wetlands, or any riparian habitat or other sensitive natural community.

- d. The proposed project involves the installation of vineyard totaling approximately 9.85 gross acres (8.0 net acres) across a portion of two parcels comprising the project site. The project site has existing wildlife exclusion fencing located in the area of the proposed vineyard blocks. The proposed project would install wildlife exclusion fencing connecting with the existing fencing around the proposed vineyard blocks (**Exhibit A-1**).

The project site is not located within a mapped wildlife corridor identified in the Napa County Baseline Data Report. For local diurnal movement (daily movement between sources of food, cover, and water), wildlife generally follow stream courses when moving up and down slopes and use adjacent habitats (often preferring woodlands) for cover, browse, or hunting. The actual width of usable corridors would continually change based on the density of vegetation, steepness of adjacent slopes or presence of unsuitable habitat such as fenced vineyards and residential areas. Wildlife movement west of the project site is limited by the cliff-faces west of Monticello Road. Access to the north and east is largely excluded by continuous, fenced vineyard development. Wildlife movement corridors within the valley primarily consist of Wooden Valley Creek and its western tributary that extends along the eastern edge of the project site.

Because wildlife movement and use within the area is limited and fragmented due to surrounding conditions, the proposed wildlife exclusion fencing is not anticipated to reduce wildlife use or interfere with wildlife movement in the area. Therefore, potential impacts to wildlife movement because of the project would be less than significant.

. Furthermore, because wildlife nursery sites were not identified in the project site or area, there would be no impacts to wildlife nursery sites.

To ensure that wildlife exclusion fencing is installed and maintained in a manner consistent with the proposed ECPA and CDFW recommendations the following condition of approval would be incorporated should the proposed project be approved.

**Fencing – Condition of Approval:**

- New fencing shall use a design that has 6-inch square gaps at the base (instead of the typical 3-inch by 6-inch rectangular openings) to allow small mammals to move through the fence.
- Exit gates shall be installed at the corners of wildlife exclusion fencing to allow trapped wildlife to escape. Smooth wire instead of barbed wire shall be utilized to top wildlife exclusion fencing to prevent entanglement.
- Any modifications to the location of wildlife exclusion fencing as specified in Erosion Control Plan #P21-00066-ECPA shall be strictly prohibited, and would require County review and approval to ensure the modified wildlife exclusion fencing location or design would not result in potential impacts to wildlife movement.

- e. Based on the Biological Resources Assessment (**Exhibit B-1**) and the Vegetation Cover Canopy Analysis (**Exhibit A-2**), the project site contains a total of 10.2 acres of oak woodland and associated vegetative cover canopy. The proposed project would result in the removal of 2.75 acres of oak woodland and associated cover canopy (73% retention). Approximately 139 trees are proposed for removal within the development area.

Oak woodland is the most common land cover in the county occurring on approximately 167,000 acres (33% of the County's area). Approximately 733 acres of oak woodland or 0.5% of the total area of oak woodland in the County has been cleared for residential and agricultural purposes between 1993 and 2002 (Napa County Baseline Date Report, Biological Resources Section, pages 4-22 and 4-25, Version 1, November 2005). While oak woodlands may be one of the most common land covers within the County, their past conversion to residential and agricultural uses in conjunction with foreseeable oak woodland conversion to agricultural use is considered a potentially significant impact on both a project-specific level and a cumulative level (Napa County General Plan, Draft Environmental Impact Report, Volume 1, Section 5.4 Biological Resources, Pacific Municipal Corporation, February 2007).

Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained to the extent feasible to provide oak woodland and wildlife habit, slope stabilization, soil protection and species diversity. Policy CON-24c<sup>13</sup> specifically calls for the preservation of oak woodland (on an acreage basis) at a 2:1 ratio where feasible, where preservation/avoidance of oak woodland is not feasible, replacement of oak woodland at a 2:1 ratio is required. Removal of more than 1 acre of oak woodland for every 2 acres preserved would be considered a significant impact. The project site contains approximately 10.2 acres of oak woodland and associated cover canopy, with 2.75 acres occurring in the development area. In order to maintain 2 acres preserved for 1 acre impacted in compliance with Policy CON-24c, 2:1 preservation ratio, up to approximately 3.4 acres can be converted to vineyard and retain 6.4 acres to comply with this

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<sup>13</sup> Policy CON 24(c): Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ration when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.

policy. The proposed project would retain/preserve 7.45 acres of oak woodland; therefore, the project is consistent with Policy CON-24c. The acreages of each biological community (or habitat type) within the project site and development area are listed in **Table 5**.

**Table 5 – Retention of Biological Communities with Proposed Project<sup>14</sup>**

Biological Communities	Total Acres in the Project Site	Total Acres in Proposed Vineyard Blocks	Total Retention %
Grassland	9.84	7.1	27%
Woodlands	10.2	2.75	73%
Vineyard	18.98	0	100%
Pond	1.92	0	100%
Sedge Rush Marsh	0.91	0	100%
Ruderal (disturbed)	0.33	0	100%
Red Willow Thicket	0.46	0	100%

Sources: Northwest Biosurvey, March 2021 (**Exhibit B-1**); and HDVine LLC, February 2022 (**Exhibit A-2**)

NCC Section 18.108.020(C) (General Provisions: Vegetation Retention Requirements) requires that parcels within the AW zoning district retain 70% of the vegetation canopy cover<sup>15</sup> based on the on-site canopy present on June 16, 2016. The project proposes to retain 7.5 acres (or 73%) of the vegetation canopy cover (i.e., oak woodland) that existed on the subject parcel in 2016, approximately 6.8 to 7 acres of which occurs on areas under 50% slope and outside of stream setbacks, exceeding the 70% retention requirement found in NCC Section 18.108.020(C).

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

While the project proposes to retain approximately 7.5 acres (or 73%) of the tree canopy (or vegetation canopy cover) that existed on the subject parcel in 2016, exceeding the 70% retention requirement, the project would not be consistent with the 3:1 tree preservation ratio, in that approximately 8.25 acres of cover canopy would need to be preserved to comply with the 3:1 ration prescribed by NCC Section 18.108.020(E). Inconsistency with NCC Section 18.108.020(E) is considered a potentially significant impact. **Mitigation Measure BR-3**, which will require #P21-00066-ECPA to be revised prior to approval to avoid and retain an additional 0.2 to acres of oak woodland cover canopy, will be implemented to minimize this impact and achieve consistency, in part, with NCC Section 18.108.020(E). Reducing canopy cover removal by 0.2 acres, to 2.55 acres in total, would result in 7.65 acres of cover canopy being avoided consistent with NCC Section 18.108.020(E).

Further, to achieve consistency with NCC 18.108.020(E), which requires that avoided and preserved cover canopy be enforceable restricted with a perpetual protective easement or perpetual deed restriction, **Mitigation Measure BR-3** will also require #P21-00066-ECPA be revised, prior to approval, to include a 7.65-acre vegetation removal mitigation preservation area. With implementation of **Mitigation Measures BR-1 through BR-3** and standard conditions of approval, the proposed project would have less than significant impacts on special-status plants and wildlife, wildlife movement and result in conformance with policies protecting biological resources in the Napa County General Plan and Conservation Regulations. Further, as discussed in **Section VII (Geology and Soils)** and **Section X (Hydrology and Water Quality)**, under existing conditions, the annual soil loss is anticipated to average 5.8 tons per year across the development area depending on soil type, slope length, and gradient. Under proposed project conditions, annual soil loss is anticipated to average 5 tons per year, or a reduction of approximately 13.8% as compared to existing conditions. Therefore, the findings can be made that highest biological and water quality protections have been incorporated into the project, as proposed, with incorporation of **Mitigation Measures BR-1 through BR-3** and standard conditions of approval, resulting in less than significant impacts.

**Mitigation Measure BR-3:** The owner/permittee, prior to approval, shall revise #P21-00066-ECPA to include the following provisions to reduce potential impacts to oak woodland and associated vegetation cover canopy, and to achieve consistency with the Napa County Conservation Regulations 18.108:

<sup>15</sup> Napa County Code Section 18.108.030 defines "vegetation canopy cover" as "the biotic communities classified as oak woodland, riparian oak woodland, or coniferous forest based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended)."

- a. Revise the boundaries of P21-00066-ECPA prior to approval to avoid 0.2 acres of oak woodland and associated vegetation cover canopy so that no more than 2.55 acres of oak woodland and associated vegetation cover canopy is removed as part of the project.
- b. A Preservation Area totaling 7.65-acres of oak woodland and associated vegetation cover canopy located outside of the boundaries of the existing and proposed developed area shall be designated in the ECPA plans, and as such in a deed restriction or conservation easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The owner/permittee shall record the deed restriction or conservation easement prior to construction, or within 60 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the woodland being impacted as a result of the proposed project, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project property and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation of forest within the project property; and the preservation area should not include portions of the property already subject to development restrictions (i.e., within creek setbacks or on slopes over 50%). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.
- c. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50-feet of the development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of erosion control plan and vineyard installation.
- d. The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3<sup>rd</sup> of the canopy) and vegetation to be retained adjacent to the vineyard conversion area.
- e. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P21-00066-ECPA shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before vineyard planting activities. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the erosion control plan.

Additionally, as discussed in questions a through c above, the proposed project is designed to incorporate mitigation measures and conditions of approval, impacts to sensitive natural communities and special-status species would be less than significant. Therefore, the proposed project with conditions incorporated is consistent with applicable Napa County General Plan Policies and NCC Chapter 18.108.

- f. There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other similar plans applicable to the project site. Therefore, no impact would occur.

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

**Discussion**

See **Section XVIII (Tribal Cultural Resources)** for disclosures and the impact assessment pursuant to Pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 - Gatto).

The following was utilized in this analysis and is incorporated herein by reference, in addition to Napa County GIS Archeological sensitive areas and Archeological sites layers:

- Archaeological Research, November 23, 2020, Cultural Resources Evaluation of a Portion of 3580 Monticello Road, Napa, CA, APN's 033-040-057 and 058

Archaeological Research conducted a cultural resources study for the project site which included a record search at the Archaeological Research library, to determine presence or absence of previously recorded historic or prehistoric cultural resources; a check of relevant historic references to determine the potential for historic era archaeological deposits or structures; a surface reconnaissance survey of the development area (approximately 16.25 acres total surveyed); and Native American consultation. Access to the Northwest Information Center of the California Historical Resource Information System was temporarily unavailable due to the COVID pandemic.

a-b. The cultural resources study (Archaeological Research, November 2020) identified no significant historical/cultural resources within the development area. Two historic rock wall sections were recorded in the project site, along with the concrete reservoir, residence, isolated historic items, and a possible isolated prehistoric feature (rock outcrop); none of these was determined to be significant historic resources and none occurs within the development area. The study noted that the existing rock walls within the project site should be preserved wherever possible as these features provide a historical record of property lines and traveled routes.

Although no cultural resources were found within the development area, there is the possibility that buried archaeological deposits could be present and accidental discovery could occur. Therefore, the proposed project would be subject to the standard conditions of approval identified below to protect cultural resources that may be discovered accidentally. In addition, based on site visits conducted with Yocha Dehe Wintun Nation on June 2, 2021 and June 23, 2022, Yocha Dehe Wintun Nation expressed concern that the proposed project could impact known cultural resources affiliated with the Yocha Dehe Wintun Nation; this is addressed in **Section XVIII (Tribal Cultural Resources)**.

c. The cultural resources study did not locate any human remains in the proposed development area and does not anticipate the discovery of human remains due to implementation of the proposed project. Therefore, impacts on human remains are anticipated to be less than significant. Furthermore, the following conditions of approval would be incorporated should the proposed project be approved, which would ensure that potential impacts on human remains would be less than significant.

**Cultural Resources – Conditions of Approval:**

Discovery of cultural, historical or archaeological resources, or human remains during construction, grading, or other earth moving activities:

- In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable solids, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching or other onsite excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), as determined necessary.
- If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.
- All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. ENERGY.</b> Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

Consistent with Public Resources Code Section 21100(b)(3), this impact analysis evaluates the potential for the proposed project to result in a substantial increase in energy demand and wasteful use of energy during project construction, operation and maintenance. The impact analysis

is informed by Appendix G of the CEQA Guidelines. The potential impacts are analyzed based on an evaluation of whether construction and operation energy use estimates for the proposed project would be considered excessive, wasteful, or inefficient.

- a. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials and construction workers' commutes to and from the project site would consume fuel. Project construction is anticipated to occur in one phase lasting up to six months during the year. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient when compared with other similar agricultural construction sites within Napa County.

Once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant.

- b. The transportation sector is a major end-user of energy in California, accounting for approximately 28% of total statewide energy consumption in 2019 (U.S. Energy Information Administration 2020). In addition, energy is consumed in connection with construction and maintenance of transportation infrastructure, such as streets, highways, freeways, rail lines, and airport runways. California's 30 million vehicles consume more than 16 billion gallons of gasoline and more than 3 billion gallons of diesel each year, making California the second largest consumer of gasoline in the world (CEC 2016). In Napa County, farm equipment (not including irrigation pumps) accounted for approximately 60% of agricultural emissions in 2014, with the percentage anticipated to increase through 2050 (Napa County 2018 - <https://www.countyofnapa.org/DocumentCenter/View/9247/Revised-Draft-Climate-Action-Plan>).

With respect to transportation energy, existing energy standards are promulgated through the regulation of fuel refineries and products such as the Low Carbon Fuel Standard (LCFS), which mandated a 10% reduction in the non-biogenic carbon content of vehicle fuels by 2020. Additionally, there are other regulatory programs with emissions and fuel efficiency standards established by United States Environmental Protection Agency and the California ARB such as Pavley II/LEV III from California's Advanced Clean Cars Program and the Heavy-Duty (Tractor-Trailer) GHG Regulation. Further, construction sites will need to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation.<sup>13</sup> The proposed project would comply with these State requirements and the Air Quality conditions of approval presented in **Section III (Air Quality)**. Napa County has not implemented an energy action plan. Therefore, the proposed project would not conflict with, obstruct a state or local plan for renewable energy or energy efficiency, or impede progress towards achieving goals and targets, and impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS.</b> Would the project:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>13</sup> California Code of Regulations, 2005. Title 13, Chapter 10, 2485, updated through 2014.

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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. The project site could experience potentially strong ground shaking and other seismic related hazards based on the number of active faults in the San Francisco Bay region. The proposed project consists of earthmoving activities associated with the installation of erosion control measures for agricultural development, but does not include the construction of new residences or other facilities (i.e., enclosed areas where people can congregate) that would be subject to seismic forces. Additionally, the proposed project would not result in a substantial increase in the number of people to the site. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, ground shaking, liquefaction, and landslides and impacts would be less than significant. Additional information supporting this conclusion is identified below.

- i) The project site is not located on an active fault or within an “Earthquake Fault Hazard Rupture Zone” designated by the Alquist-Priolo Earthquake Zoning Act. The closest active fault is the West Napa Fault located approximately 3 miles to the east with traces of the fault located approximately 0.5 to 0.75 mile to the south (Napa County GIS Faults Layer). Given the agricultural nature of the proposed project, it would not directly or indirectly cause potential substantial adverse effects involving fault rupture and impacts would be less than significant.
- ii) Although the project site is located in an area that may be subject to strong or very strong seismic ground shaking potential during an earthquake (California Geological Society, 2016), the proposed project does not include construction of any new residences or enclosed areas where people would congregate. Therefore, this impact would be less than significant.
- iii) The project site is not in an area subject to high liquefaction potential. The Napa County General Plan identifies the project site as having very low liquefaction potential (Napa County, 2009). Further, as noted above, the proposed project would not result in a substantial increase in the number of people or add structures onsite. Therefore, this impact would be less than significant.
- iv) The project site is underlain by a large landslide deposit associated with historic landslide activities located approximately 0.35 mile west of the site. This area is presumed to be stable for agricultural development and the proposed project is not anticipated to result in landslides or unstable areas as a result of this feature. No other landslides have been identified within the development area (Napa County GIS, Landslide Layers) and therefore impacts would less than significant (also see question c below for additional discussion regarding slope stability and landslides).

a. The project site is underlain by the following soil mapping units: Forward silt loam, 2 to 26% and 5 to 39% slopes, Bale clay loam, 0 to 2% and 2 to 5% slopes, and Clear Lake clay. Installation and implementation of the ECPA would involve vegetation removal and earthmoving activities within the proposed vineyard areas. Pursuant to NCC Section 18.108.070(L) (Erosion Hazard Areas), earthmoving activities cannot be performed between October 15 and April 1. These activities would take place during the dry season when rainstorms are less likely, resulting in negligible erosion and sedimentation during project installation.

Soil loss calculations were prepared using the Universal Soil Loss Equation (USLE) in order to evaluate potential effects of erosion as a result of the proposed project. The USLE model evaluates the environmental conditions and physical forces that lead to the detachment and potential movement of soil particles through surface erosion. The USLE model does not describe travel distances of soil particles once dislodged. Potential soil loss and sedimentation associated with the proposed agricultural development and operations would primarily be controlled through cover crops with a minimum vegetative cover density of 80% as specified in the ECPA. For the first three years, the cover crop may be disked or otherwise cultivated after April 1; after the three years a no-till cover crop would be established. The cover crop provides the ability to trap eroded soils onsite, thereby reducing soil loss and sedimentation potential.

Based on USLE modeling calculations prepared by HDVine LLC (**Exhibit C**), the proposed conversion of approximately 9.85 acres of grassland, woodland, rangeland, and brush to vineyard and vineyard avenues is anticipated to reduce soil loss, or surface erosion, within the project site as compared to existing conditions (**Table 6**). Under existing conditions, the annual soil loss is anticipated to average 5.8

tons per acre per year across the development area depending on soil type, slope length, and gradient. Under proposed project conditions, annual soil loss is anticipated to average 5.0 tons per year, or a reduction of approximately 13.8% as compared to existing conditions.

**Table 6 – USLE Soil Loss Analysis**

Flowline <sup>1</sup>	Pre-project Soil Loss (tons/acre/year)	Post-project Soil Loss (tons/acre/year)	Difference	Percent Change (approximate)
1	3.5	2.9	-0.6	-17.1%
2	2.3	2.1	-0.2	-8.7%
<b>Total</b>	<b>5.8</b>	<b>5.0</b>	<b>-0.8</b>	<b>-13.8%</b>

Note: <sup>1</sup> Transects or Flowlines are shown on the Liao Vineyard (P21-00066) Updated Track I Erosion Control Plan prepared by HDVine LLC (January 2022 - Exhibit A-1)  
Source: HDVine LLC, September 1, 2021, USLE Analysis (**Exhibit C**)

Other proposed erosion control features that are anticipated to further reduce potential soil loss as a result of the proposed project, including soil loss experienced during vineyard and cover crop development and establishment, consist of rolling dips, straw wattles, fiber rolls, and other practices as needed.

Should the proposed project be approved, the following conditions of approval would be incorporated to ensure that erosion control measures are installed according to plan specifications.

**Erosion and Runoff Control (i.e., Hydromodification) Installation and Operation – Conditions of Approval:**

The following conditions shall be incorporated by referenced into Erosion Control Plan #P21-00066-ECPA pursuant to NCC Chapter 18.108 (Conservation Regulations):

- Permanent Erosion and Runoff Control Measures: Pursuant to NCC Section 18.108.070(L) installation of runoff and sediment attenuation devices and hydromodification facilities including, but not limited to, rolling dips, fiber rolls, and permanent no-till cover crop (or adequate mulch cover applied annually), shall be installed no later than October 15 during the same year that initial vineyard development occurs. This requirement shall be clearly stated on the final Erosion Control Plan. Additionally, pursuant to NCC Section 18.108.135 “Oversight and Operation” the qualified professional that has prepared this erosion control plan #P21-00066-ECPA) shall oversee its implementation throughout the duration of the proposed project, and that installation of erosion control measures, sediment retention devices, and hydromodification facilities specified for the vineyard have be installed and are functioning correctly. Prior to the first winter rains after construction begins, and each year thereafter until the proposed project has received a final inspection from the county or its agent and been found complete, the qualified professional shall inspect the site and certify in writing to the planning director, through an inspection report or formal letter of completion verifying that all of the erosion control measures, sediment retention devices, and hydromodification facilities required at that stage of development have been installed in conformance with the plan and related specifications, and are functioning correctly.
- Cover Crop Management/Practice: The permanent vineyard cover crop shall not be tilled (i.e., shall be managed as a no-till cover crop) for the life of the vineyard and the owner/permittee shall maintain a plant residue density of 80% within the vineyard blocks and the associated vineyard avenues. Cover crop may be disked between rows and sprayed under vines or otherwise cultivated after April 1; after three years a permanent, no-till cover shall be established. Should the permanent no-till cover crop need to be replanted/renewed during the life of the vineyard, cover crop renewal efforts shall follow the County “Protocol for Replanting/Renewal of Approved Non-Tilled Vineyard Cover Crops” July 19, 2004, or as amended.

It is not expected that land preparation activities associated with the proposed vineyard, such as removal of rocks from the soil profile, would substantially affect the USLE modeling results. The USLE model evaluates the environmental conditions and physical forces that lead to the detachment and movement of soil particles. The primary goal of cultivating the soils within the development area during implementation is to prepare the site for planting, including fracturing and mixing layers of compressed soil and rock to facilitate root growth and improve permeability, rather than to remove all the rock within the development area soils. Soil cultivation may result in a greater number of smaller rocks at the soil surface. Smaller rocks that emerge through development would be left within the vineyard, and only larger rocks that surface would be removed. Because the larger rocks that may be removed from the site are generally underneath the soil surface, the removal of larger rocks that emerge during development would not significantly alter the composition of soil. Therefore, the soil type classification utilized in the USLE calculations would remain unchanged (Oster, 2008).

For these reasons, the proposed project, with incorporation of specified erosion control measures and conditions of approval, would not increase soil erosion and the loss of topsoil as compared to existing conditions, and maximize the potential for containment of detached soil particles to the project site, resulting in no impact with regard to soil erosion, soil loss, and sedimentation. Also see **Section IX (Hazards and Hazardous Materials)** and **Section X (Hydrology and Water Quality)** for additional disclosures related to water quality. Additionally, as shown in the soil loss modeling following development, overall soil loss is anticipated to be less than pre-development conditions. This is consistent with General Plan Conservation Element Policy CON-48, which requires post-development sediment erosion conditions (i.e., soil loss) be less than or equal to pre-development conditions.

- c. As discussed above, the project site is underlain by a large landslide deposit associated with historic landslide activities located approximately 0.35 mile west of the site. This area is presumed to be stable for agricultural development and the proposed project is not anticipated to result in landslides or unstable areas as a result of this feature. The project site is not in an area prone to other ground failure or liquefaction. The proposed project identifies the soil types in the project area and addresses any potential soil instability. Therefore, the proposed project would not result in any significant impacts of on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse.
- d. Soils within the project site consist of Forward silt loam, Bale Clay loam, and Clear Lake clay, overwashed. Shrink-swell potential is low for Forward silt loam and Bale Clay loam, and moderate to high for Clear Lake clay, overwashed (USDA, 1978). The Napa County Soil Survey describes the Forward silt loam series as strongly sloping to steep soil on hill slopes that consist of well drained soils on uplands, runoff is medium and the hazard of erosion is severe; the Bale Clay loam series as having slow runoff and the hazard of erosion is slight with moderate permeability; and the Clear Lake clay, overwashed series as very deep poorly drained soil that has slow permeability and slow or very slow surface runoff and hazard of erosion very slight. No structures are proposed as part of the project and expansive soils pose little risk to vineyards and related agricultural improvements. Therefore, there would be no impacts associated with expansive soils.
- e. The proposed project involves the development of a vineyard. No septic tanks or alternative wastewater disposal systems are needed or proposed at the project site. Therefore, no impact would occur with regard to soils supporting septic tanks or alternative wastewater disposal systems.
- f. The proposed project would not destroy any unique geologic features on the project site. Due to the nature of the soils in the project site and the nature of the proposed project (which would involve a relatively shallow vineyard), the probability of encountering paleontological resources within the project site is minimal. Furthermore, project approval, if granted, would be subject to the standard conditions described below that would avoid and reduce potential paleontological resource impacts. Therefore, impacts to geologic features and paleontological resources are anticipated to be less than significant.

**Paleontological Resources – Conditions of Approval:**

Discovery of paleontological resources during construction, grading, or other earth moving activities:

- In the event that a discovery of a breas, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the fined shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find.
- All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. GREENHOUSE GAS EMISSIONS.</b> Would the project:				
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**

See **Section III (Air Quality)** for other air quality emissions disclosures and impact assessments.

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022).<sup>16</sup> The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State’s long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife*

<sup>16</sup> <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

(2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

In July 2015, the County recommenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as methods, emission factors, and data sources); ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable state requirements, and iv) result in a functional and legally defensible CAP. As the part of the first phase of development and preparation of the CAP, the County released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast on April 13, 2016. This initial phase included: i) updating and incorporating the County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018, through August 22, 2018. The Draft Focused EIR for the CAP was published May 9, 2019. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or <https://www.countyofnapa.org/2876/Current-Projects-Explorer>. The County's draft CAP was placed on hold, when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019. The County is currently preparing an updated CAP to provide a clear framework to determine what land use actions will be necessary to meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

For the purposes of this assessment the carbon stock and sequestration factors identified within the 2012 Draft CAP are utilized to calculate and disclose potential GHG emissions associated with agricultural "construction" and development and with "ongoing" agricultural maintenance and operation, as further described below. The 2012 Draft CAP carbon stock and sequestration factors are utilized in this assessment because they provide the most generous estimate of potential emissions. As such the County considers that the anticipated potential emissions resulting from the proposed project that are disclosed in this Initial Study reasonably reflect proposed conditions and therefore are considered appropriate and adequate for project impact assessment.

Regarding operational emissions, 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 CEQA *Guidelines* and the OPR Technical Advisory 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. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

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

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

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Conservation Element Plan Policy CON-65e. Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are “peculiar to the project,” rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared.

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO<sub>2</sub>), methane, ozone, and the fluorocarbons, which contribute to climate change. CO<sub>2</sub> is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions. Equivalent Carbon Dioxide (CO<sub>2e</sub>) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG, as described in BAAQMD’s CEQA Guidelines. In this case CO<sub>2</sub> is used as the reference atom/compound to obtain atmospheric carbon CO<sub>2</sub> effects of GHG. Carbon stocks are converted to CO<sub>2e</sub> by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (<http://ncasi2.org/COLE/faq.html>).<sup>17</sup>

One-time “Construction Emissions” associated with vineyard development projects include: i) the carbon stocks that are lost or released when site vegetation is removed, including any woody debris and downed wood; ii) underground carbon stocks, or soil carbon, released when soil is ripped in preparation for vineyard development and planting (referred to as Project Site Emissions below); and iii) emissions associated with the energy used to develop and prepare the project site and plant vineyard, including construction equipment and worker vehicle trips (referred to as Equipment Emissions below).

As stated above, the April 2022 update to BAAQMD thresholds of significance do not include construction-related impact thresholds, as GHG emissions associated with the energy used to develop, prepare and plant the project area represent a very small portion of a project’s lifetime GHG emissions. The construction emissions analysis below is for disclosure purposes only, as there is no threshold against which to analyze the potential significance of impact.

“Operational Emissions” of the vineyard are quantified and include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project (referred to as Operational Sequestration Emissions below); and ii) ongoing emissions from the energy used to maintain and farm the vineyard, including vehicles (such as haul trucks, pick-up trucks) and worker vehicle trips (referred to as Operational Equipment Emissions below).

### **Construction Emissions:**

**Equipment Emissions:** As discussed in **Section III (Air Quality)**, three County Certified EIRs assessed and analyzed potential air quality and GHG emissions associated with vineyard development. Within those EIRs potential GHG emissions associated with construction equipment were calculated and disclosed. An estimation of potential construction equipment emissions per acre of vineyard development was derived using the most generous emissions results from these EIRs. The Circle-S Ranch EIR anticipated approximately 4,293 metric tons (MT) CO<sub>2e</sub> of construction equipment emissions for a 459-acre vineyard development, resulting in approximately 9.4 MT CO<sub>2e</sub> of construction equipment emissions per acre of vineyard development.<sup>18</sup> Using this emission factor it is anticipated that Construction Equipment Emissions associated with the proposed 9.85 gross acres of vineyard development would be approximately 92.59 MT CO<sub>2e</sub> (9.85 acres multiplied by 9.4 MT CO<sub>2e</sub>).

**Project Site Emissions:** Project site emissions are emissions resulting from vegetation removal and soil preparation associated with the conversion of approximately 9.85 acres of existing vegetation to vineyard. Because there is not yet a universally accepted scientific methodology or modeling method to calculate GHG emissions due to vegetation conversion and soil disturbance, the GHG Emissions Checklist and associated carbon stock factors developed as part of the 2012 Draft CAP efforts are utilized to determine potential project

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<sup>17</sup> “Carbon stock” refers to the total amount of carbon stored in the existing plant material including trunks, stems, branches, leaves, fruits, roots, dead plant material, downed trees, understory, and soil organic material. Carbon stock is expressed in units of metric tons of carbon per acre. When land is cleared, some percentage of the carbon stored is released back to the atmosphere as CO<sub>2</sub>. Land clearing or the loss of carbon stock is thus a type of GHG emission (County of Napa, March 2012, Napa County Draft Climate Action Plan).

<sup>18</sup> As discussed in Section III (Air Quality) variations or similarities in emissions modeling results between the three projects can be attributed to modeling platform and version utilized, variations in modeling assumptions and inputs (such as project acreage and vegetation types removed), and anticipated construction and equipment and duration of use.

site carbon stocks and emissions. Utilizing the 2012 Draft CAP carbon stocks and the acreages of vegetation types within the development area, total carbon stocks for the development area are estimated to be approximately 271.41 MT C or approximately 996.29 MT CO<sub>2e</sub> (Table 7).

**Table 7 – Estimated Development Area Carbon Stocks/Storage**

Vegetation Type/Carbon Storage	Development Area Acreage	Carbon Storage/Stock per Acre (MT C/acre)	Total Carbon Storage (MT)	Total Carbon Storage in MT CO <sub>2e</sub>
Grassland <sup>1</sup>	7.10	1.40	9.94	36.47
Oak Woodland	2.75	95.10	261.53	959.82
<b>Total</b>			<b>271.47</b>	<b>996.29</b>

<sup>1</sup> For the purpose of these GHG calculations, the most conservative option was chosen; therefore, the 0.36 acre of ruderal (disturbed) and 1.23 acres of Harding Grass Sward land use type in the development area was included with the acreage for grasslands.

Sources: Napa County Draft Climate Action Plan, March 2012; Napa County Conservation Division, August 2022

There is currently no scientific agreement about the percentage of carbon that would be lost (or emitted) from soils through grading. Some analyses have suggested 20 to 25% while others have suggested 50%.<sup>19</sup> Using 50% as a more conservative estimate, the proposed project could result in one-time development area construction emissions from vegetation removal and soil preparation (i.e., grading and soil ripping) of approximately 925.14 MT CO<sub>2e</sub> (Table 8).

**Table 8 – Estimated Project Carbon Emissions Due to Vegetation Removal**

Vegetation Type/Carbon Storage	Development Area Acreage	Carbon Loss/Emission per Acre (MT C/acre) <sup>1</sup>	Total Carbon Loss/Emission (MT)	Total Carbon Loss/Emission in MT CO <sub>2e</sub>
Grassland <sup>1</sup>	7.10	0.80	5.68	20.85
Oak Woodland	2.75	89.60	246.40	904.29
<b>Total</b>			<b>252.08</b>	<b>925.14</b>

<sup>1</sup> For the purpose of these GHG calculations, the most conservative option was chosen; therefore, the 0.36 acre of ruderal (disturbed) and 1.23 acres of Harding Grass Sward land use type in the development area was included with the acreage for grasslands.

Sources: Napa County Draft Climate Action Plan, March 2012; Napa County Conservation Division August 2022.

### Operational Emissions:

**Operational Equipment Emissions:** The referenced vineyard development EIRs also assessed ongoing vineyard operation emissions associated with vehicles and equipment. Estimated potential construction equipment emissions per acre of vineyard development were derived using the most generous emissions results from these EIRs. The Suscol Mountain Vineyard EIR anticipated approximately 373 MT CO<sub>2e</sub> of operational emissions for a 560-acre vineyard, resulting in approximately 0.67 MT CO<sub>2e</sub> of operational emissions per acre of vineyard per year. Using this emission factor it is anticipated that Operational Equipment Emissions associated with the proposed 9.85-acre agricultural development would be approximately 6.60 MT CO<sub>2e</sub> (9.85 multiplied by 0.67 MT CO<sub>2e</sub>).

**Operational Sequestration Emissions:** Emissions associated with loss of sequestration due to land use change (i.e., the conversions of existing vegetation to vineyard) have been calculated based on the Annual Carbon Sequestration Factors within the 2012 Draft CAP, which indicates that oak woodlands sequester 0.425 CO<sub>2</sub> acre per year, while grasslands, shrublands and developed are essentially zero. Utilizing these factors it is anticipated that the annual emissions associated with changes in carbon sequestration as a result of land use changes would be approximately 1.23 MT C per year or 4.51 MT CO<sub>2e</sub> per year.<sup>20</sup>

Grapevines are photosynthetic plants and therefore have value in terms of carbon capture. Additionally, the use of cover crops, which are also photosynthetic plants, tends to result in less soil CO<sub>2</sub> loss from vineyard soils. Carbon sequestration loss would be further offset by the proposed vineyard, which would likely act as a sink for atmospheric CO<sub>2</sub>, depending on the longevity of grapevine roots and the quantity of carbon stored in deep roots. In addition to vines, the sequestration of atmospheric carbon is also achieved by the soil between vine rows through cover-cropping.

### Project Emissions:

Based on the above estimates, the proposed project could result in one-time construction emissions of up to 1,017.73 MT CO<sub>2e</sub> and annual ongoing emissions associated with vineyard operations (including loss of sequestration) estimated to be approximately 11.11MT CO<sub>2e</sub> per year (Table 9).

<sup>19</sup> Napa County, July 12, 2010, Green House Gas Emissions Associated with Vineyard Development & Vineyard Operations, A Compilation of Quantitative Data from Three Recent Projects.

<sup>20</sup> 3.0 acres of oak woodland times 0.425 MT C = 1.28 MT C, and 7.14 acres of grassland (including ruderal and sward) times 0.057 MT C = 0.41, totaling 1.23 MT C

**Table 9 – Estimated Overall Project-Related GHG Emissions**

Construction Emissions in Metric Tons of CO <sub>2e</sub>		Annual Ongoing Emissions in Metric Tons of CO <sub>2e</sub>	
Source	Quantity	Source	Quantity
Vehicles and Equipment	92.59	Vehicles and Equipment	6.60
Vegetation and Soil	925.14	Loss of Sequestration	4.51
<b>Total</b>	<b>1,017.73</b>	<b>Total</b>	<b>11.11</b>

Source: Napa County Conservation Division August 2022

There is no adopted CEQA significance threshold at the state, regional, or local level for construction-related GHG emissions, and the County has therefore evaluated the significance of one-time project-generated emissions of up to approximately 1,017.73 MT CO<sub>2e</sub> by considering the size of the proposed vineyard in relation to projected vineyard development in the County. The program level EIR for the 2008 Napa County General Plan Update (SCH#2005102088 certified June 3, 2008) projected 12,500 acres of new vineyard development in the County between 2005 and 2030. The County concluded in the General Plan EIR that emissions from all sources over the planning period would result in significant and unavoidable GHG emissions despite measures adopted to address the impact. Because this determination was based on emissions from all sources, not just agriculture, the General Plan did not determine that emissions solely from projected agricultural development would result in significant unavoidable impacts.

Pursuant to Section 15183(a) of the California Code of Regulation, projects that are consistent with the general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific effects which are peculiar to the proposed project or its site. Further, the BAAQMD update to the thresholds of significance do not include construction-related climate impact thresholds (April 2022). GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions, and the updated thresholds for land use projects were designed to address operational GHG emissions, which represent the vast majority of project GHG emissions.

In the context of 12,500 acres of projected vineyard development, the proposed project would constitute less than approximately 0.08% of the vineyard development anticipated in the General Plan EIR. The proposed project also contains measures to reduce and/or offset emissions from vineyard development and vineyard operations such as maintaining a permanent no-till cover crop density of a minimum 80%, vegetated vineyard avenues, and the maintenance and establishment of grape vines. These measures in conjunction with the Air Quality conditions of approval (detailed in **Section III [Air Quality]**) would further reduce potential GHG air quality impacts associated with construction and ongoing operation of the proposed project. For these reasons, the County does not consider one-time GHG emissions from the proposed vineyard development to be a significant impact on a project level basis or to be a "considerable" contribution to significant unavoidable cumulative impacts identified in the General Plan EIR.

As described above, total annual GHG emissions from ongoing operations are anticipated to be approximately 11.11 MT CO<sub>2e</sub> per year. As stated above, the updated BAAQMD thresholds of significance for land use projects are qualitative, with no "bright-line" (quantitative) level below which to mitigate. Projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal. 4th 204).

As stated in **Section IV, Biological Resources**, the proposed project would result in the removal of approximately 2.75 acres of oak woodland and associated vegetative canopy cover, and would retain approximately 73% of the woodlands vegetative cover canopy on the parcel. With implementation of **Mitigation Measure BR-3**, the project would result in the permanent preservation of approximately 7.65 acres of oak woodland and cover canopy, approximately 7.25 acres of which is located outside of stream setbacks and on land with slopes less than 50% consistent with the 3:1 canopy cover preservation requirements found in NCC Section 18.108.020(D). Further, at least 4.5 acres of the preserved cover canopy occurs on slopes that are less than 30% and outside of stream setbacks. Therefore, the loss in carbon sequestration from the proposed removal of trees is more than offset after incorporation of **Mitigation Measure BR-3**, by permanently protecting from development three times the amount of lost carbon sequestration (which includes approximately twice the amount carbon sequestration located on developable land:(i.e., outside of stream setbacks and on land with slopes less than 30%). The loss in carbon stock of the grassland would be offset by the planting of new vineyard in the development area.

Further, as stated above, per the OPR Technical Advisory, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact. As detailed in **Section XVII (Transportation)**, harvest would generate up to approximately 8 one-way worker trips, and two one-way truck trips per day (resulting in up to 10 round trips per day) for approximately three days per year. Other typical vineyard operations (as outlined above) are anticipated to generate up to 4 one-way trips per day during the days these activities occur. Therefore, daily trips (including passenger vehicle trips and truck trips) generated by the proposed project would be well below the Governor's Office of Planning and Research's recommended screening criterion threshold for small projects generating fewer than 110 trips per day; therefore, less than significant impacts related to operational GHG emissions are anticipated.

Given that the proposed project would result in the permanent preservation of three times the carbon-sequestering tree canopy that it proposes to remove, and that the operational vehicle miles traveled fall well below the established threshold of 110 daily trips, the project is

considered to be consistent with the State's long-term climate goals of being carbon neutral by 2045; therefore, a less than significant impact is anticipated.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
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 wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a-b. Installation of the proposed ECP and subsequent vineyard operation and maintenance would require a variety of equipment and vehicles that use fuel and other petroleum based products such as oil and transmission fluids, which are considered hazardous materials. Ongoing vineyard operations would also involve the transport and use of chemicals such as herbicides, mildewcides, and fertilizers to the site that are considered hazardous materials. Herbicide applicators must be licensed by the state, and the Napa County Agricultural Commissioner enforces application of pesticides and regulates applicators.

A detailed listing of fertilizers and other chemicals, application methods, application amounts, number of annual applications, and annual amounts of chemicals that are anticipated to be utilized for ongoing vineyard maintenance and operation of the existing and proposed vineyard is provided within Supplemental Project Information forms on file at the Planning Department.

The National Resource Conservation Service recommends a minimum 50-foot wide vegetated buffer from aquatic resources (such as streams, ephemeral drainages, and wetlands) because under most conditions it is generally an adequate buffer width to provide enough vegetation to effectively entrap and filter chemicals, nutrients, and sediment thereby, facilitating degradation within buffer soils and vegetation (USDA 2000).

No onsite storage of hazardous materials is proposed and materials will be brought in, as needed. A chemical mixing area would be located at a hose bib near vineyard with backflow protection. Cleaning and washing of chemical application equipment would occur at staging area north of the proposed vineyard on the project site. Fertilizers (12-26-26 and 0-0-30) would be applied via drip twice a year. Mildewcides (i.e., sulfur) and herbicides (i.e., roundup) would be applied five times and twice a year, respectively. No pre-emergent herbicides would be strip sprayed in the vinerows for weed management. Project storage and staging areas would be located within proposed clearing limits.

Streams and wetlands delineated in the project site are shown in Figure 2 in **Exhibit B-1** (Northwest Biosurvey - March 2021). The closest wetlands are located a minimum 50 feet south of the development area. The closest stream is located over 600 feet east of proposed development area and has the appropriate setbacks (35 feet), determined by slope as outlined in Napa County Conservation Regulation 18.108.025.

The risk of potentially hazardous materials reaching or affecting adjacent water courses or other aquatic resources is significantly reduced because: i) the proposed project would maintain buffers of at least 50 feet from potential wetlands; ii) the proposed project would provide setbacks buffers exceeding the required 35 feet and 65 feet to ephemeral and definitional streams in conformance with code provisions; and iii) only federal and/or California approved chemicals would be applied to the vineyard in strict compliance with applicable state and federal law. Project approval, if granted, would also be subject to the following standard conditions of approval that would further avoid and/or reduce potential impacts associated with routine transport and use of hazardous materials during project implementation and ongoing vineyard operations and maintenance. Impacts related to routine use, transportation, and application of hazardous materials described above are anticipated to be less than significant. The following conditions of approval would be implemented to reduce potential accidental release of hazardous materials, if the project is approved:

**Hazardous Materials – Conditions of Approval:** The owner/operator shall implement the following BMPs during construction activities and vineyard maintenance and operations:

- Workers shall follow manufacturer’s recommendations on use, storage and disposal of chemical products.
- Workers shall avoid overtopping fuel gas tanks and use automatic shutoff nozzles where available.
- During routine maintenance of equipment, properly contain and remove grease and oils.
- Discarded containers of fuel and other chemicals shall be properly disposed of.
- Spill containment features shall be installed at the project site wherever chemicals are stored overnight.
- All refueling, maintenance of vehicles and other equipment, handling of hazardous materials, and staging areas shall occur at least 100 feet from watercourses, existing groundwater well, and any other water resource to avoid the potential for risk of surface and groundwater contamination.
- To prevent the accidental discharge of fuel or other fluids associated with vehicles and other equipment, all workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

For these reasons, and with incorporation of the conditions of approval described above, impacts associated with the use, storage, and transport of hazardous materials and accidental release of hazardous materials would be less than significant.

- c. The closest school (Vichy Elementary) is located approximately 4 miles southwest of the project site. The next closest schools are over 6 miles to the west within the City of Napa. There are no schools proposed within 0.25 mile of the project site. Therefore, no impact would occur.
- d. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 (Napa County GIS hazardous facility layer). Therefore, no impact would occur.
- e. No portion of the project site is within an airport compatibility zone identified in the Airport Compatibility Plan (Napa County Airport Land Use Compatibility Plan, and Napa County GIS Airport layer). Therefore, no impact would occur.
- f. During construction, there would be negligible numbers of workers visiting the project site on a temporary basis to implement the ECP and install vineyards. Approximately ten workers would also visit the site on a seasonal basis for subsequent vineyard operations. No road closures would be required to implement the project, and there would not be a permanent substantial increase in the number of people working or residing at or near the project site. Therefore, the proposed project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, and the impact would be less than significant.
- g. No structures are proposed as part of the project. A majority of the project site is located in a State Responsibility Area identified as having moderate fire severity, with a small portion of the project site having high fire severity (CalFire 2007 - <https://egis.fire.ca.gov/FHSZ/>). However, the risk of fire in vineyards is low due to limited amount of fuel, combustibles, and ignition sources that are present. Vineyards are irrigated and cover crops are typically mowed in May and August, thereby reducing the fuel loads within the vineyard. The removal of vegetation and the management of vineyard results in an overall reduction of fuel loads within the project site as compared with existing conditions. Therefore, the proposed project would not increase the exposure of people or structures to wildland fires and the impact would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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, in a manner 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; or                             | <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, Governor Gavin Newsom declared a drought emergency in the state of California and as of July 8, 2021, 50 counties are under the drought state of emergency, including Napa County. The Governor directed the Department of Water Resources to increase resilience of water supplies during drought conditions. 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. On October 19, 2021, the Governor issued a proclamation extending the drought emergency statewide. The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well (or approval of an alteration to an existing 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. Because the project contains an existing well which is not being altered, Executive Order N-7-22 does not apply.

On March 8, 2022 and August 9, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought.

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, alteration or replacement well permits, and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel’s groundwater allocation to 0.3 acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. Because the parcel is located outside of the GSA Subbasin, a parcel specific Water Availability Analysis was performed. To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways, the County’s WAA guidance requires applicants to perform a Tier 3 analysis for new or replacement wells, or discretionary projects that would result in an increase in groundwater demand on existing wells that are located within 1,500 feet of designated “Significant Streams.”<sup>21</sup>

The project site is located in the Wooden Valley Creek West Fork watershed that is part of the Suisun Creek hydrologic sub area. An unnamed dashed blue line stream is located along the eastern boundary of the project site, which is approximately 1,000 feet from the project area. All run-off from the project site drains by sheet flow off the hillside and either infiltrates at the valley floor or discharges to the unnamed dashed

<sup>21</sup> Refer to Figure 1: Significant Streams for Tier 3, located at [www.countyofnapa.org/3074/Groundwater-Sustainability](http://www.countyofnapa.org/3074/Groundwater-Sustainability). The “Significant\_Streams” and “Significant\_Streams\_1500ft\_buffer” GIS layers are published as publicly-available open data through the County’s ArcGIS Online Account.

blueline stream. Because the unnamed blueline stream is not a significant stream within 1,500 feet of the existing well, it has been determined that the Project well is not hydrologically connected to a navigable waterway. The closest Significant Stream is located approximately 1 mile to the south/southwest of the project site. There is a large wetland complex located on the southern side of the project site that has been avoided and has the appropriate setbacks (minimum 50 foot buffer). All watersheds in the area of the project eventually drain to Wooden Valley Creek and Suisun Creek to the east of the property.

- a. Waste discharge is not anticipated as part of the proposed project or ongoing vineyard operations; therefore, the proposed project would not violate waste discharge requirements.

The proposed project has been designed with site-specific temporary and permanent erosion control measures and features to prevent sediment, runoff, and pollutants from leaving the project site. Agricultural Erosion Control Plan #P21-00066-ECPA includes BMPs that are consistent with NCC Section 18.108.080(c), as well as with Regional Water Board guidance from the Stormwater Best Management Practice Handbooks for Construction and for New Development and Redevelopment, and the Erosion and Sediment Control Field Manual. Therefore, the proposed project is not anticipated to violate any water quality standards or otherwise substantially degrade surface or groundwater quality, and impacts would be less than significant.

- b. The County requires all ECPA applicants to complete necessary water analyses in order to document that sufficient water supplies are available for a proposed project.).

A Water Availability Analysis (WAA) was prepared in order to determine if the proposed increase in groundwater water demand as a result of the proposed project would result in a significant impact to groundwater supplies (HDVine LLC, February 2022 - **Exhibit D**). The WAA estimates the onsite groundwater recharge, overall availability, and both existing and proposed use, in order to disclose and assess potential impacts on groundwater in accordance with the WAA Guidance Document adopted by the County May 12, 2015.

The County also requested a Tier 2 WAA for the project due to the proximity of neighboring wells. The WAA Guidance Document (Adopted May 12, 2015) presents results that show wells pumping less than 30 gallons per minute (gpm) for periods less than 24-consecutive hours will likely have negligible drawdown at distances beyond 25 feet in a confined aquifer. Locations of neighboring wells are unconfirmed due to limited information on the well permits and logs; however, the closest well is estimated at about 430 feet from the project well. The project well is approximately 165 feet from the property line, so neighboring wells are not closer than that measurement. Based on area well logs, neighboring wells are 340 to 480 feet deep, with a clay layer recorded in the upper 60 to 140 feet below grade, with a screened interval from the bottom of the clay layer to total depth. The project well report indicates a total depth of 152 feet below grade and a stabilized flow rate of 19.3 gpm. Proposed development would result in a maximum pumping period of 8 to 10 consecutive hours per 24-hour period at the height of irrigation season. Based on available information regarding conditions of the site and surrounding area, the project well is at most drawing on the upper 60 to 90 feet of a confined aquifer, whereas neighboring wells are completed about 100 to 300 feet deeper than the project well. Furthermore, the project well meets the criteria stated in the WAA guidance document (pumping less than 30 gpm for less than 24-hrs) and no neighboring well is less than 25 feet away. Given the construction depths of the wells on and off-site as well as operating constraints, no measurable drawdown is expected at neighboring wells as a result of project well use parameters.

The project well is located outside of the 1,500-foot buffer of nearby "Significant Streams" (Napa County GIS Significant Streams and Significant Streams 1,500ft buffer layers). The closest Significant Stream is approximately one mile to the south/southwest of the project site. Therefore, the project is not subject to a Tier 3 analysis, and a less than significant impact on groundwater resources is anticipated in this regard.

The proposed vineyard would be irrigated using groundwater supplied by an existing well located on the project site. No frost protection or heat protection is proposed as part of the project. Further, no surface water would be used to irrigate the vineyard and no water rights are associated with the reservoir on the project site since it is fed by subdrains under the existing vineyard area. The existing vineyard is irrigated with water from the reservoir.

The project proposes 8.0 net acres of new vineyard with no other changes to the subject parcel. The existing water use for the project site is approximately 0.50 acre-feet per year (AF/yr) for the existing residential use. The proposed vineyard that includes approximately 8.0 net planted acres is anticipated to utilize approximately 3.87 AF/yr, resulting in an overall groundwater demand of 4.37 AF/yr: 0.50 AF/yr for residential uses and 3.87 AF/yr for proposed vineyard irrigation.

**Groundwater Recharge:** Long-term average groundwater recharge can be estimated as the percentage of rainfall that falls on the parcel that percolates into the underlying aquifer. The percentage of rain that has the potential to infiltrate varies depending on factors such as rates of evaporation and transpiration, soil type and geology that exists at the site, and average annual rainfall. Based on available climatological data, site-specific information, and other available data and analysis relevant to potential recharge, the WAA (**Exhibit D**), which uses an average annual rainfall of 29 inches per year (in/year) over the approximately 41.9 acres of the project site's land area available for recharge and an 8% deep percolate recharge estimate, estimates the average annual groundwater recharge of project site to be approximately 8.1 AF/year (see **Exhibit D** for details and calculations).

The average annual rainfall utilized in the recharge analysis includes times of below-average and above-average rainfall, and therefore inherently includes drought year conditions. Further, the project's WAA conservatively utilizes an average rainfall/precipitation rate that appropriately represents more recent climatological conditions; it also results in a conservative estimate of potential recharge during dry years, in that it utilizes perception data from the past 10 years.

The post-project site is estimated to have an annual future groundwater demand of 4.37 AF/year, which is below the estimated average annual recharge volume of 8.1 AF/year identified in the WAA.

Drought years were included in the average annual rainfall of 29 in/year, with the lowest value in the past 10 years occurring in water year 2020 (13.4 in/year), which is approximately 46% of the average rainfall used in the Project WAA. Based on this precipitation rate dry year recharge is anticipated to be approximately 3.7 AF/yr. While the WAA utilizes an anticipated water demand of 0.48 AF/yr per acre of vineyard, which is on the higher end of typically vineyard water use of between 0.2 to 0.5 AF/yr per acre of vineyard, and appropriately discloses that vineyard water use could be curtailed to as low as 1.6 AF/yr, the potential recharge deficit of approximately 0.67 AF during a dry year (defined as 46% of the Project WAA's average precipitation rate of 29 in/year. or 13.4 in/year) is considered a potentially significant impact. To reduce this potentially significant impact to a less than significant level **Mitigation Measure HWQ-1** will be implemented. **Mitigation Measure HWQ-1** will limit groundwater use consistent with the project and existing uses during both normal precipitation years and during dry years.

Considering: i) anticipated annual water use of the proposed project and existing uses of approximately 4.37 AF/year is below the anticipated average annual groundwater recharge rate of approximately 8.1 in/year; ii) there is no evidence to date indicating that there are groundwater problems or declining well production in the this area of the County; and iii) implementation of **Mitigation Measure HWQ-1** in conjunction with incorporation of the standard Groundwater Management condition below to monitor water use as a result of vineyard establishment and ongoing vineyard operations and maintenance (if approved), the proposed project is anticipated to result in less than significant impacts to groundwater supplies, groundwater recharge, and local groundwater aquifer levels.

**Mitigation Measure HWQ-1:** To reduce potential impacts to groundwater as a result of the Project, the owner/Permittee shall limit groundwater pumping and use to 4.37 acre-feet per year (AF/yr) in normal precipitation years (defined as 29 in/year in the Project WAA): during dry years (defined as 13.4 in/year in the Project WAA) groundwater pumping and use shall be limited to 3.7 AF/yr.

#### **Groundwater Management, Wells – Conditions of Approval:**

This condition is implemented jointly by the Public Works and PBES Departments:

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

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

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the Erosion Control Plant #P21-00066-ECPA would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the owner/permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Code and to protect public health, safety, and welfare.

- c. Earthmoving activities have the potential to alter the natural pattern of surface runoff, which could lead to areas of concentrated runoff and/or increased erosion. The conversion of existing vegetation to vineyard would alter the composition of the existing land cover and infiltration rates, which could affect erosion and runoff. The proposed project does not propose any alteration to a stream, river, or drainage course, or include the creation of impervious surfaces that would concentrate runoff.

Erosion control measures and plan features that are not anticipated to affect drainage patterns but would assist in minimizing the potential for increased erosion and water runoff include establishment of a no-till cover crop with vegetative cover density of 80% (including vegetated avenues and turnaround avenues), and the annual application of straw mulch cover on all disturbed areas at a rate of 4,000 pounds per acre. These features would slow and filter surface runoff water, thereby minimizing sediment, nutrients, and chemicals from leaving the project site and entering nearby aquatic resources. Refer to **Exhibit E** for details related to the following discussion.

Proposed erosion control and project features that have the potential to alter natural drainage patterns include rolling dips and fiber rolls. These features are not anticipated to significantly alter the exiting topography or drainage patterns of the project site, or direct surface flows into other watersheds (as further described below). As discussed in **Section VII (Geology and Soils)**, erosion control features would maintain soil losses below the tolerable levels for the soil types found on the project site and ensure (in conjunction with the cover crop) that no net increase in erosion sediment conditions occurs as a result of the proposed project, and that the proposed project is anticipated to decrease soil loss as compared to existing conditions.

A Hydrology Analysis for the proposed project was prepared by HDVine LCC (September 2021 - **Exhibit E**). The development area is contained within one watershed basin. The Hydrology Analysis utilized the HydroCAD model to conclude that there would not be an increase in peak flow for the project watershed (**Table 10**).

**Table 10 –Hydrologic Modeling Calculations Results: Runoff Rates**

	Peak Discharge Flow (cfs) by 24-hour Storm Event Frequency Return Interval (cubic feet/second)			
	2-year	10-year	50-year	100-year
Pre-project conditions	14.03	34.08	57.12	67.38
Post-project conditions	13.68	33.39	56.10	66.22
Change (cfs)	-0.35	-0.69	-1.02	-1.16
Change (%)	-2.49	-2.02	-1.79	-1.72

Source: HDVine LCC, September 2021 (**Exhibit E**)

The proposed project would not increase runoff flow rates, consistent with General Plan Conservation Element Policy CON-50c, which states peak runoff following development cannot be greater than predevelopment conditions. Therefore, the proposed project would have a less than significant impact with respect to alterations of existing drainage patterns of the site or area that would result in increased runoff, or considerable on or offsite erosion, siltation, or flooding.

The project site is not located in an area of a planned stormwater drainage system, nor is it not directly served by a stormwater drainage system. As discussed above, no overall increase in runoff volume or decrease in time of concentration is anticipated under post-project conditions. Furthermore, as discussed in **Section VII (Geology and Soils)**, a reduction in soil loss and sedimentation is anticipated under post-project conditions. Therefore, the proposed project would not contribute a substantial amount of additional runoff to an existing stormwater drainage system or provide substantial additional sources of polluted or sediment laden runoff, resulting in a less than significant impact.

In addition, pursuant to NCC Section 18.108.135 (Oversight and Operation) projects requiring an erosion control plan would be inspected by the County after the first major storm event of each winter until the proposed project has been completed and stable for three years to ensure that the implemented erosion control plan is functioning properly.<sup>22</sup> Furthermore, pursuant to NCC Section 18.108.135 (Oversight and Operation) projects requiring an erosion control plan will be inspected by the County after the first major storm event of each winter until the proposed project has been completed and stable for three years to ensure that the implemented erosion control plan is functioning properly.

- d. The project site is not located within a Federal Emergency Management Agency (FEMA) 100-year flood zone, in a dam or levee failure inundation area, or in an area subject to seiche or tsunami (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan - Safety Element. pg. 10-20). Therefore, no impact would occur.
- e. The proposed project would not have an adverse impact on water quality because the ECPA has been designed to keep polluted runoff and sediment from leaving the project site. As discussed in **Section IX (Hazards and Hazardous Materials)**, the project proposes the use of potentially hazardous materials during implementation activities (i.e., oil, gasoline, and transmission fluids associated with construction equipment) and the application of chemicals (i.e., fertilizers) for ongoing vineyard maintenance. Only federal and/or California approved chemicals would be applied to the vineyard in strict compliance with applicable state and federal law. As discussed in **Sections IV (Biological Resources)** and **IX (Hazards and Hazardous Materials)**, buffers provided in the ECP to area wetlands and watercourses would facilitate increased water infiltration so that chemicals and potentially hazardous materials associated with project implementation and operation can be trapped and degraded in buffer vegetation and soils to protect water quality. The limited application of agricultural chemicals generally occurring during the non-rainy season would also minimize the amounts of chemicals that could impact on or offsite water resources. Because the proposed project as designed is not expected to increase overall runoff rates or decrease times of concentration in relation to existing conditions (as discussed in question c above), the proposed cover crop and buffers would be able to effectively trap and filter sediments, thereby minimizing their entry into nearby water resources.

As discussed above and in **Section VII (Geology and Soils)**, the proposed project has been designed with site-specific temporary and permanent erosion and runoff control measures and features to prevent sediment, runoff, and pollutants from leaving the project site. As

<sup>22</sup> Compliance with Section 18.108.135 is achieved by including their provisions as conditions of approval for a project, if granted, as indicated in **Section VII (Geology and Soils)**.

such, the proposed project is anticipated to reduce soil loss and sedimentation by approximately 0.8 tons/year, have no negative effect on runoff rates, and maintain project site drainage characteristics as compared to existing conditions. The ECPA includes BMPs that are consistent with NCC Section 18.108.080(c), as well as with Regional Water Board guidance from the Storm Water Best Management Practice Handbooks for Construction and for New Development and Redevelopment, and the Erosion and Sediment Control Field Manual.

Furthermore, project approval, if granted, would be subject to the following condition of approval, which would further reduce and avoid potential impacts to water quality as a result of the proposed project and ongoing operations.

**Water Quality – Condition of Approval:**

The owner/permittee shall refrain from disposing of debris, storage of materials, or constructing/operating the vineyard, including vineyard avenues, outside the boundaries of the approved plan, or within required setbacks pursuant to Napa County Code Section 18.108.025 (General Provisions – Intermittent/perennial streams). Furthermore, consistent with the standard conditions identified in the **Hazards and Hazardous Materials Section (Section IX)**, all operational activities that include the use or handling of hazardous materials, such as but not limited to agricultural chemical storage and washing, portable restrooms, vehicular and equipment refueling/maintenance and storage areas, soil amendment storage and the like, shall occur at least 100 feet from groundwater wells, watercourses, streams and any other water resource to avoid the potential risk of surface and groundwater contamination, whether or not such activities have occurred within these areas prior to this ECPA approval.

Therefore, the proposed project as designed, in conjunction with identified conditions of approval, would not adversely conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING.</b> Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a. The project site is in a rural area of Napa County and the nearest established community is Zinfandel, less than five miles southwest of the project site. The project site contains existing vineyard land and, therefore, the proposed vineyard and subsequent vineyard operations is consistent with surrounding land uses and would not physically divide an established community and no impact would occur.
- b. The project site is zoned as Agricultural Preserve and Agricultural Watershed and is designed under the Napa County General Plan as AWOS and Agricultural Resource. Surrounding land uses consist predominantly of agricultural land, rural residential, and undeveloped land. Surrounding parcels are zoned Agricultural Watershed and Agricultural Preserve in the Napa County General Plan Land Use Element. Vineyards and associated improvements are permitted uses under these designations.

The proposed project has been analyzed for consistency with applicable sections of the NCC and with the Napa County General Plan. With inclusion of the mitigation measures and conditions of approval, the proposed project has been found consistent with applicable code requirements and General Plan Goals and Policies, including but not limited to the following:

- The proposed project is consistent with NCC Section 18.108.010, which requires that soil loss and runoff as a result of a project be minimized to protect water quality. As discussed in **Sections VII (Geology and Soils)** and **X (Hydrology and Water Quality)**, the proposed project is anticipated to decrease soil loss and potential sedimentation by approximately 0.8 tons per year and maintain runoff conditions as compared to existing conditions.
- The proposed project is consistent with Policies CON-48 and CON-50c, which require pre-development sediment erosion conditions and runoff characteristics following development not be greater than predevelopment conditions. As discussed in **Section VII (Geology and Soils)** and **Section X (Hydrology and Water Quality)** the project as proposed would reduce soil loss, sedimentation, and maintain runoff characteristics as compared to existing conditions.
- The proposed project with implementation of **Mitigation Measures BR-1** through **BR-3** is consistent with Policies CON-13 and CON-16, which require discretionary projects consider and avoid impacts to fisheries, wildlife habitat, and special-status species through evaluation of biological resources. A Biological Resource Assessment was prepared for the proposed project. The proposed project as proposed would avoid potential direct, indirect, and cumulative impacts to special-status plant species and associated habitat occurring on the project site. With implementation of **Mitigation Measures BR-2** through **BR-3** potential impacts to special-status

species and protected bird species would be avoided. Furthermore, implementation of these measures would not affect the feasibility of the proposed project in that, impacts to special-status species and their habitat can be avoided.

- With implementation of **Mitigation Measures BR-1** through **BR-3** and the fencing and tree/woodland conditions of approval, the proposed project is consistent with Goals CON-2 and CON-3, which require the continued enhancement of existing levels of biodiversity and protection of special-status species and habitat, and the County Conservation Regulations through preservation of natural habitats and existing vegetation. With these measures and conditions, the proposed project would maintain levels of biodiversity and would avoid impacts to special-status plant and animal species.
- With implementation of **Mitigation Measures BR-1** through **BR-3** and the fencing conditions of approval, the proposed project is consistent with Policy CON-13, which requires discretionary projects to consider and avoid impacts to fisheries, wildlife habitat, and special-status species, and Policy CON-17, which requires the preservation and protection of native grasslands, sensitive biotic communities, and habitats of limited distribution and no net loss of sensitive biotic communities.
- The proposed project is consistent with CON-16, which requires discretionary projects prepare an evaluation of biological resources. A Biological Resource Assessment was prepared for the proposed project (**Exhibit B-1**).
- The development area has approximately 0.91 acres of wetlands within its boundaries; however, the proposed project is consistent with Policy CON-30, which encourages the avoidance of wetlands, because the proposed vineyard block avoid wetlands within the project site with a minimum 50-foot buffer.
- The proposed project is consistent with Policy CON-18, which encourages the reduction of impacts to habitat conservation and connectivity. With incorporation of the fencing conditions of approval, and the proposed project's small amount of proposed new fencing, wildlife movement would not be impaired.
- The proposed project is consistent with Policies CON-48 and CON-50c, which require pre-development sediment erosion conditions and runoff characteristics following development to be no greater than pre-project conditions. As discussed in **Section VII (Geology and Soils)** and **Section X (Hydrology and Water Quality)**, with incorporation of the Erosion and Runoff Control Measures conditions of approval, the proposed project would reduce soil loss and sedimentation, and result in no change to runoff.
- The project with implementation of **Mitigation Measure HWQ-1** achieves consistency with **Conservations Policy CON-53** and **CON-53.5**, which in part considers the project's consistency with the capacity of its water supply system, and to assist in providing for an adequate, long-term supply of ground for agriculture, conservation, domestic, industrial, and recreational uses.
- The proposed project is consistent with Policy CON-65b. Due to the proposed project's scope and scale, its construction and operational GHG emissions, as disclosed in **Section VIII (Greenhouse Gas Emissions)**, are anticipated to be less than significant.
- The proposed project is consistent with Policy AG/LU-1, which states that agricultural and related activities are the primary land uses in Napa County, as the proposed project is vineyard development and would increase agriculture uses in the County.
- The proposed project is consistent with the General Plan land use designation of AWOS, and is therefore consistent with Policy AG/LU-20.

For these reasons, the proposed project, with the mitigation measures and conditions of approval incorporated, would not be in conflict with applicable County regulations, policies, or goals and is anticipated to have a less than significant impact with respect to applicable County regulations, policies, or goals.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES.</b> Would the project:				
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. The project site is not in an area with a known mineral resource of value to the region or state or within a known mineral resource recovery area (Napa County Baseline Date Report, Figure 2-2 and Map 2-1, Version 1, November 2005; Napa County General Plan Map, December 2008; Special Report 205, Update of Mineral Land Classification, Aggregate Materials in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin and Southwestern Solano Counties, California Geological Survey, 2013). The nearest known mineral resource area in Napa County is the Syar Napa Quarry, located approximately 8 miles southwest of the project site. Proposed site improvements and development of vineyard on the project site would not physically preclude future mining activities from occurring. Therefore, no impact would occur.

Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIII. NOISE.** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 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 site is located in a rural setting where surrounding parcels are generally undeveloped, agriculture (planted with vineyards), and contain wineries. The nearest residence is located approximately 75 feet from the development area. Additionally, adjacent properties and other properties in the immediate area contain vineyards. Activities associated with installation of the proposed project, including earthmoving and subsequent vineyard operations, could generate noise levels above existing conditions. Several different types of equipment would be necessary for implementation and operation of the proposed project, including a bulldozer and tractor with grader. **Table 11** characterizes typical equipment noise levels at a reference distance of 50 feet. As identified in **Table 11**, equipment used for vineyard development could produce a maximum of 89 (A-weighted decibels) dBA at a distance of 50 feet.

**Table 11 – Construction Equipment Noise Emission Levels**

Equipment	Typical Noise Level (dBA) 50 feet from Source	Equipment	Typical Noise Level (dBA) 50 feet from Source
Backhoe	80	Roller/Sheep's Foot	74
Bulldozer	85	Scarifier	83
Chainsaw	86	Scraper	89
Compactor	82	Shovel	82
Excavator/Shovel	82	Spike driver	77
Grader	85	Truck	88
Loader	85	Wood Chipper	89

Sources: Cowan 1994, Federal Transit Administration 1995, Nelson 1987, United States Department of Agriculture Forest Service 1980, and Napa County Baseline Date Report Chapter 6 (Noise Resources) November 2005 (Version 1)

**Table 12** characterizes the typical reduction in construction equipment noise levels as the distance increases from the source, based on a source noise level of 90 dBA.

**Table 12 – Estimated Distance to dBA Contours from Construction Activities <sup>1</sup>**

Distance from Construction Source	Calculated Noise Level
50 feet	90 dBA
180 feet	75 dBA
300 feet	70 dBA
450 feet	65 dBA
700 feet	60 dBA
1,100 feet	55 dBA
1,700 feet	50 dBA

<sup>1</sup> Based on a source noise level of 90 dBA

Source: Napa County Baseline Date Report, Noise Section Table 6-13, Version 1, November 2005

Based on distances to existing residences, noise associated with project construction would be between approximately 75 and 90 dBA at the nearest existing offsite residences.

Noise related to farming activities and equipment typically ranges from 75 dBA to 95 dBA, with an average of approximately 84 dBA (Toth 1979 and Napa County Baseline Date Report, Version 1, November 2005). These noise levels should be reasonably representative of noise levels from wheeled and tracked farm equipment. Noise sources associated with ongoing vineyard operation and maintenance include a variety of vehicles and equipment, such as ATV's, tractors, grape haul trucks, passenger cars, and light trucks, which would

occur on a temporary and seasonal basis. **Table 13** characterizes the typical reduction of farming activity noise levels as the distance increases from the source using a noise source level of 84 dBA.

**Table 13 – Estimated Distance to dBA Contours from Farming Activities <sup>1</sup>**

Distance from Farming Source	Calculated Noise Level
50 feet	84 dBA
115 feet	75 dBA
175 feet	70 dBA
275 feet	65 dBA
400 feet	60 dBA
650 feet	55 dBA
1,000 feet	50 dBA

<sup>1</sup> Based on a source noise level of 84 dBA

Source: Napa County Baseline Date Report, Noise Section Table 6-14, Version 1, November 2005.

Based on distances to existing residences, it is anticipated that noise due to operation and maintenance agricultural activities would be approximately between 75 and 84 dBA at the closest existing offsite residences.

Napa County considers construction noise levels up to 75 dBA during daytime hours (7 a.m. to 7 p.m.) and 60 dBA during nighttime hours (7 p.m. to 7 a.m.) as compatible with residential uses (NCC Section 8.16.080), and ongoing (or established use) noise levels of approximately 55 dBA as compatible with residential uses (NCC Section 8.16.070). As the closest offsite residence would experience construction noise levels of approximately 75 to 90 dBA, noise and vibration impacts associated with project development are anticipated to be less than significant. Noise levels from routine operation and maintenance activities at the nearest offsite residence would be less than typical for compatible uses, and the temporary and ongoing noise sources and levels are considered typical and reasonable for agricultural development and operational activities, consistent with the County’s “Right to Farm” ordinance (NCC Chapter 2.94 and General Plan Agricultural Preservation and Land Use Policy AG/LU-15), and are therefore exempt from compliance with the noise ordinance. NCC Section 8.16.090.E (Exemptions to Noise Regulations) exempts agricultural operations from noise regulations. Additionally, the proposed project would not result in a permanent increase in ambient noise levels over what currently exists in the project vicinity, resulting in a less than significant impact on ambient noise levels of the area.

During site preparation and vineyard installation, the use of heavy equipment could result in a temporary increase in ambient noise levels in the vicinity of the project site as described above. Compliance with measures identified in the County’s noise ordinance for construction-related noise, such as a limitation of hours of construction activity and muffling of equipment, would result in temporary less than significant noise and vibration impacts, and would result in no permanent increase in ambient noise levels in the vicinity of the proposed project in excess of County standards.

- c. The project site is neither located within an area covered by an airport land use plan, nor is it within 2 miles of a public, public-use, or private airport (Napa County GIS: Napa Airport Compatibility Zones and USGS Quad layers). Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIV. POPULATION AND HOUSING.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion**

- a. The proposed project involves earthmoving activities and the installation and maintenance of erosion control measures in connection with the development and cultivation of vineyard. It does not involve the construction of new homes, businesses, roads, or infrastructure (e.g., water, sewer or utility lines) that would directly or indirectly induce substantial unplanned population growth. Construction and installation activities associated with the proposed project would generate a minimal number of workers to the project site on a temporary basis, and ongoing vineyard operation and maintenance would generate a minimal number of workers to the project site on an ongoing basis. It is anticipated that these workers would come from the existing labor pool in the region. Therefore, the proposed project would not induce unplanned population growth in the proposed project vicinity or greater region, either directly or indirectly. No impact would occur.

- b. The proposed project would not displace any existing housing or people and it does not involve the construction of new homes. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES.</b> Would the project:				
a) Result in 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The proposed project does not include the construction of residential or commercial structures, as discussed in **Section XIV (Population and Housing)**, resulting in no substantial population growth in the area. It is anticipated that these temporary workers would come from the existing labor pool in the local region and would not result in an increase in population over existing conditions. As a result, there would be no need to construct any new government facilities. Therefore, there would be no change in the demand for the listed services and amenities. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. RECREATION.</b> Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a-b. The proposed project does not include any recreational facilities. As discussed in **Sections XIV (Population and Housing) and XV (Public Services)**, the proposed project would not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION.</b> Would the project:				
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 § 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

a-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 vehicle miles travelled (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 "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, February 2022) that define situations and project characteristics that trigger the need to prepare a Transportation Impact Study (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. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

Currently, the project site is developed with a single-family home, approximately 15.3 acres of vineyard, a water storage reservoir, and an existing well. The project site is accessed from an existing driveway on Monticello Road. Trucks and other equipment would use County roads or State highways for short periods during construction and subsequent vineyard operation.

The proposed project is expected to generate up to four passenger vehicle round trips per day during construction. Up to two truck trips would deliver and remove heavy equipment generally occurring during the first and last four weeks of construction. Typical construction equipment would include a tractor with grader and a bulldozer. Pruning would occur between January and February approximately five days of the year and is anticipated to require up to four workers. Weed control would occur between March and August (outside of the pruning months) up to two times a year and would require one worker. Harvest would occur approximately four days during the year and is anticipated to require up to ten workers anticipated to generate between 5 and 10 round trips (including grape haul trucks/trips). Up to four passenger vehicle round trips per day would occur seasonally during operation. Vehicular equipment for ongoing vineyard maintenance is anticipated to include a tractor with trailer, a forklift, and ATVs and passenger vehicles and/or light trucks. Some of this traffic already exists onsite due to the operation and maintenance of the existing vineyard. Construction traffic would be intermittent during non-peak hours, generally arriving between 6 a.m. and 7 a.m. and departing between 2 p.m. and 3 p.m. Traffic associated with routine vineyard operation and maintenance, including harvest, would also be intermittent during the non-peak hours, generally arriving around 6 a.m. and departing around 3 p.m.

As indicated above, the TIS Guidelines provide a screening criterion that could be used to determine whether a VMT analysis is warranted for small projects, which are defined as projects that would generate fewer than 110 trips per day and may generally be assumed to cause less-than-significant transportation impacts. As indicated above, construction of the proposed project would generate up to approximately six one-way worker trips per day, and periodically up to ten additional one-way truck trips per day. Harvest would generate up to approximately 8 one-way worker trips, and two one-way truck trips per day (resulting in up to 10 round trips per day) for approximately three days per year. Other typical vineyard operations (as outlined above) are anticipated to generate up to 4 one-way trips per day during the days these activities occur. Therefore, daily trips (including passenger vehicle trips and truck trips) generated by the proposed project would be well below the Governor’s Office of Planning and Research’s recommended screening criterion threshold for small projects generating fewer than 110 trips per day. Additionally, daily trips associated with the project would be temporary and seasonal in nature, further supporting conformance and observance of this screening criterion.

Traffic generated by construction of the proposed project and subsequent vineyard operation, including harvest, would increase traffic on area roadways and result in additional vehicle miles traveled compared to current conditions. These activities would occur on a temporary and/or seasonal basis, and they would generally occur during non-peak hours. The proposed project would result in a minimal increase in traffic levels along the local roadways compared to existing conditions, and would not result in decreased travel times on roads in the vicinity of the proposed project or a substantial increase in vehicle miles traveled given the scale of the proposed project. Further, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, or designated bicycle and pedestrian facilities or with CEQA Section 15064.3(b). Therefore, the impact would be less than significant

- c. The proposed project would utilize the existing site access off Monticello Road for project development (**Figures 1-3**). The proposed project does not include roadway improvements and/or modifications to Monticello Road, or include any other design feature that would result in hazardous conditions due to a geometric design feature or incompatible uses. The installation of the vineyard is consistent with the allowed use of the project site and other agricultural uses in the area. Therefore, the potential for the creation of or substantial increase in hazards due to a geometric design feature or incompatible uses would be a less than significant impact.
- d. The existing roads would continue to provide adequate emergency access to the project site, resulting in no impact. Refer to **Section IX, Hazards and Hazardous Materials**, for additional discussion related to emergency access.
- e. The proposed project would generate its largest demand for parking (approximately four vehicles) during pruning and harvest periods, which last up to between 4 to 5 days each. Current county ordinances do not require formal parking for agricultural projects. Parking within the proposed staging area and/or along proposed vineyard avenues would satisfy parking demands of project installation and subsequent vineyard operations. Therefore, no parking impacts are anticipated.

Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**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:

- 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
- a) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Discussion**

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on April 16, 2021. The County received a response letter from the Yocha Dehe Wintun Nation on April 29, 2021, indicating that the project area is within the aboriginal territories of the Yocha Dehe Wintun Nation, and the reply requested a site visit and incorporation of Yocha Dehe Wintun Nation's Treatment Protocol into the mitigation measures for the project. On March 26, 2021, the County replied to the Yocha Dehe Wintun Nation indicating that a site inspection with the Tribe was scheduled for June 2, 2021, and the reply stated that the requested recommendation to incorporate Yocha Dehe Wintun Nation's Treatment Protocol and any recommendations as a result of the site inspection would be incorporated into either mitigation measures or conditions of approval for the project, should the application be approved. The consultation invitation was closed with the reply because the Tribe did not request consultation. Due to staffing changes within the Yocha Dehe Wintun Nation, an additional site visit occurred on June 23, 2022. Recommendations from the Yocha Dehe Wintun Nation representative have been incorporated into **Mitigation Measure TR-1** below. Yocha Dehe Wintun Nation's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation are included as **Exhibit F**. The County also sent consultation closure notices to the Mishewal Wappo Tribe of Alexander Valley on June 17, 2021 and the Middletown Rancheria on May 26, 2021, because no request for consultation was received and more than 30 days had elapsed since the County's consultation invitation was provided.

- a-b. As discussed in **Section V (Cultural Resources)** the proposed project's cultural resources study (Archaeological Research, November 2020), identified no cultural resources that may be significant pursuant to Public Resources Code Section 5024.1(c) have been identified or are anticipated in the development area. The Cultural Resources conditions of approval discussed in **Section V (Cultural Resources)** would avoid and reduce potential impacts to unknown resources.

Based on site visits conducted with Yocha Dehe Wintun Nation on June 2, 2021 and June 23, 2022, Yocha Dehe Wintun Nation expressed concern that the proposed project could impact unknown cultural resources; therefore, **Mitigation Measure TR-1** would be implemented to minimize the potential to impact tribal cultural resources to a less than significant level.

**Mitigation Measure TR-1:** The owner/permittee shall revise Erosion Control Plan #P21-00066-ECPA prior to approval to include the following measures to minimize the potential to impact tribal cultural resources:

- a. Prior to approval the owner/Permittee shall, by reference, incorporate the Yocha Dehe Wintun Nation's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation into #P21-00066-ECPA.
- b. Prior to the commencement of vegetation removal and earth-moving activities pursuant to #P21-00066-ECPA, the owner/Permittee shall provide documentation to Napa County demonstrating that they have engaged with Yocha Dehe Wintun Nation to provide cultural monitors and that cultural sensitivity training has been provided to site workers.
- c. Should the owner/Permittee be unsuccessful in engaging with the Yocha Dehe Wintun Nation, the owner/Permittee shall provide, for review and approval by Napa County, a Cultural Monitoring Plan prepared by a professional archaeologist certified by the Registry of Professional Archeologists (RPA). The Cultural Monitoring Plan shall outline monitoring requirements including but not limited to, sensitivity training for site workers, find procedures, and monitoring documentation and reporting procedures.

Therefore, with the implementation of **Mitigation Measure TR-1**, and the cultural resources conditions of approval discussed in **Section V (Cultural Resource)**, potential impacts on tribal cultural resources would be reduced to a less than significant level.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Require or result in the relocation or construction of 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 waste water 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion**

a. The proposed project would generate a minimal number of workers to the project site on a temporary basis during construction, and ongoing vineyard operation and maintenance would generate a minimal number of workers to the project site on an ongoing basis. It is anticipated that these workers would come from the existing labor pool in the region and would not generate an increase in the population relative to the existing conditions. Therefore, the proposed project would not create a need to construct new or modified utilities and service systems. Further, implementation of the proposed project would not result in the construction or expansion of a water or wastewater treatment facility; the proposed project would not generate wastewater and groundwater would provide irrigation water to the vineyard (see groundwater management, wells conditions of approval in **Section X [Hydrology and Water Quality]**). Irrigation pipelines would be located within existing roads, vineyard and vineyard areas and/or within proposed clearing limits.

The proposed project also would include the installation of a limited number of onsite storm water drainage features such as rolling dips, fiber rolls, and a permanent vineyard cover crop, which have been designed to meet project-related storm water drainage needs. The effect of the proposed storm water drainage features is described in **Sections IV (Biological Resources), VII (Geology and Soils), and X (Hydrology and Water Quality)**. As discussed in the referenced sections, the environmental impacts of construction of these features, with incorporation of standard conditions identified in **Sections III (Air Quality), IV (Biological Resources), V (Cultural Resources) and IX (Hazards and Hazardous Materials)**, would result in a less than significant impact.

b. The proposed 9.85 gross acres of vineyard (approximately 8.0 net acres) would be irrigated using groundwater supplied by an existing well located on the project site (**Exhibit D**). The WAA conducted by HDVine LLC. (**Exhibit D**) concluded that after full development, groundwater use for the project site is estimated to be 4.37 AF/year, which is an increase of 3.87 AF/year for the proposed vineyard irrigation compared to the current onsite groundwater use. Based on site-specific recharge and analysis the project site is estimated to have a total average annual groundwater recharge of 8.1 AF/year. The project has an estimated groundwater demand of 4.37 AF/year with the proposed project represents approximately 54% of the average annual groundwater recharge. Implementation of the proposed project would not generate wastewater and would not result in the construction or expansion of a water or wastewater treatment facility. Therefore, the proposed project with incorporation of **Mitigation Measure HWQ-1** and Groundwater Management condition of approval would have a less than significant impact on water supplies. Water availability and use are discussed in detail in **Section X (Hydrology and Water Quality)**.

c. Given the small number of workers that the proposed project would generate for construction and operation, wastewater generation by the proposed project would not be substantial enough to affect wastewater treatment capacity. The proposed project would generate no wastewater that would require treatment, resulting in no impact on wastewater treatment providers.

d-e. Rock generated during vineyard preparation would be buried or used for landscaping. The proposed project would result in approximately 45cubic yards of cut and fill. Solid waste generated during construction activities (e.g., trash, discarded building materials, debris, etc.) would be negligible and would be cleared daily, or as necessary. Implementation of the proposed project would include pruning and harvesting activities that would generate waste material (cane). This material would generally be disposed of onsite by spreading it back into the vineyard, burning it, or a combination of the two. Therefore, the proposed project would not generate a volume of waste that would need to be disposed of at a landfill that would exceed the permitted capacity of applicable landfills serving the project area. Furthermore, all waste would be disposed of in accordance with federal, state, and local statues and regulations. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. <b>WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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**

The project site is primarily located in State Responsibility Areas (SRA) that are designated as Moderate and High Fire Hazard Severity Zone (CalFire, 2007; Napa County GIS CalFire Layers, Fire Protection Responsibility Areas and Fire Hazard Severity Zone). The project site lies at the eastern base of a steep ridge in the Howell Mountain Range separating Milliken Canyon to the west from Wooden Valley to the east. Proposed vineyard development areas are sited on land with slopes ranging from 15 to 22%, with 1 acre on slopes less than 5% and 0.5 acre on slopes greater than 30% (**Exhibit A-1**). Elevations range from approximately 600 to 900 feet above msl.

- a. Project construction and operation would not require any road closures and would not substantially increase traffic in the area compared to current conditions. Existing roads would continue to provide adequate emergency access to the project site. Therefore, the proposed project would not affect an adopted emergency response plan or emergency evacuation plan. Refer to **Section IX (Hazards and Hazardous Materials)** for additional discussion related to emergency access.
- b-c. Project construction would require the use of vehicles and heavy equipment for grading and other activities, and these vehicles and equipment could spark and ignite flammable vegetation. During construction, the risk of igniting a fire would be low because vegetation would be cleared prior to developing the vineyard, and the risk would be temporary due to the short duration of construction (one phase of approximately six month). Operation and maintenance activities would be similar to activities already occurring on the project site with the existing vineyard. The proposed project does not include any infrastructure that would exacerbate fire risk. While the project site is within an area that historically has experienced wildfires, the proposed project would not exacerbate wildfire risk and this impact would be less than significant.
- d. Although the proposed project would alter land cover, temporary and permanent erosion control measures would be implemented for the proposed project which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite and there would not be an increase in peak flow in the development area (see **Section X [Hydrology and Water Quality]**). Therefore, there are no structures or people that would be exposed to downstream flooding or landslides, resulting in a less than significant impact.

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

- b) Does the project have the impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion**

Project impacts have been analyzed to determine potential project-specific and cumulatively considerable significant impacts. All areas of impact analysis were found to have a less than significant negative effect on the environment or human beings due to project design with incorporation of identified mitigation measures and conditions of approval.

- a. As discussed in this Initial Study, implementation of #P21-00066-ECPA, with the incorporation of identified mitigation measures and conditions of approval (should the proposed project be approved), would not have the potential to significantly degrade the quality of the environment.

Implementation of **Mitigation Measures BR-1** through **BR-3** would avoid potential direct and indirect impacts to oak woodland habitat and special-status species and protected bird species and their habitat. New/upgraded wildlife exclusion fencing would connect with existing fencing on the project site to enclose the proposed vineyard blocks. Given the relatively small size of the project site (relative to existing wildlife corridors), agricultural expansion within the project site is in and of itself unlikely to result in any significant impacts to wildlife movement or migration at the landscape linkage scale. While the proposed project (vineyard blocks) would result in portions of the site having reduced potential for on-site wildlife movement, the retention of blocks of vegetation with direct connectivity with similar habitats in the project site and on neighboring properties would allow for continued local wildlife movement. As such, the proposed wildlife exclusion fencing would not introduce any new movement barriers to wildlife and impacts to wildlife movement are expected to be less than significant, and the range of special-status plant species would not be restricted, cumulative impacts are anticipated to be less than significant. The project site contains wetlands in the southern portion of the project site and ephemeral streams along the eastern and southern boundaries of the project site. To reduce impacts on water quality, the proposed project has been designed to avoid the wetland with a minimum 50-foot buffer and the streams on the project site, which do not meet the Napa County definition of a stream, have been avoided with more than the minimum 35-foot setbacks in accordance with NCC 18.108.025. With incorporation of standard conditions to protect cultural resources that may be discovered accidentally, significant impacts to cultural resources are not expected (**Section V [Cultural Resources]**). Therefore, the proposed project as designed with the incorporation **Mitigation Measures BR-1** through **BR-3** and conditions of approval would have a less than significant potential to degrade the quality of the environment.

- b. The project site is located in the Wooden Valley Creek West Fork watershed that is part of the Suisun Creek hydrologic sub area. The Wooden Valley Creek West Fork watershed contains approximately 4,174.0 acres. In 1993, vineyard acreage within this drainage was approximately 126.5 acres, or 3.0% of the drainage. Since 1993 approximately 252.1 acres of additional vineyard (or 6.0% of the drainage) have been developed to vineyard, resulting in approximately 9.1% of the drainage (or approximately 378.6 acres) containing vineyard.

It is estimated, based on evaluation of the County's GIS layer identifying Potentially Productive Soils within the Wooden Valley Creek West Fork Drainage, that there are approximately 1,788.3 acres (42.8% of the drainage) having the potential to be developed to vineyard. This, in conjunction with existing and approved vineyard development (approximately 378.6 acres), results in a total potential build out of approximately 2,166.9 acres or approximately 51.9% of the drainage. The Potentially Productive Soils layer includes lands with characteristics that have been found to be suitable for potential future vineyard development. However, this total does not take into consideration other site-specific limitations such as watercourses requiring setbacks, wetlands, other water features, rare or special-status plants and animal species, or cultural resources, nor does the layer take into account other factors influencing vineyard development, such as sun exposure, soil type, water availability, or economic factors.

While it is not possible to precisely quantify the acreage and location of additional vineyard development that may be proposed by property owners in these drainages in the future, it is possible to make a conservative estimate based on previous trends. To estimate the amount reasonably foreseeable vineyard that may be developed over time, the acreage of vineyard development including approved vineyard projects in the cumulative environment (i.e., Wooden Valley Creek West Fork watershed) over the last 28 years (1993-2021) were used to project an estimation of vineyard development for the next three to five years. Over the past 28 years within the Wooden Valley Creek West Fork Drainage, approximately 9.0 acres of agriculture were developed per year (252.1 divided by 28). Combined with Napa County policies and other site selection factors that limit the amount of land that can be converted to vineyard, the development of approximately 27.0 to 45.0 acres over the next three to five years within the Wooden Valley Creek West Fork Drainage are considered reasonable estimates. NCC Chapter 18.108 includes policies that require setbacks of 35 to 150 feet from watercourses (depending on slopes), and

General Plan Conservation Policy CON-24c that requires the retention of oak woodland at a 2:1 ratio, which limits the amount of potential vineyard acreage that could be converted within the watershed. It has been the County's experience with ECPA projects that there are generally site-specific issues, such as oak woodland preservation, wetlands, other water features, special-status plant and animal species, or cultural resources that further reduce areas that can be developed to other land uses. Additionally, the vineyard acreage projections for the next three to five years do not consider environmental factors that influence vineyard site selection, such as sun exposure, soil type, water availability, slopes greater than 30%, or economic factors such as land availability, cost of development or investment returns.

#### ***Air Quality and GHG - Sections III and VIII:***

The proposed project (#P21-00066-ECPA) includes the removal of vegetation and installation of vineyard and erosion control measures concurrent with other projects in the San Francisco Bay Area Air Basin that would generate emissions of criteria pollutants, including suspended PM and equipment exhaust emissions. For construction-related dust impacts, the Regional Water Board recommends that significance be based on the consideration of the control measures to be implemented (Regional Water Board, May 2017). As discussed in **Section III (Air Quality)** and shown in **Table 3** (Emissions from Vineyard Development and Operation) criteria pollutant emissions associated with development and operations are anticipated to be well below identified thresholds, and therefore are not expected to result in project or cumulatively significant impacts. Additionally, the proposed project would be subject to standard air quality conditions of approval (should the proposed project be approved) that requires implementation of Air Quality BMPs to further reduce potential less than significant air quality effects of the proposed project and ongoing operation. Conversion of existing vegetation and disturbance of soil would result in releases of carbon dioxide, one of the gasses that contribute to climate change (**Tables 7 and 8**). As discussed in **Section VIII (Greenhouse Gas Emissions)**, the proposed project is not anticipated to result in substantial or significant GHG emissions, and includes the installation of grapevines and a permanent no-till cover crop, which may off-set (in whole or in part) potential impacts related to reductions in carbon sequestration. Potential contributions to air quality impacts associated with the proposed project, including GHG emissions and loss of sequestration, would be considered less than cumulatively significant through project design (i.e., scope and scale) and implementation of standard conditions of approval.

#### ***Biological Resources - Section IV:***

A project-specific Biological Resource Assessment with Botanical Surveys and Delineation of Waters of the U.S. (Northwest Biosurvey, March 2021 - **Exhibit B-1** and **Exhibit B-2**) was performed for the proposed project to evaluate potential habitat loss and disturbance to plant and wildlife species because of the proposed project. The reconnaissance surveys included database records searches to identify the presence or potential presence of special-status species within the project area. The database records searches included the CNDDDB, CNPS, and Napa County databases. As discussed in **Section IV (Biological Resources)**, wetlands were identified in the project site outside of the development area and have been provided minimum 50-foot avoidance setbacks. No special-status plant species are present within the development area and six special-status/protected animal species have the potential to occur within the development; however, with the implementation of **Mitigation Measures BR-1** through **BR-3**, impacts on these species would be less than significant. Therefore, the proposed project would not contribute to a cumulatively significant impact to special-status plants and animals or habitats.

#### ***Cultural and Tribal Cultural Resources – Sections V and XVIII:***

The cultural resource reconnaissance survey (Archaeological Research, November 2020) identified no significant cultural resources in the development area. With the incorporation of standard conditions of approval to protect cultural and tribal cultural resources that may be discovered accidentally and implementation of the mitigation measures recommended by Yocha Dehe Wintun Nation in **Mitigation Measure TR-1**, significant impacts to cultural and tribal cultural resources are not expected (see **Section V [Cultural Resources]** and **Section XVII [Tribal Cultural Resources]**). Therefore, with the incorporation of the identified conditions of approval and **Mitigation Measure TR-1**, the proposed vineyard development project would have a less than significant project-specific and cumulative impact on cultural and tribal cultural resources.

#### ***Geology and Soils - Section VII:***

Soil loss and associated sedimentation resulting from implementation of the proposed project is anticipated to be reduced by approximately 0.8 tons/year as compared to existing conditions (**Table 6**). The reasons for this reduction is due to the increased vegetative cover conditions within the proposed vineyard development areas and the installation of straw wattles that reduce overland flow velocities and erosive power, and trap eroded soil on-site, thereby reducing soil loss potential. Because the proposed project would reduce soil loss as compared to existing conditions, and would implement erosion and runoff control conditions of approval, the proposed project is not anticipated to contribute cumulatively to sediment production within the Wooden Valley Creek West Fork watershed. Therefore, impacts associated with soil loss and associated sedimentation are not considered cumulatively significant.

Because geologic impacts associated with future agricultural projects would receive the same scrutiny under CEQA and the County's General Plan Goals and Policies (in particular General Plan Conservation Element Policy CON-48, which requires development projects to result in no net increase in sediment erosion conditions and soil loss as compared to existing conditions), it is not unreasonable to

anticipate that those projects would also have a less than significant project-specific and cumulative impact on erosion and associated sedimentation.

### ***Hydrology and Water Quality - Section X:***

Water use calculations provided in the Water Availability Analysis prepared by HDVine LLC (March 2021 - **Exhibit D**) indicate that the proposed development consisting of approximately 8.0 net acres of planted vineyard would result in approximately 3.87 AF/year of additional water use compared to the approximately 0.50 AF/year used under current conditions, totaling approximately 4.37 AF/year. Based on site-specific recharge and analysis the project site is estimated to have a total average annual groundwater recharge of 8.1 AF/year. The project site has an estimated groundwater demand of 4.37 AF/year with the proposed project represents approximately 54% of the average annual groundwater recharge. Further, with implementation of **Mitigation Measure HWQ-1** and Groundwater Management conditions of approval potential impacts are anticipated to be less than significant.

As discussed in **Section X.c (Hydrology and Water Quality)** a Hydrologic Analysis utilizing the HydroCAD model has been prepared by HDVine LLC. (HDVine LLC. September 2021 - **Exhibit E**). Because the proposed project does not include new diversions, create concentrated flows, or otherwise alter site drainage patterns, and does not materially alter site slopes, no net increase in runoff volumes or time of concentrations are expected as compared to pre-project conditions (**Exhibit E**). Therefore, no significant impacts due to changes in hydrology are expected.

Not increasing runoff rates is consistent with General Plan Conservation Element Policy CON-50c, which requires that peak runoff following development is not greater than predevelopment conditions. Additionally, as discussed in **Section VII (Geology and Soils)** the proposed project is anticipated to decrease soil loss as compared to existing conditions. Therefore, the proposed project would have a less than significant impact with respect to alterations of existing drainage patterns of the site or area that would result in increased runoff, considerable on or off-site erosion, siltation or flooding.

Furthermore, because hydrologic impacts associated with future agricultural projects would receive the same scrutiny under CEQA and County General Plan Policy CON-50(c), which requires development projects to be designed so that peak runoff following development is not greater than predevelopment conditions, it is not unreasonable to anticipate that those projects would also have a less than significant project specific and cumulative impact on hydrologic conditions.

### ***Land Use and Planning - Section XI:***

As discussed in **Section XI (Land Use and Planning)**, the proposed project, with implementation of the mitigation measures and conditions of approval identified in this Initial Study, achieves compliance with applicable NCC requirements and General Plan Goals and Policies (also see **Section VIII [Greenhouse Gas Emissions]**). The proposed project would not conflict with the any applicable land use plan, policies, or regulation as mitigated and conditioned.

### ***Proposed Project Impacts Found to be Less Than Significant***

In addition to the impact categories identified above, the following discussion summarizes those impacts considered to be less than significant with development of the proposed project: Aesthetics, Agriculture and Forestry Resources, Energy, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, and Wildfire. Periodic use of lighting at the site would not create a substantial source of light and lighting would be in the form of heat lights or downward directional lights on equipment being used during nighttime harvest. The potential contribution to aesthetic impacts associated with the proposed project is considered to be less than cumulatively considerable. The proposed project site would increase agricultural land and would therefore not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not result in wasteful, inefficient, unnecessary energy use, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency or impede progress towards achieving goals and targets. There are no known mineral resource areas within the proposed project site or immediate vicinity. This project would generate noise levels that are considered normal and reasonable for agricultural activities and consistent with the County's "Right to Farm" Ordinance. The potential contribution to noise or vibration impacts is considered less than cumulatively considerable. Traffic related to construction and farm worker trips would not increase by a discernible amount and the relatively low and off-peak vehicle trips associated with the proposed project are considered less than cumulative considerable. The proposed project does not include the construction of structures that would result in population growth or displacement of people and would not adversely impact current or future public services or recreational uses. For these reasons, impacts associated with the proposed project that may be individually limited, but cumulatively considerable, would be less than significant.

Considering the project site's characteristics, surrounding environment, and the scope and scale of the proposed project, the proposed project with incorporation of identified mitigation measures and conditions of approval, as discussed throughout this Initial Study, is not anticipated to result in either project specific or cumulatively considerable negative impacts; therefore, impacts associated with the proposed project that may be individually limited, but cumulatively considerable, would be less than significant.

- c. Implementation of the proposed project would not have any potentially significant negative effects on human beings (see discussions under **Sections III [Air Quality], IX [Hazards and Hazardous Materials], X [Hydrology and Water Quality], XIII [Noise], XIV ([Population and Housing], XVII [Transportation], and XX [Wildfire]**). The proposed project, the use of the project site, and reasonably foreseeable projects would be activities at a level of intensity considered normal and reasonable for a property within an Agricultural Preserve and Agricultural Watershed zoning district. Therefore, less than significant impacts on human beings are anticipated.

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**LIST OF EXHIBITS:**

- Exhibit A-1 Agricultural Erosion Control Plan # P21-00066-ECPA
- Exhibit A-2 Cover Canopy Calculations
- Exhibit B-1 Biological Resource Assessment
- Exhibit B-2 Biological Resource Reply to Napa County Review Letter
- Exhibit C USLE Analysis
- Exhibit D Water Availability Analysis
- Exhibit E Hydrology Analysis
- Exhibit F Yocha Dehe Wintun Nation's Treatment Protocol
- Exhibit G Project Revision Statement