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:** Dry Creek Vineyard, Agricultural Erosion Control Plan Application (ECPA) #P22-00408-ECPA

2. **Property Owner(s):** Dry Creek LLC c/o Tom Gamble

3. **Contact Person, Phone Number and Email:** Pamela Arifian, Planner III, (707) 259-5934, Pamela.Arifian@countyofnapa.org

4. **Project Location and APN:** 7111 Dry Creek Road, Napa, CA 94558, Assessor's Parcel Number (APN) 027-070-036 (**Figures 1** and **2**)

5. **Project Sponsor:** Dry Creek LLC
   c/o Tom Gamble
   PO Box 128
   Oakville, CA 94562

   Agent: Matthew S. Bueno, P.E.
   PPI Engineering
   2800 Jefferson Street
   Napa, CA 94558

6. **General Plan Description:** Agriculture, Watershed & Open Space (AWOS)

7. **Zoning:** Agricultural Watershed (AW)

8. **Background:** The proposed project parcel is part of an approximate 36.5-acre property holding that spans the Napa-Sonoma County line. The project parcel located in Napa County contains approximately 25.7 acres. Existing development on the proposed project parcel includes two residences (one of which is occupied) and associated outbuildings, access roads, vineyards totaling approximately 14.8 acres, and two wells. The existing vineyard includes approximately 1.1 gross acres (1.1 net vine acres) approved under #P17-00004-ECPA and 13.7 acres of vineyard planted prior to 1993. The parcel under same ownership in Sonoma County (APN 053-030-014) contains approximately 5.1 acres of vineyard, for a total of approximately 19.9 acres of vineyard on the project property. The property was burned in the 2017 Nunn Fire.

9. **Description of Project:**

   The proposed project involves the clearing of non-native grass, earthmoving, and installation and maintenance of erosion control measures associated with the development of approximately 1.7 gross acres of vineyard (i.e., development area, project area or proposed clearing limits) with approximately 1.2 net planted acres in one vineyard block (proposed Block A) located on a 25.7-acre property (i.e., project site) (**Exhibit A**). Average slopes within the development area range from 21 percent (%) to 22%, with approximately 0.3 acre on slopes over 30%. The project would convert approximately 1.3 acres of non-native grassland that has been actively grazed by goats and sheep, and approximately 0.4-acre of vegetated understory within a Coast Redwood Forest – Douglas Fir/California Bay habitat; however, no trees would be removed. Rock removed during the clearing and development of the land would be stockpiled for future use inside the proposed development area. The new vineyard would be irrigated with approximately 0.21 acre-feet (AF) of groundwater annually from an existing well located on the southern end of the project parcel and over 4,000 feet from a County-designated "Significant Stream" (refer to **Section X, Hydrology and Water Quality**); no new or altered wells or other water source would be used. Irrigation pipelines would be located in existing roads, vineyards and vineyard avenues, and/or within the proposed development area. Existing wildlife exclusion fencing surrounds a portion of the project site and no additional fencing is proposed. Access to the project site would be through an existing gate off of Dry Creek Road (**Exhibit A**).

   Erosion Control Measures: Temporary erosion control measures include installation of straw wattles, application of straw mulch at a rate of 3,000 pounds per acre, water bars, straw bale dikes, and other practices as needed. Permanent erosion control measures include the use of surface drainage pipelines and drop inlets, and establishment of a permanent cover crop maintained at a minimum vegetation cover density of 85%. Details of the proposed erosion control measures are provided in the Dry Creek Vineyard Erosion Control Plan (ECP), November 2022, prepared by PPI Engineering (**Exhibit A**).

   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 4-foot by 4-foot spacing pattern for an approximate vine density of ±2,723 vines per acre.
b. Installation of new water lines in existing roads, vineyard and vineyard avenues.
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. No pre-emergent herbicides would be used for weed management. Contact or systemic herbicides may be applied annually in spring (no earlier than February 15) to ensure adequate vegetative cover for the remainder of the rainy season. Spot spraying would occur (or hand-hoeing around the base of the vine or other methods that do not result in a continuous bare strip) in order to achieve 85% vegetative cover.

Table 1 lists a general construction schedule for the proposed project as identified in # P22-00408-ECPA and **Table 2** outlines typical general ongoing vineyard operations. The final implementation schedule is pending action on # P22-00408-ECPA.

Table 1 – Implementation Schedule

Vineyard Block A	
April 1 – October 1	Remove existing vegetation, complete ripping, grading and discing.
October 15[1]	All winterization complete, including seeding, straw mulching, and straw wattle installation.
October 16 – March 31	Maintain erosion and sediment control devices, inspect after all rain events producing significant runoff, re-seed temporary cover crop as needed to maintain appropriate cover.

[1] 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 April	a. Prune vines. b. Weed control.
April to August	a. Sulfur application to protect again 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 six truck trips for project mobilization and demobilization for equipment and materials delivery and pick up. Up to four passenger vehicle round trips per day would occur during construction. Construction equipment is anticipated to include a crawler tractor (D-8 or larger), tractor/trailers, backhoes, trencher, and pickup trucks, passenger vehicles, and other small to medium service vehicles.

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

Implementation of the proposed project would be in accordance with the Dry Creek Vineyard Erosion Control Plan prepared by PPI Engineering (November 2022 - **Exhibit A**). The proposed project is further described in the application materials including the Supplemental Project Information sheets.

9. Describe the environmental setting and surrounding land uses.

The 25.7-acre project site is located at 7111 Dry Creek Road, approximately 6 miles west of Yountville, California (**Figures 1-3**) and adjacent to the Sonoma County line within the Mayacamas Mountains. General topography of the area is moderate to steeply sloped, with slopes in the development area ranging between 21% and 22%. Elevations range on the development area from approximately 1,438 to 1,578 feet above mean sea level (msl). The closest active fault is approximately 1.2 miles to the north (Napa County GIS Faults Layer). The project area and a large swath of land north of the project is located on a large landslide deposit (Napa County GIS Landslide Layers). Soils in the project site have been classified according to the Soil Survey of Napa County (USDA 1978) as Boomer loam, 2 to 35% slopes, and Cohasset gravelly loam, 15 to 30% slopes.

Existing facilities include two residences (one of which is occupied) and associated outbuildings, access roads, vineyards, and two wells. The development area currently consists of undeveloped grassland (pasture). Surrounding land uses include rural residential, vineyards, wineries, forested areas, and undeveloped land. The land cover types on the project site include California annual grassland and Coast redwood forest. Existing wildlife exclusion fencing surrounds a portion of the project site and no additional fencing is proposed. The project site is located in the Dry Creek watershed, which is a sub-watershed of the Napa River. There are two ephemeral drainages along the eastern (Napa County) and western (Sonoma County) edges of the property, both of which drain to the north (**Exhibit D**). Additionally, Calabaza Creek is located offsite

approximately 400 feet west from the project site and an unnamed tributary to Dry Creek is located offsite approximately 500 feet from the project site (see Figure 4 in **Exhibit B**).

10. **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	**Other Agencies Contacted**
California Department of Fish and Wildlife (CDFW) (T)	Middletown Rancheria
Regional Water Quality Control Board (Regional Water Board) (R)	Mishewal Wappo Tribe of Alexander Valley
	Yocha Dehe Wintun Nation

11. **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 January 6, 2023. On January 18, 2023, Yocha Dehe Wintun Nation responded that the project site is not located within aboriginal territories of the Tribe. On March 15, 2023, the County replied and closed the consultation invitation because the Tribe declined comment on the project. No further communication was received from the other tribes from whom consultation was requested within the 30-day notification period. The County sent consultation closure notices to Middletown Rancheria and the Mishewal Wappo Tribe of Alexander Valley on March 15, 2023. 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.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ 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 ECP #P22-00408-ECPA as listed below, and the environmental background information contained in the permanent file on this project. All documents are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services (PBES) and on the Napa County website at https://pbes.cloud/index.php/s/eadKo5poxdeHxBn.

- PPI Engineering, November 2022, Dry Creek LLC, Dry Creek Vineyard, Erosion Control Plan (**Exhibit A**)
- MIG, June 2022, Biological Resources Report, 7111 Dry Creek Road Vineyard Project (**Exhibit B**)
- PPI Engineering, November 10, 2022, Dry Creek Vineyard Track I ECP, APN 027-070-036, Soil Loss Analysis (**Exhibit C**)
- Richard C. Slade and Associates LLC, November 30, 2022, Updated Results of Aquifer Testing of One Onsite Well and Napa County Tier 1 and Tier 2 Water Availability Analysis for GVF Farming LLC 7111 Dry Creek Rd, Mt. Veeder Area, Napa County, California (**Exhibit D**)
- PPI Engineering, November 11, 2022, Dry Creek Vineyard Track I ECP, APN 027-070-036, Hydrologic Analysis (**Exhibit E**)
- Flaherty Cultural Resources Services, September 11, 2019, Cultural Resource Reconnaissance of 3+/- Acre Near Oakville, Napa County, California (a portion of APN 053-030-014, Gamble Dry Creek Sheep Pasture)
- Site inspection conducted by Napa County Engineering & Conservation Division staff (Pamela Arifian & Raulton Haye) on December 16, 2022
- Napa County Geographic Information System (GIS) sensitivity maps/layers

☐ 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.

Pamela Arifian
Signature

September 13, 2023
Date

Pamela Arifian
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
I.	**AESTHETICS.** Except as provided in Public Resources Code Section 21099, would the project:				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

a-b. The project site is located within a scenic corridor (Napa County GIS, Scenic Corridors Layer), and immediately adjacent to and visible from a viewshed road (Dry Creek Road). There are existing vineyards located within and in the vicinity of the project property. Additionally, visual impacts related to construction equipment and activities at the development area would be short-term and temporary in nature. As described in **Section IV (Biological Resources)**, no trees would be removed during project construction, and the proposed project would not result in damage to a scenic resource.

The project site is not located on a prominent hillside but is located on a saddle in between a major ridgeline along the Sonoma and Napa County line (Napa County GIS, Ridgelines Layer). The project site is not visible from a distance, as it is surrounded by trees. 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 grassland within the development area and includes the development of new vineyard. The proposed project is consistent with the Napa County AWOS land use designations and with adjacent land uses, which include other vineyards, wineries, and rural residential uses. Additionally, as discussed in **Section IV [Biological Resources]** below, there would be no tree removal occurring as part of project construction and nothing about the project would 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 on one day a year (typically occurring in September and October), that could include nighttime activity (typically from 10 p.m. to 7 a.m.). Although some nighttime activity would occur for limited periods, it would not be a substantial increase from the same activity already occurring on the parcels, and 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
II. AGRICULTURE AND FORESTRY RESOURCES. 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public 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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a. The development area is not mapped as Prime Farmland, Unique Farmland, or Farmland of Local Importance by the California Department of Conservation; however, the project site is designated as a Napa County agricultural preserve. The proposed project would result in an increase in agricultural land; therefore, the proposed project would not convert the agricultural preserve or Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and there would be no impact.

b. The project site has an AWOS designation and is zoned AW. Therefore, the establishment of new vineyard totaling approximately 1.7 gross acres (1.2 net acres) is consistent with project site's land use and zoning designations. There is a recorded Williamson Act contract (Contract #602/91), and the proposed project would not conflict with that contract. 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. This impact would be less than significant.

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 forest land or coniferous forest (Napa County GIS). The project site is zoned as AW, and is not zoned as forest land 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
III.	**AIR QUALITY.** 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?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

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 (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act (CEQA). These guidelines were updated in May 2017 to address the California Supreme Court's 2015 opinion in Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist., 62 Ca 4th 369. These thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA, and were posted on the BAAQMD website and included in the BAAQMD updated CEQA Guidelines (BAAQMD CEQA Guidelines, May 2017). 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 proposed 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 proposed 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.

The Guidelines for implementation of the thresholds are for information purposes only to assist local agencies. Recommendations in the Guidelines are advisory and should be followed by local governments at their own discretion. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or the Air District 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. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist., 62 Ca 4th 369. 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.

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.

a-b. The project site is generally located in the Dry Creek watershed along the western 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 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_3), ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO_2), and suspended PM of ten micrometers or less and two and a half micrometers or less (PM_{10} and $PM_{2.5}$). Other criteria pollutants, such as lead (Pb) and sulfur dioxide (SO_2), 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.

The thresholds of significance for use in determining whether a proposed project will have a significant impact on GHG's and climate change (BAAQMD, April 2022) did not affect the Air Quality CEQA Thresholds of Significance for the above mentioned air pollutants (i.e. ROG, NO_x, PM_{10} and $PM_{2.5}$) identified in Table 2-1 of the BAAQMD 2017 Guidelines. As such, those thresholds will be used to determine the significance of potential air quality impacts associated with air pollutant emissions. These air pollutant thresholds of significance are identified in **Table 3** below.

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.

In order to assess potential air quality and GHG 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[1] for an approximately 560-acre vineyard development, Walt Ranch Vineyard[2] for an approximately 507-acre vineyard development, and Circle-S Ranch Vineyards[3] for an approximately 400-acre vineyard development[4].

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_x, PM_{10}, and $PM_{2.5}$.

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.

Table 3 – Emissions from Vineyard Development and Operation

Emissions and Thresholds	Criteria Pollutants – Constituents			
	ROG	NO_x	$PM_{2.5}$	PM_{10}
	Construction Emissions			
Pounds per day: 150-acre vineyard development[1]	8.43 to 11.39	34.39 to 52.16	3.93 to 4.47	13.93 to14.53

[1] #P09-00176-ECPA, Analytical Environmental Services (AES) March 2012, SCH #2009102079 certified February 3, 2013

[2] #P11-00205-ECPA, AES March 2016, SCH #2008052075 certified August 1, 2016

[3] #P06-01508-ECPA, AES April 2011, SCH #2007062069 certified December 22, 2011

[4] These EIRs are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services permanent files.

Pounds per day: 150- to 250-acre vineyard development[2]	9.43 to11.03	43.85 to 53.16	3.91 to 4.62	12.87 to 17.22
Pounds per day: 127-acre vineyard development[3, 4]	4.6	42.3	5.21[4]	24.21[4]
Construction threshold	54	54	54	82
	Operational Emissions			
Pounds per day: 400-acre vineyard operation[1]	7.78	2.85	0.80	4.22
Pounds per day: 560-acre vineyard operation[2]	6.58	1.84	0.75	3.91
Pounds per day: 507-acre vineyard operation[3]	4.3	22.3	1.4	2.3
Operational threshold (lbs/day)	54	54	54	82
Tons per year (Metric)[1,5]	0.78	0.35	0.11	0.58
Operational threshold (tons per year)	10	10	10	15

[1] As identified in Circle-S EIR; [2] As identified in Suscol Mountain EIR; [3] As identified in Walt Ranch EIR; [4] Includes dust and exhaust emissions; [5] 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 1.7 gross acre vineyard (approximately 1.2 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 that 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[5] or the PERP website[6].

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

[5] http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf

[6] http://www.arb.ca.gov/portable/portable.htm

Land uses adjacent to the project site include rural residential, vineyards, wineries, forested areas, and undeveloped land. The project parcel consists of approximately 25.7 acres of land and existing facilities include two residences (one of which is occupied) and associated outbuildings, access roads, vineyards, and two wells. The closest schools are located approximately 6 miles east of the project site (Yountville Elementary School) within the County of Napa (Napa County GIS, Schools Layer) and 3 miles west (Dunbar Elementary School) within the County of Sonoma. The closest offsite residence is located approximately 500 feet northeast of the development area.

During installation of the ECP, 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, backhoes and a trencher). These sources would be temporary and/or seasonal in nature and would occur approximately three miles from the closest school and approximately 500 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
IV.	**BIOLOGICAL RESOURCES.** 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?	☐	☒	☐	☐
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?	☐	☐	☒	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

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

- MIG, Inc., June 2022, Biological Resources Report, 7111 Dry Creek Road Vineyard Project (**Exhibit B**)

Additionally, the following Napa County Geographic Information System (GIS) Sensitivity Maps/layers were referenced in this biological resources assessment: Sensitive biotic vegetation groups, U.S. Fish and Wildlife (USFWS) Critical Habitat, California Natural Diversity Database (CNDDB), Owl Habitat, Wetlands and Vernal Pools, Vegetation, Soil types, U.S. Geological Survey Quadrangle (DRG), and Aerial Photos.

MIG conducted a reconnaissance field survey of the project site on March 22, 2022. The survey documented: land cover type (e.g., terrestrial communities, aquatic resources); suitable habitat for any special-status plant or wildlife species; and the presence of any other sensitive natural resources protected by local, state, or federal laws and regulations. On June 13, 2023, MIG biologist Kim Briones conducted a follow-up survey to assess the potential for the northern spotted owl (*Strix occidentalis caurina*) to nest within the project vicinity.

The project site was surveyed using meandering pedestrian transects, at which time plant and wildlife species, any signs (e.g., tracks, scat, and feathers) of wildlife, and habitats present on the project site were documented. The field survey was conducted by a qualified biologist familiar with the flora of Napa County and surrounding counties. The survey followed the protocol for plant surveys described by resource agency guidelines (CNPS, 2001; CDFW, 2018; USFWS, 1996). Plants were identified using a CDFW California Natural Diversity Database (CNDDB)

record search of the Calistoga, Rutherford, Saint Helena, Chiles Valley, Kenwood, Yountville, Glen Ellen, Sonoma, and Napa, U.S. Geological Survey 7.5-Minute Quadrangles (CNDDB 2022); the California Native Plant Society (CNPS) Rare Plant Program Inventory of Rare and Endangered Plants of California record search for Napa County (CNPS 2022); the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool (USFWS 2022); the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2022); the UUSFWS National Wetlands Inventory (NWI) Online Wetlands Mapper (NWI 2022); the ebird database (Cornell Lab of Ornithology 2022); and other relevant scientific literature, technical databases, resource agency reports, and Federal Register notices and other information published by USFWS and the National Marine Fisheries Service (NMFS) to assess the current distribution of special-status plants and animals in the project vicinity.

The development area consists of the following biological communities (or habitat types): California annual grassland and Coast redwood forest-Douglas Fir/California Bay. The habitats and their acreages are shown in **Table 4**.

Table 4 – Biological Communities and Habitat Types in the Development Area

Biological Communities or Habitat Type	Approximate Acreage in the Development Area
California Annual Grassland	1.24
Coast Redwood – Douglas Fir/California Bay	0.42[1]
Total	**1.66**

Source: MIG, June 2022 (**Exhibit B**)

[1] Proposed vegetation removal would consist of vegetative understory only; no trees would be removed.

a. Special-Status Plants: Based upon a review of the resource databases listed in **Exhibit B**, a number of special-status plant species have the potential to occur within the project site or in its vicinity. Results of the survey determined no special-status plant species are present within the development area (**Exhibit B**). 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.[7] Additionally, pursuant to Napa County General Plan Policy CON-13,[8] 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 1.7 acres of agriculture on the project site; Policy CON-17[9] because the removal of trees within a sensitive natural plant community that contains special-status plant species is avoided; 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. Therefore, less than significant impacts on special status plants and sensitive natural communities are anticipated.

Special-Status Animals: The field surveys did not result in observations of special status animals or habitats such as mammal burrows or soils that may support special status wildlife species. No special-status wildlife species are expected to breed, occur regularly, or occur in large numbers in the development area. This determination was made due to the absence of suitable habitat for special-status species, the absence of known occurrences within five miles of the project site, and/or the project site's location being outside of the species' known range distribution. However, three special-status wildlife species may occasionally occur as nonbreeding transients, foragers, or migrants, including the purple martin (*Progne subis*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Corynorhinus Townsendii*). Additionally, based on a review of the CNDDB spotted owl mapper, the project site is within 0.25 mile of two former spotted owl (*Strix occidentalis caurina*) activity centers. These species are discussed below.

[7] 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.

[8] 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.

[9] 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.

The purple martin is a California species of concern when nesting. This species nests in old woodpecker cavities, or human-made structures (e.g., nest boxes), often in tall, isolated trees/snags with low canopy cover. No occurrences for purple martin have been documented within five miles of the project site; however, this species is occasionally observed in the region (Cornell Lab of Ornithology 2022) and is known to nest in the County (Shuford 2008). No cavities were observed on any trees on the site; thus, this species is not expected to breed on site. However, this species may occasionally occur on the project site as a non-breeding transient, forager, or migrant (MIG, June 2022; **Exhibit B**).

The pallid bat and Townsend's big-eared bat are considered California species of special concern year-round. The pallid bat forages over many habitats and roosts in caves, rock outcrops, buildings, and hollow trees. The Townsend's big-eared bat roosts in caves and mine tunnels, abandoned buildings, bridges, and less frequently in crevices in trees such as redwoods in a variety of habitats. Both species may occasionally forage over the project site but are not expected to breed on the site as no suitable day-roosting habitat is present on the site. Additionally, several common bat species are known to occur in the region including Yuma myotis (*Myotis yumanensis*) and California myotis (*Myotis thysanodes*) and long-eared myotis (*Myotis evotis*). All bat species are also protected by California Fish and Game Code. These and other common bat species roost in a variety of structures including trees that support cavities, crevices, and exfoliating bark. As described above, there are no potential roosting features that might provide suitable bat roosting habitat for bats in the development area (MIG, June 2022; **Exhibit B**).

The northern spotted owl (NSO) is listed as threatened under the California Endangered Species Act and Federal Endangered Species Act. The NSO's range extends from southwestern British Columbia, the coastal ranges and eastern and western Cascade Ranges of Washington State and Oregon down through northern California and Marin County. Nesting and roosting habitat of the northern spotted owl is broadly described as old growth coniferous forest with a high degree of structural complexity and a high canopy closure.

Structural components of high-quality spotted owl habitat include a multilayered, multispecies canopy, large conifer overstory trees, shade-tolerant understory conifers or hardwood trees, and moderate to high canopy closure. In the warmer inland portion of the California Coast Province where the project site is located, spotted owls appear to prefer structurally complex forest habitats in well-shaded forests, but tend to occupy these habitats in narrow, steep-sided canyons with north or east-facing slopes that tend to remain cool. Northern spotted owls do not build their own nests, but rather, they occupy broken live tree-tops, snags, tree cavities, mistletoe clumps, woody debris accumulations, or old nests constructed by other wildlife (**Exhibit B**).

Foraging habitat may include the same components as nesting and roosting habitat but may also be composed of younger forests and hardwood stands in more open forest areas. In the southern portion of their range, where the project site is located, the northern spotted owls' diet consists mainly of small mammals including woodrats, deer mice, and gophers, which are common in mixed forest habitats. Other resources such as birds and insects may also be consumed. Spotted owls have been shown to avoid non-forested habitats (e.g., grasslands), which is likely due to the lack of an abundant prey base.

Based on a review of the CNDDB spotted owl mapper, the project site is within 0.25 mile of two former spotted owl activity centers. An activity center is defined as a location or point representing the "best of" detections such as nest stands, stands used by roosting pairs or territorial singles, or concentrated nighttime detections. Within activity centers, spotted owls forage over a wide area and subsequently return to a nest or roost location that is centrally-located within the home range. One activity center was located approximately 0.23 miles from the project site and was recorded in 2012. The other activity center was located approximately 700 feet from the site and was recorded in 1998. Additionally, 15 northern spotted owl observations associated with those activity centers have been documented between 1998 and 2014, including several pair sightings and two nest sightings. The current status of spotted owls in the vicinity is unknown **(Exhibit B**).

As noted previously, the project site is primarily composed of open grassland habitat and is bordered by remnant coast redwood-Douglas fir/California bay forest. The forest that borders the site supports trees species that the northern spotted owl is associated with (e.g., coast redwood, Douglas fir), but due to the relatively young age of this tree stand, open structure, and lack of forest complexity, the site does not support suitably complex structure required for nesting or roosting habitat. Additionally, while the site may support a small population of rodents such as mice and voles, no woodrat stick nests were observed anywhere on the site and there is little understory complexity to support an abundant prey base. Thus, the site does not support high quality foraging habitat for the species. It is possible that the species may occasionally travel across the forested portion of the site on route to other areas, and infrequently forage on the site during such commutes. Potentially suitable nesting, roosting, and foraging habitat is present in the adjacent forest north and east of the project site, but due to the 2017 Nuns wildfire, forest habitat to the west and south of the site lacks suitable canopy cover to support the spotted owl. Although the current status of spotted owls is unknown in the project vicinity, it is possible that spotted owls could nest in the intact forested areas to the north and east, as they have done in the past (**Exhibit B**). Thus, the potential remains that habitat exists within a 0.25-mile radius of the project area, which could result in disturbance to this protected species, which would be considered a potentially significant indirect impact.

Implementation of **Mitigation Measure BR-1** would require that, prior to project initiation, a qualified biologist perform an NSO habitat assessment to determine the potential for the presence of this species within 0.25-mile of the project, and performance of an on-site nocturnal calling survey for NSO within 7 days of project initiation to ensure their absence.

> **Mitigation Measure BR-1** - **Northern Spotted Owl**: The owner/permittee shall revise Erosion Control Plan #P22-00408-ECPA prior to approval to include the following measures to avoid potentially significant impacts to the northern spotted owl:
>
> a. To the extent feasible, construction activities shall be scheduled to avoid the spotted owl nesting season (generally March to July). If construction activities are scheduled to take place outside the nesting season, indirect impacts to spotted owl nests would be avoided.
>
> b. If construction activities cannot avoid the spotted owl nesting season, a six-visit survey over a one-year period (March 1 - August 31) shall be conducted by a qualified biologist within suitable habitat within 0.25 miles of the project site, following USFWS's Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls (USFWS 2012). Per this protocol, at least three surveys shall be completed by June of Year 1. If no owls are detected during the survey period, the project can take place until the start of the next breeding season. If project construction is not completed by year two, three spot check survey visits each year should occur in years two and three OR a two-year, six visits per year survey protocol. Spot checks are prescribed to detect spotted owls that may have moved into the project area subsequent to completion of general surveys. Consistent with the survey protocol, surveys should incorporate night-time call surveys during good weather conditions (e.g., not during inclement weather). If a spotted owl nest is detected during the breeding season, no ground disturbing activities shall be conducted until the end of the breeding season. The results of the surveys shall be provided to the County for review prior to project initiation.

Trees on and adjacent to the development area provide nesting habitat for a variety of common bird species that are protected by the MBTA and California Fish and Game Code. Several passerine birds were noted during the biologists' site visit and other common species have potential to nest on the trees within and adjacent to the site (MIG, June 2022; **Exhibit B**).

While the project site has the potential to support special-status bats, as well as non-status birds protected under the Migratory Bird Treaty Act; however, the development area would not impact trees, shrubs, or other structures that would provide nesting habitat for birds and/or roosting habitat for bats. The development area is undeveloped grazing land, and the understory of the Coast Redwood forest community is open and sparse and consists of short non-native grasses and herbs similar to what is present in the adjacent California Annual Grassland on the site, and will not require heavy equipment to manipulate the substrates. Therefore, the proposed project would result in less than significant direct impacts to nesting birds and roosting bats.

Though no trees would be impacted in the development area, nesting could occur in periphery areas, which could result in indirect and cumulative impacts to nesting birds, which would be considered a potentially significant impact. **Mitigation Measure BR-2** would be implemented to include pre-construction bird surveys and avoidance measures to avoid any nests with an exclusion buffer to reduce this impact to a less-than-significant level.

> **Mitigation Measure BR-2:** The Permittee shall include in #P22-00408-ECPA the following measures to minimize impacts associated with the loss and disturbance of nesting birds and raptors consistent with and pursuant Fish and Game Code Sections 3503 and 3503.5 and the California Endangered Species Act found in Fish and Game Code Section 2050 et seq.:
>
> 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 potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results 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 5 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, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County 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. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the Permittee shall cease all work in the vicinity of the nest and the qualified biologist shall consult CDFW about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.

e. Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) shall be prohibited.

The American badger Inhabits a variety of open habitats with friable soils, and is most abundant in open grasslands and grasslands with sparse shrubs, where it constructs underground burrows for protection and sleeping. No occurrences of American badger have been documented within 5 miles of the site, though there are occurrences elsewhere in Napa County in suitable open habitats. However, this species is not expected to occur on the site due to the presence of surrounding large, wooded areas and absence of larger patches of open habitat, and absence of adequate prey resources (e.g., small mammals). While this species was not identified during the surveys of the project site conducted by the project biologist, and no evidence of species use was identified, the project site contains friable soils, a habitat requirement for American badger. While this species is not anticipated to occur within the project area or site, there is the potential for the American badger to have occupied the project site after the surveys were conducted, resulting in a potential impact to this species. Implementation of **Mitigation Measure BR-3** would require a pre-construction survey prior to vegetation removal or earth disturbance, and, if occupied burrows are discovered, an appropriate buffer from the burrow. Following implementation of Mitigation Measure BR-3, less than significant impacts on American badger are anticipated.

Mitigation Measure BR-3: The owner/permittee shall revise Erosion Control Plan #P22-00408-ECPA prior to approval to include the following measures to minimize impacts to the American badger:

a. A qualified biologist shall conduct a pre-construction survey for the American badger within the project area and adjacent habitat within a minimum of 50 feet from the project area. The preconstruction survey shall be conducted no earlier than 14 days prior to when vegetation removal and ground disturbing activities are to commence. A copy of the survey results shall be provided to the County Planning Division prior to commencement of work. Should ground disturbance commence more than 14 days from the survey date, surveys shall be repeated.

b. If any occupied burrows are discovered the project area, the owner/permittee shall implement an appropriate buffer from the burrow(s), as determined by a qualified biologist and approved in writing by the County in collaboration with CDFW. If the Project cannot avoid impacts to the occupied burrow the Project shall consult with CDFW regarding next steps before proceeding and implement CDFW recommendations such as preparing and implementing an American badger relocation plan.

b-c. The development area does not contain riparian habitat. The project site contains approximately 0.4-acre of Coastal Redwood Forest – Douglas Fir/California Bay community, which is an alliance within the Redwood Forest and Woodland Association, a CDFW-classified sensitive natural community with a G3/S3 global and State rank (**Exhibit B**). While the project area contains Coast Redwood Forest – Douglas fir/California Bay community, which is an alliance with the CDFW-designated Coast Redwood Forest sensitive natural community, this plant community on site only supports coast redwood trees and small California bay saplings. The understory of the plant community is open and sparse, and consists of short non-native grasses and herbs similar to what is present in the adjacent non-native grassland within the project site. Numerous tree stumps are scattered through this plant community, and several of the existing trees have burn scars left from the 2017 Nuns Fire. The biologist determined that this plant community is not characteristic of Coast Redwood Forest – Douglas fir/California Bay due to the absence of associated plant and shrub species typically present in that alliance. Instead, the existing redwood stand is likely a remnant of redwood forest that was present prior to logging and agricultural practices in the area. As the project proposes to remove approximately 0.4-acre of understory within this disturbed plant community and no trees, less than significant impacts are anticipated.

No wetlands or streams are present on or immediately adjacent to the development; thus, no impact would occur. Calabaza Creek is located offsite approximately 400 feet from the project site and an unnamed tributary to Dry Creek is located offsite approximately 500 feet

from the project site (see Figure 4 in **Exhibit B**). 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 result in less than significant impacts to these drainages.

e. The proposed project involves the installation of vineyard totaling approximately 1.7 gross acres (1.2 net acres) across a single parcel comprising the project site. Existing wildlife exclusion fencing surrounds a portion of the project site. No additional fencing is proposed as part of the project.

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. Due primarily to the steepness of the slopes in this segment of the Mayacamas Range, the majority of the forests and woodland here remain undisturbed by agricultural and residential development. This continuous woodland and forest is accessed through the principal undeveloped canyons and associated watercourses. Due to extensive agricultural and residential development within the Napa Valley, access to the Napa River along the eastern edge of the valley and to the Howell Mountain Range beyond is limited to a few remaining drainages that have retained at least a portion of their adjacent riparian habitat. The project site is located within a much larger tract of forest and lightly-developed land within a rural portion of Napa County. While common wildlife species presumably utilize the site to some degree for movement at a local scale, the project site itself does not provide corridor functions beyond connecting similar forested and heavily wooded land parcels in surrounding areas. No wildlife exclusion fencing is proposed and therefore the proposed project would not interfere substantially with wildlife movement. Construction activities could temporarily preclude the movement of some wildlife including small mammals, reptiles, and amphibians. However, after the vineyard is constructed, wildlife that occasionally move across the site would be able to continue to do so. The movement of birds and bats would not be impeded, and any potential project impacts on northern spotted owl and nesting birds would be less than significant after implementation of **Mitigation Measure BR-2**. The proposed project would be consistent with General Plan Policy CON-18, which encourages the reduction of impacts to habitat conservation and connectivity. Wildlife nursery sites were not identified in the project site, and there would thus be no impacts to wildlife nursery sites. Impacts to wildlife movement, habitat use and availability, and vegetation removal would be less than significant. Further, implementation of the following condition of approval would ensure that future modifications to the existing fencing would not result in further impediments to wildlife access and movement through the project site.

> **Fencing – Condition of Approval**: Any modifications to the location of wildlife exclusion fencing as specified in Erosion Control Plan #P22-00408-ECPA shall be strictly prohibited, and would require County review and approval to ensure the modified wildlife exclusion fencing location/plan would not result in potential impacts to wildlife movement.

e. Based on the biological resources survey, the development area contains a total of 1.24 acres of California annual grassland and 0.42 acre of Coast Redwood/California Bay vegetation community. The proposed project would not result in the removal of any trees, rather, only the open and sparse vegetated understory of the Coast Redwood/California Bay vegetation community.

Areas adjacent to the development area include forested areas. To ensure that no trees are inadvertently removed as part of the project, and because the project will also be subject to the provisions of County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), the following provisions will be included as conditions of approval should the proposed project be approved:

Tree/Woodland Protection – Conditions of Approval:

- 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 project site (typically within approximately 50-feet of the project site). 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.

- The Owner/Permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the vineyard conversion area.

- 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 #P22-00408-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 percent 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.

As discussed in questions (a) through (c) above, the proposed project is designed to incorporate the mitigation measure, and impacts to sensitive natural communities and special-status species would be less than significant. Therefore, the proposed project with incorporation of mitigation measures **Mitigation Measures BR-1 through BR-3** and conditions of approval 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
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

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:

- Flaherty Cultural Resources Services, September 11, 2019, Cultural Resource Reconnaissance of 3+/- Acre Near Oakville, Napa County, California (a portion of APN 053-030-014, Gamble Dry Creek Sheep Pasture)

Flaherty Cultural Resource Services conducted a cultural resources study for the project site which included a check of information on file with the California Historical Resources Information System (CHRIS) Northwest Information Center, Sonoma State University, as well as *The Directory of Properties in the Historic Property Data File for Napa County* maintained by the Office of Historic Preservation 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 structure; and a surface reconnaissance survey of the development area (3 acres total surveyed) to locate any visible signs of potentially significant historic or prehistoric cultural deposits.

a-b. The cultural resources study (Flaherty Cultural Resource Services, September 2019) identified no cultural resources within the development area.

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 accidently. Less than significant impacts are anticipated.

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
VI. ENERGY. 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?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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 a one phase lasting up to six months during the year (as shown in Table 1). 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.[13] 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 or 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
VII. GEOLOGY AND SOILS. 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.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

[13] California Code of Regulations, 2005. Title 13, Chapter 10, 2485, updated through 2014.

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 approximately 1.2 miles to the north (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 Survey, 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 project site has very low liquefaction potential (Napa County GIS Liquefaction layer). 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 area and a large swath of land north of the project is located on a large landslide deposit (Napa County GIS Landslide Layers). The proposed project is not anticipated to result in landslides or unstable areas as a result of this feature. Therefore, this is considered to be a less-than-significant impact (also see question c below for additional discussion regarding slope stability and landslides).

b. The project site is underlain by the following soil mapping units: Boomer loam, 2 to 35% slopes, and Cohasset gravelly loam, 15 to 30% slopes. Installation and implementation of the project would involve vegetation removal and earthmoving activities within the proposed development area. 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 85%, as specified in the ECP. 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 PPI Engineering (**Exhibit C**), the proposed conversion of approximately 1.24 acres of non-native grassland and 0.4-acre of vegetative understory to vineyard and vineyard avenues is anticipated to reduce soil loss, or surface erosion, within the project site as compared to existing conditions (**Table 5**). Under existing conditions, the annual soil loss is anticipated to average 10.33 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 3.64 tons per acre per year, or a reduction of approximately 65% as compared to existing conditions.

Table 5 – USLE Soil Loss Analysis

Vineyard Block	Pre-project Soil Loss (tons/year)	Post-project Soil Loss (tons/year)	Difference	Percent Change (approximate)
A	10.33	3.64	-6.68	-65%

Source: PPI Engineering, November 2022, Soil Loss 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 water bars, straw wattles, straw mulching, straw bale dikes, 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 #P22-00408-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, surface drainage pipelines and drop inlets, 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 #P22-00408-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 been 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 85%. 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 a less-than-significant 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 development area is not in an area prone to landslides, ground failure or liquefaction and the proposed project would address 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 development area consist of Boomer loam and Cohasset gravelly loam which exhibit low to moderate shrink-swell potential (USDA, 1978). 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 less-than-significant 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 of 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
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

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).[10] 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 (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 CAP for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The BOS also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions. In 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 re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. 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

[10] https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines, April 2022

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 online at https://www.countyofnapa.org/589/Planning-Building-Environmental-Services. 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, February 2022) 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_2), methane, ozone, and the fluorocarbons, which contribute to climate change. CO_2 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_{2e}) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG, as described in BAAQMD's CEQA Guidelines. In this case CO_2 is used as the reference atom/compound to obtain atmospheric carbon CO_2 effects of GHG. Carbon stocks

are converted to CO_{2e} by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (http://ncasi2.org/COLE/faq.html).[11]

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 development area 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_{2e} of construction equipment emissions for a 459-acre vineyard development, resulting in approximately 9.4 MT CO_{2e} of construction equipment emissions per acre of vineyard development.[12] Using this emission factor it is anticipated that Construction Equipment Emissions associated with the proposed 1.7 gross acres of vineyard development would be approximately 15.98 MT CO_{2e} (1.7 acres multiplied by 9.4 MT CO_{2e}).

Project Site Emissions: Project site emissions are emissions resulting from vegetation removal and soil preparation associated with the conversion of approximately 1.7 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 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 26.14 MT C or approximately 95.94 MT CO_{2e} (**Table 6**).

Table 6 – 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 CO2e
Grassland	1.24	1.4	1.74	6.39
Coniferous Forest (Coast Redwood)	0.42	58.1	24.40	89.55
Total			**26.14**	**95.94**

Sources: Napa County Draft Climate Action Plan, March 2012; Napa County Conservation Division, November 2018

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%.[13] 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 84.55 MT CO_{2e} (**Table 7**).

Table 7 – Estimated Project Carbon Emissions Due to Vegetation Removal

[11] "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_2. 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).

[12] 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.

[13] Napa County, July 12, 2010, Green House Gas Emissions Associated with Vineyard Development & Vineyard Operations, A Compilation of Quantitative Data from Three Recent Projects.

Vegetation Type/Carbon Storage	Development Area Acreage	Carbon Loss/Emission per Acre (MT C/acre)	Total Carbon Loss/Emission (MT)	Total Carbon Loss/Emission in MT CO2e
Grassland	1.24	0.8	0.99	3.63
Coniferous Forest (Coast Redwood)	0.42	52.5	22.05	80.92
Total			**23.04**	**84.55**

Sources: Napa County Draft Climate Action Plan, March 2012; Napa County Conservation Division November 2018

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_{2e} of operational emissions for a 560-acre vineyard, resulting in approximately 0.67 MT CO_{2e} of operational emissions per acre of vineyard per year. Using this emission factor it is anticipated that Operational Equipment Emissions associated with the proposed 1.7-acre agricultural development would be approximately 1.14 MT CO_{2e} (1.7 multiplied by 0.67 MT CO_{2e}).

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 coniferous forest (coast redwoods) sequester 0.666 CO_2 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 0.35 MT C per year or 1.28 MT CO_2e per year.[14]

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_2 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_2, 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 100.53 MT CO_{2e} and annual ongoing emissions associated with vineyard operations (including loss of sequestration) estimated to be approximately 2.42 MT CO_{2e} per year (**Table 8**).

Table 8 – Estimated Overall Project-Related GHG Emissions

Construction Emissions in Metric Tons of $C0_{2e}$		Annual Ongoing Emissions in Metric Tons of $C0_{2e}$	
Source	**Quantity**	**Source**	**Quantity**
Vehicles and Equipment	15.98	Vehicles and Equipment	1.14
Vegetation and Soil	84.55	Loss of Sequestration	1.28
Total	**100.53**	**Total**	**2.42**

Source: Napa County Conservation Division, November 2018

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 100.53 MT CO_{2e} 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.

[14] 0.42 acres of coniferous forest (coast redwood) times 0.666 MT C = 0.28 MT C, and 1.24 acres of grassland times 0.057 MT C= 0.07, totaling 0.35 MT C

In the context of 12,500 acres of projected vineyard development, the proposed project would constitute less than approximately 0.01% 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 of 85%, 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 2.42 MT CO_{2e} 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., 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 retain all trees onsite, and would therefore not result in a loss of carbon sequestration due to tree removal.

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 one passenger vehicle round trip and one truck round trip per day (resulting in up to two round trips per day) for approximately one day per year. Other typical vineyard operations (as outlined above) are anticipated to generate one passenger vehicle round trip 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 not result tree removal, 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
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Discussion

a-b. Installation of the proposed project 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).

Onsite mixing of hazardous materials would occur at an existing facility approximately 800 feet southeast of proposed Block A (**Exhibit A**). Cleaning and washing of chemical application equipment would occur inside the proposed development area as needed. Fertilizers would be distributed through a drip system twice a year. Mildewcides would be applied up to three times a year. No pre-emergent herbicides would be strip sprayed in the vinerows for weed management. Project staging areas would be located within the proposed clearing limits.

No streams or wetlands are located in the project parcel; Calabaza Creek is located offsite approximately 400 feet from the project site and an unnamed tributary to Dry Creek is located offsite approximately 500 feet from the project site (**Exhibit B**).

The risk of potentially hazardous materials reaching or affecting adjacent water courses or other aquatic resources is significantly reduced because: i) there are no streams or wetlands located within 400 feet of the development area; and ii) 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(s), 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 schools (Yountville Elementary School and Dunbar Elementary School) are located approximately 6 miles east and 3 miles west of the project site, respectively. 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. The closest public airport to the project site is the Sonoma Valley Airport, located over 13 miles south of the project site. No portion of the proposed project 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 project and install vineyards. Up to four 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. The project site is located in a State Fire Protection Responsibility Area identified as having very 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
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion

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 the 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 28, 2022, August 9, 2022, and November 8, 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, altered 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. Although the Governor, through Executive Order No. N-5-23, rolled back some of the drought emergency provisions in late March 2023, due to current water conditions, the Governor's Emergency Order N-7-22 remains in place and the remaining criteria for the County's interim actions and procedures also remain. On May 30, 2023, the Napa County Board of Supervisors terminated the Local Emergency due to the 2021-2022 drought but acknowledged that there are still adverse conditions that will continue to affect the Napa Valley groundwater subbasin and the need to continue groundwater management efforts including the interim actions and procedures still exists.

The project site is located in the Dry Creek watershed that flows into Napa River. The Napa River is designated critical habitat for steelhead (Napa County GIS USFWS critical habitat layer). The Napa River is currently listed as an impaired waterbody for nutrients, pathogens, and sediment under Section 303(d) of the CWA. Historically, the construction of large dams and other impoundment structures between 1924 and 1959 on major tributaries in the eastern Napa River watershed and northern headwater areas of the Napa River has affected sediment transport processes into the mainstem of the Napa River by reducing the delivery of coarse load sediments to the river (Stillwater Science and W. Dietrich, 2002). However, the finer sediments that are not trapped by dams negatively affect salmonid habitat by reducing gravel permeability potentially affecting special-status fish species (Stillwater Science and W. Dietrich, 2002).

In response, the San Francisco Bay Regional Water Board has implemented the following programs. In 2009 the San Francisco Bay Regional Water Board adopted total maximum daily load (TMDL) for the Napa River (Order #R2-2009-0064), which calls for reductions in the amount of fine sediment deposits into the watershed to improve water quality and maintain beneficial uses of the river, including spawning and rearing habitat for salmonid species. Several watershed stewardship groups have developed management plans and are planning or have implemented large-scale projects to enhance water quality and stream-riparian habitat with the watershed (San Francisco Bay Regional Water Board, 2009).

Because vineyard properties may pose threats to water quality by discharging sediment, nutrients, and pesticides and/or by increasing storm runoff, which consequently can cause erosion and sedimentation and otherwise impact aquatic life, in July 2018 the San Francisco Bay Regional Water board adopted a water quality control permit (or General Permit) for vineyard properties in the Napa River and Sonoma Creek watersheds (Order #R2-2017-0033). The General Permit regulates parcels (including contiguous parcels under common ownership) developed with five or more acres of vineyard located in either of these watersheds. The Napa River and Sonoma Creek TMDLs adopted by the San Francisco Bay Regional Water Board have established performance standards for sediment discharge and storm runoff to protect and restore water quality. The General Permit would require actions to control pollutant discharges including sediment and storm runoff from vineyards and unpaved roads, which are located throughout vineyard properties, and pesticides and nutrients from vineyards. The General Permit would require vineyard owners or operators of parcels that meet the enrollment criteria to do the following: develop and certify a "farm plan[15]"; implement the farm plan to achieve discharge performance standards; submit an annual report regarding plan implementation and attainment of performance standards; and participate in group or individual water quality monitoring programs.

In the General Permit the San Francisco Bay Regional Water Board identified four significant sediment sources that are associated with vineyard properties: i) vineyard soil erosion; ii) offsite erosion caused by vineyard storm runoff increases; iii) road-related sediment delivery; and iv) channel incision. Napa County ECPA requirements and standards primarily address and control two of these sources, vineyard soil erosion and vineyard storm runoff. The General Permit will fill gaps in local regulation so that all four sediment sources are effectively controlled to reduce fine sediment deposition in stream channels that provide habitat for endangered steelhead populations, locally-rare Chinook salmon populations, and exceptionally diverse assemblages of native fish species in these watersheds. Additional details on the Vineyard Properties General Permit can be obtained from the Regional Water Board.[16]

The proposed development area is located over 400 feet from offsite streams.

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 #P22-000408-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.

[15] A farm plan documents a vineyard property's natural features, developed areas, and BMPs. Under the General Permit, a "certified" farm plan would mean that upon its full implementation of the plan, that the vineyard property is expected to achieve the performance standards for discharge. The Water Board's Executive Officer would approve third-party programs or certify a farm plan.

[16] https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/agriculture/vineyard/

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

The project property contains three existing on-site wells, including the "Irrigation Well" and "Domestic Well" located on the project parcel, and the "Sonoma Well" located on the Sonoma County parcel. Groundwater pumped from the existing Irrigation Well (located on the southern end of the project parcel) is currently used to meet all domestic demand of the primary and secondary residences, and all irrigation demands of the existing vineyards on the two parcels. The Irrigation Well will continue to be used to meet all future irrigation demands of the proposed new vineyard development; the Sonoma Well exists as a redundant backup well with diesel generator for power outages. No water for frost protection or heat protection is proposed as part of the project. Further, no surface water would be used to irrigate the vineyard.

A Tier 1 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 (RCS Associates LLC, November 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 Documented adopted by the County May 12, 2015. There is one offsite well (located on a neighboring property) that lies within 500 feet of the onsite well proposed for irrigation; therefore, a Tier 2 analysis (Well Interference Evaluation) was also prepared. Based on a constant rate pumping test of the irrigation well, the WAA concluded that pumping effects on the offsite well would be lower than the "Default Well Interference Criteria" found in the Napa County WAA Guidelines; therefore, less than significant impacts on water levels on the offsite well are expected. Further, the irrigation well is located more than 4,000 feet from a significant stream and therefore is not hydrologically connected. For these reasons, a Tier 3 WAA was not required, and impacts on surface water levels of significant streams within the Napa River Subbasin are not anticipated.

The existing groundwater demand for the property (including both parcels) is approximately 5.05 acre-feet per year (AF/y) (which includes 1.25 AF/y for existing residential water use, and 3.80 AF/y for existing vineyard irrigation). The total proposed groundwater demand for the property is expected to increase by 0.21AF/y with the proposed 1.2 net acres of new vineyards, resulting in an annual 4% increase (to 5.26 AF/y) in groundwater use on the property.

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, which uses an average annual rainfall of 35.3 inches per year over approximately 36.5 acres of the land area available for recharge and a 6% deep percolate recharge estimate, estimates the average annual groundwater recharge of project site to be approximately 6.4 AF/year (**Exhibit D**). The WAA noted that the 6% deep percolation rate is a conservative value, and that, due to the underlying geology of the project area in relation to the Dry Creek watershed, the deep percolation percentage is likely more appropriate for this site and would result in an average annual recharge of greater than 6.4 AF/Y. 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. The post-project site is estimated to have an annual future groundwater demand of 5.26 AF/year, which is below the estimated average annual recharge volume of 6.40 AF/year identified in the WAA.

The WAA also estimated the potential groundwater in storage to assist in evaluating potential groundwater impacts of the project. The estimated groundwater in storage beneath the project site (as of October 2016) is approximately 72.3 AF; thus, the estimated groundwater demands for the subject property represents approximately 7% of the groundwater conservatively estimated to be in storage in the rocks beneath the subject property, based on water level data.

Considering: i) anticipated annual water use of the proposed project and project site of approximately 5.26 AF/year is below the anticipated annual groundwater recharge rate screening criterial (or allocation) of approximately 6.40 AF/year; ii) the deep percolation rate of 6% upon which that recharge estimate is based is a conservative estimate based on underlying geology, and that it is likely that a higher deep percolation percentage would be more appropriate, yielding a greater recharge estimate; iii) there is no evidence to date indicating that there are groundwater problems or declining well production in the this area of the County; and iv) incorporation of the standard groundwater management condition of approval below to reduce potential impacts associated with groundwater use, the proposed project (if approved) would result in less-than-significant impacts to groundwater supplies, groundwater recharge, and local groundwater aquifer levels.

> **Groundwater Management, Wells – Condition of Approval:** 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) for the Project Wells. 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 PBES Director 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 PBES Director 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 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 85%, and the annual application of straw mulch cover on all disturbed areas at a rate of 3,000 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 the use of surface drainage pipelines and drop inlets and straw wattles, water bars, straw mulching, and straw bale dikes. These proposed erosion control measures are not anticipated to significantly alter the existing 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 Hydrologic Analysis for the proposed project was prepared by PPI Engineering (November 2022 - **Exhibit E**). The development area is contained within one watershed basin. The Hydrologic Analysis utilized the HydroCAD model to conclude that there would be no change in peak flow for the project watershed (**Table 9**).

Table 9 –Hydrologic Modeling Calculations Results: Runoff Rates

	Runoff (cfs)			
	2-year	10-year	50-year	100-year
Pre-project conditions	1.30	2.86	4.58	5.33
Post-project conditions	1.09	2.55	4.23	4.96
Change (cfs)	-0.21	-0.31	-0.35	-0.37
Change (%)	-16%	-11%	-8%	-7%

Source: PPI Engineering, November 2022 (**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.[17] 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

[17] 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**).

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 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 such, the proposed project is anticipated to reduce soil loss and sedimentation by approximately 6.68 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
XI.	**LAND USE AND PLANNING.** Would the project:				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

Discussion

a. The project site is in a rural area of Napa County and the nearest established community is Glen Ellen in Sonoma County, approximately four miles southwest of the project site. The project site contains existing vineyard 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 Watershed and is designed under the Napa County General Plan as AWOS. Surrounding land uses consist of rural residential, vineyards, wineries, forested areas, and undeveloped land. Surrounding parcels are zoned Agricultural Watershed 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 6.68 tons per year and reduce 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 reduce runoff characteristics as compared to existing conditions.
- The proposed project with implementation of **Mitigation Measure 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 Resources Report was prepared for the proposed project. The 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 Measure BR-1 through BR-3** potential impacts to northern spotted owl, nesting bird species and American badger would be avoided. Furthermore, implementation of this measure would not affect the feasibility of the proposed project in that, impacts to special-status species and their habitat can be avoided.
- 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. The proposed project would maintain levels of biodiversity and would avoid impacts to special-status plant and animal species.
- With implementation of **Mitigation Measure BR-1 through BR-3**, 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 Resources Report was prepared for the proposed project (**Exhibit B**).
- The development area does not contain wetlands within its boundaries and the proposed project is consistent with Policy CON-30, which encourages the avoidance of wetlands.
- The proposed project is consistent with Policy CON-18, which encourages the reduction of impacts to habitat conservation and connectivity. 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 Permanent Erosion and Runoff Control Measures condition of approval, the proposed project would reduce soil loss and sedimentation, and result in reduced runoff.

- 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
XII. MINERAL RESOURCES. 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?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

a-b. 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 14 miles southeast 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
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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion

a-b. The project site is located in a rural setting where surrounding parcels are generally undeveloped, agriculture (planted with vineyards), rural residential, forested areas, and contain wineries. The nearest offsite residence is located approximately 500 feet from the development area. Additionally, adjacent proprieties 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 tractor, backhoes and trencher. **Table 10** characterizes typical equipment noise levels at a reference distance of 50 feet. As identified in **Table 10**, equipment used for vineyard development could produce a maximum of 89 (A-weighted decibels) dBA at a distance of 50 feet.

Table 10 – 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 11 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 11 – Estimated Distance to dBA Contours from Construction Activities [1]

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

[1] 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 60 and 65 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 12** 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 12 – Estimated Distance to dBA Contours from Farming Activities [1]

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

[1] 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 55 and 60 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 60 to 65 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
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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
XV. PUBLIC SERVICES. 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?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒

iii.	Schools?	☐	☐	☐	☒
iv.	Parks?	☐	☐	☐	☒
v.	Other public facilities?	☐	☐	☐	☒

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
XVI. RECREATION. 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?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a-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
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA guidelines § 15064.3 subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒
e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	☐	☐	☐	☒

Discussion

a-b. As noted in **Section VIII (Greenhouse Gas Emissions)**, as part of the statewide implementation of SB 743, OPR settled upon automobile VMT as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states "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 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 two residences and associated outbuildings, access roads, vineyards, and two wells. The project site is primarily accessed from Dry Creek 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 six truck trips would deliver and remove heavy equipment during construction. Typical construction equipment would include a crawler tractor (D-8 or larger), tractor/trailers, backhoes, trencher, and pickup trucks, passenger vehicles, and other small to medium service vehicles. After vineyard installation operational trips that include, but are not limited to pruning typically occurring between January and April, weed control occurring between January and August and harvest occurring in September and October, are anticipated to generate one truck trip per day. 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.

Because the proposed project would be expected to generate up to approximately 10 daily trips during construction and one daily trip for ongoing operations and maintenance, below the 110-trip threshold in the Office of Planning and Research guidelines and the County's TIS Guidelines and VMT screening criteria, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

c. The proposed project would utilize the existing site access off Dry Creek Road for project development. The proposed project does not include roadway improvements and/or modifications to Dry Creek 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 Watershed zoned properties as well as 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 one vehicles) during pruning and harvest periods which last one day 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
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 January 6, 2023. On January 18, 2023, Yocha Dehe Wintun Nation responded that the project site is not located within aboriginal territories of the Tribe. On March 15, 2023, the County replied and closed the consultation invitation because the Tribe declined comment on the project. No further communication was received from the other tribes from whom consultation was requested within the 30-day notification period. The County sent consultation closure notices to Middletown Rancheria and the Mishewal Wappo Tribe of Alexander Valley on March 15, 2023.

a-b. As discussed in **Section V (Cultural Resources)** the proposed project's cultural resources study (Flaherty Cultural Resource Services, September 2019), identified no cultural resources within the development area. Furthermore, no 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.

As such, the proposed project, with the Cultural Resources conditions of approval, would result in less-than-significant impacts to Tribal Cultural Resources, including those that may be eligible for the California Historical Resources Information System or local register or cultural resources as defined in Public Resources Code Section 5024.1(c).

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. 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?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the 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?	☐	☐	☐	☒

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

Discussion

a. The proposed project would 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 the Groundwater Management, Wells conditions of approval in **Section X [Hydrology and Water Quality]**). Irrigation pipelines would be located within existing roads, vineyards and vineyard avenues, and/or within the proposed development area.

The proposed project also would include the installation of a limited number of onsite storm water drainage features such as surface drainage pipelines and drop inlets, water bars, straw wattles, straw mulching, straw bale dikes, 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), V (Cultural Resources)** and **IX (Hazards and Hazardous Materials)**, would result in a less-than-significant impact.

b. Typically, the annual irrigation season ranges from late May to September. Water use for frost protection is not proposed. The proposed vineyard would use approximately 0.21 AF/y of groundwater from an existing well to irrigate the approximately 1.2 net acres of new vineyard. The WAA prepared by RCS Associates LLC (**Exhibit D**) concluded that after full development, total groundwater demand for the new 1.2 net acres of vineyard and existing vineyard and residential uses on the project site is estimated to be 5.26 AF/yr. Based on site-specific recharge and analysis the project site is estimated to have a total average annual groundwater recharge of 6.40 AF/yr. The project site's estimated groundwater demand of 5.26 AF/y with the proposed project represents approximately 82% of the average annual groundwater allotment. The WAA estimated approximately 72.3 AF of groundwater is currently in storage beneath the project site. During a prolonged drought (estimated to last six years), it is estimated that groundwater recharge would be reduced to 40% of the average annual recharge, or 2.56 AF/y (15.36 AF in six years). A conservative estimate of the total drought-period recharge at the project site (15.36 AF) would be less than the estimate of the total proposed onsite groundwater demand (31.56 AF) that might occur over the same six-year period, but the theoretical six-year long drought period groundwater "recharge deficit" of 16.20 AF would represent only about 22% of the volume of groundwater in storage. Temporarily removing an average of approximately 2.70 AF (when that deficit is divided by six years) of groundwater from storage every year during this six-year long prolonged drought may cause water levels to decline somewhat beneath the project site, but removal of such a relatively small percentage of groundwater from storage over the six-year time period would not be expected to significantly impact groundwater levels beneath the project site. Therefore, the proposed project would have a less-than-significant impact on water supplies. Water availability and water use are discussed in greater 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 may be stockpiled for future use inside the proposed development area. 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 which 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. **WILDFIRE.** 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?	☐	☐	☐	☒
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slop instability, or drainage changes?	☐	☐	☒	☐

Discussion

The project site is located in a State Responsibility Area (SRA) that is designated as a Very High Fire Hazard Severity Zone (CalFire, 2022; Napa County GIS CalFire Layers, Fire Protection Responsibility Areas and Fire Hazard Severity Zone). Average slopes within the development area range from 21% to 22%, with approximately 0.3 acre on slopes over 30% (**Exhibit A**). Elevations range on the project site from approximately 1,438 to 1,578 feet above msl, and ground slopes within the project site range between 21% and 22%.

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 impact 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, as vegetation removal consists primarily of pasture with minimal shrub layer, and with adjacent land uses that include predominantly vineyard, pasture and a road, all of which exhibit low fire risk, and the risk would be temporary during project construction. 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 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 downslope or downstream flooding or landslides and the impact would be less than significant.

		Potentially Significant Impact	**Less Than Significant Impact With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE.** 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?	☐	☒	☐	☐
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 #P22-00408-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 Measure BIO-1** would avoid potential impacts to special-status and protected bird species and their habitat. No special-status plant species would be impacted by the proposed project. The proposed project does not include the installation of wildlife exclusion fencing. 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 project 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 development area does not contain streams or wetlands and no impact would occur. With incorporation of standard conditions to protect cultural resources that may be discovered accidently, significant impacts to cultural resources are not expected (**Section V [Cultural Resources]**). Therefore, the proposed project as designed with the incorporation **Mitigation Measure BIO-1** 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 Dry Creek Drainage area, that flows into Napa River and San Pablo Bay. The Dry Creek Drainage area contains approximately 9,603 acres. In 1993, vineyard acreage within this drainage was approximately 732 acres, or 8% of the drainage. Since 1993 approximately 233 acres of additional vineyard (or 2% of the drainage) have been developed to vineyard, resulting in approximately 10% of the drainage (or approximately 965 acres) containing vineyard.

   It is estimated, based on evaluation of the County's GIS layer identifying Potentially Productive Soils within the Dry Creek Drainage, that there are approximately 1954 acres (20% of the drainage) having the potential to be developed to vineyard. This, in conjunction with existing and approved vineyard development (approximately 965 acres), results in a total potential build out of approximately 2919 acres or approximately 30% 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 water courses 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., Dry Creek watershed) over the last 28 years (1993-2023) were used to project an estimation of vineyard development for the next three to five years. Over the past 28 years within the Dry Creek Drainage, approximately 32 acres of agriculture were developed per year (965 divided by 30). 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 96 to 160 acres over the next three to five years within the Dry Creek 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 ECP 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 (#P22-00408-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 6** and **7**). 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 Resources Report (MIG Inc., June 2022 - **Exhibit B**) was performed for the proposed project to evaluate potential habitat loss and disturbance to plant and wildlife species as a result of the proposed project. The reconnaissance survey 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 USFWS, CNDDB, CNPS, and Napa County databases. No special-status plant species are present within the development area and three special-status/protected animal species have the potential to occur within the development area; 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 Resources – Sections V and XVIII:

The cultural resource reconnaissance survey (Flaherty Cultural Resources Services, September 2019) identified no cultural resources in the development area. With the incorporation of standard conditions to protect cultural and tribal cultural resources that may be discovered accidently, 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, 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 3.64 tons/year as compared to existing conditions (**Table 5**). 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 Dry Creek 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.

Hazards and Hazardous Materials - Section IX:

The proposed project would implement the identified hazardous materials conditions of approval. Impacts associated with the use, storage, and transport of hazardous materials and accidental release of hazardous materials would be less than significant and no cumulative impacts would occur.

Hydrology and Water Quality - Section X:

Water use calculations provided in the Tier 1 WAA prepared by Richard C. Slade and Associates (November 2022 - **Exhibit D**) indicate that the proposed development consisting of approximately 1.2 net acres of planted vineyard, combined with existing residential and vineyard uses, would result in approximately 5.26 AF/y of groundwater use. The proposed project would result in less-than-significant

impacts to groundwater supplies, groundwater recharge, and local groundwater aquifer levels given that anticipated annual water use of the proposed project is below the anticipated annual groundwater recharge rate screening criteria (or allocation); overall water use during a theoretical six year drought period would not be expected to significantly impact groundwater levels beneath the project site; there is no evidence to date indicating that there are groundwater problems or declining well production in the this area of the County; and incorporation of the standard groundwater management condition of approval would reduce potential impacts associated with groundwater use.

As discussed in **Section X.c (Hydrology and Water Quality)** a Hydrologic Analysis utilizing the HydroCAD model was prepared by PPI Engineering (PPI Engineering, November 2022 - **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, a 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 measure 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, Utilities and Service Systems, 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 would not result in wasteful, inefficient, or 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. 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 Watershed zoning district. Therefore, less-than-significant impacts on human beings are anticipated.

LIST OF FIGURES:

LIST OF TABLES:

LIST OF EXHIBITS: