

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

Initial Study Checklist  
(form updated January 2019)

1. **Project Title:** Inglenook Residence, Use Permit Exception to the Conservation Regulations P22-00404
2. **Property Owner:** Niebaum-Coppola Estate Winery LP Derek Wintermote, P.O. Box 208, Rutherford, CA 94573, (707) 812-4759
3. **County Contact Person, Phone Number and email:** Kelli Cahill, Planner III, (707) 265-2325, [kelli.cahill@countyofnapa.org](mailto:kelli.cahill@countyofnapa.org)
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on a 133.73 acre parcel within the Agricultural Watershed (AW) zoning district. The parcel is accessed via a private driveway off Niebaum Lane and Beerstecher that passes through lands owned by Niebaum-Coppola Estate Winery LP at 1460 Niebaum Lane. APN: 027-200-017-000
5. **Project sponsor's name and address:** Gordon Wan, Adobe Associates, Inc., 1220 N. Dutton Avenue, Santa Rosa, CA 95401, (707) 541-2300
6. **General Plan description:** Agricultural Watershed and Open Space (AWOS) and Agricultural Resource (AR)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background/Project History:** In 1974 a garden cottage was constructed on the site, following in 1988 with a 10,617 square foot barn. Several buildings we do not have record of and likely pre-date the building code as they are barns used for storage. One barn is used as an office that was updated in 1991 with the addition of a bathroom.
9. **Description of Project:** The proposed project is a request for an exception to the Napa County Conservation Regulations (County Code Chapter 18.108), in the form of a Use Permit, in order to allow portions of an existing 880 foot driveway to encroach into the minimum required creek setback from the top of bank of Bear Creek. The proposed driveway widening would provide continued access from Beerstecher Road to the storage structures and proposed future Inglenook Residence located within 2,275 feet of the intersection of Beerstecher Road and Niebaum Lane, at APN 027-200-017, an approximately 133.73 acre parcel. The proposed roadway alignment would generally follow the alignment of the existing roadway.

Napa County Code Section 18.108.025 establishes minimum setbacks from top of bank of intermittent and perennial streams, prohibiting structures, earthmoving activity, grading, removal of vegetation and certain agricultural uses of land within the specified setbacks. The required minimum setback is as little as 35 feet from top of bank, with the setback distance increasing as the slope at top of bank becomes steeper, up to as much as 150 feet where the slope is or exceeds 60 percent. In the proposed project area, slope at top of bank ranges between 0 and 15 percent, so that the minimum stream setback from top of bank is either 45 or 55 feet depending on the precise location along the roadway. While 1,395 feet of the proposed private road would be outside the required setbacks, approximately 880 feet of the 2,275 foot long roadway is within the required stream setbacks, necessitating a request for an exception to the Conservation Regulations (County Code Section 18.108.040).

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

The property on which the road is proposed to be built is not located within any Alquist-Priolo Earthquake Fault Zone designated by the California Department of Conservation, Division of Mines and Geology. The portion of the property on which the proposed project road is located is gently sloping, with grades along the length of the existing and proposed widening not exceeding 15 percent. The property is underlain with Millsholm loam and Bale clay loam. The 133.73 acre property on which the roadway is proposed is to be built currently has a mix of storage and ag related structures, vineyard and will include a future single-family residence for which this roadway is being widened.

North: An approximately 42 acre parcel APN of undeveloped woodland owned by St. John Mountain, Inc. which is under common ownership the subject property, adjoins the northern property line of the parcel on which the roadway is proposed to be constructed. All parcels north of project parcel have a General Plan land use designation of AWOS and are zoned AW District.

West: There are two parcels APN 027-200-014 and 027-200-016 totaling 573 acres owned by Niebaum-Coppola Estate Winery, LP, which are under common ownership with the subject parcel, adjoins the wester property line of the parcel. Parcel 027-200-016 has a small residence with access from the subject parcel, along an existing vineyard avenue with separate entrance from a private drive from Niebaum Lane. All parcels west of the project parcel have a General Plan land use designation of AWOS and are zoned AW District.

South: There are two parcels APN 027-200-018 and 027-210-032 totaling 113.42 acres owned by St. John Mountain, Inc, and Niebaum-Coppola Estate Winery, LP, respectively and under common ownership with the subject parcel. Both parcels have single family residences and vineyard. Parcels south of the project parcel including APN 027-200-018 that has a General Plan land use designation of AWOS and is zoned AW District, and APN 027-210-032 having a combined General Plan land use designation of AWOS and AR and a combined zoning district of AW and AP.

East: There are two parcels APN 027-210-032 and APN 027-210-036 totaling 104.46 acres owned by Niebaum-Coppola Estate Winery, LP and Giant Oak Corp, respectively, which are under common ownership with the subject parcel. APN 027-210-032 has a residence and vineyard, while 027-210-036 has vineyard and oak woodland. All parcels east of the project parcel have a combined General Plan land use designation of AWOS and AR and a combined zoning district of AW and AP.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).

The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, in addition to meeting CalFire standards.

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

Not required.

**Other Agencies Contacted**

Not required.

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

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on August 28, 2023. The Yocha Dehe and Middletown Rancheria and Mishewal Wappo Tribe of Alexander Valley did not request consultation with the 30-day notification period, and because no response to the consultation invitation was received, the consultation time period elapsed

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

**ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:-**

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

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant and filed by the applicant in conjunction with P22-00404 as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559 or at [www.countyofnapa.org/2876/Current-Projects-Explorer](http://www.countyofnapa.org/2876/Current-Projects-Explorer):

- Inglenook Residence Use Permit Exception to the Conservation Regulations (Administrative) Project Statement March 20, 2021 (Exhibit A)
- Lucy Macmillan, M.S. and Anya Peron-Burdick M.S., March 2023, Biological Resource Assessment, APN 027-200-017 & 027-210-032 (Exhibit B)
- Anya Perron-Berdick, M.S. July 31, 2023, Survey and Evaluation Results for the Special Status of Native Plant Populations and Sensitive Natural Communities, APN 027-200-017 & 027-210-032 (Exhibit B-1)
- Adobe Associates Inc., February 7, 2023, Inglenook Residence Grading and Drainage Plan, APN 027-200-017 & 027-210-032 (Exhibit C)

On the basis of this initial evaluation:

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



Signature

October 25, 2023

Date

Name: Kelli Cahill, Planner III

Napa County  
Planning, Building and Environmental Services Department

I. <b>AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-d. The proposed project, if approved, would not have a substantial adverse effect on a scenic vista nor substantially damage scenic resources or the existing visual character of the site and its surroundings.

The proposed project is the widening and inclusion of turnouts along an existing roadway in order to comply with the Napa County Roads and Street Standards and the California Department of Forestry and Fire Protection Fire Safety Standards. There is only one tree proposed for removal, which is a live oak and measures 6 inches at breast height. No other trees, vegetation or structures would be removed from the property for the roadway widening project.

State Highway 29 is located 1 mile east of the site. The property is not located on a hillside or knoll as to be visually prominent from several perspectives; rather, the property is visible from Niebaum Lane; however, the project site and future home site are not visible from any public roadway due to a knoll that exists on the eastern side of the parcel. As mentioned there is only one tree proposed to be removed, no other trees, vegetation or vineyard would be removed with the project, and as the proposed road is an at-grade improvement, there would be no significant change in the appearance of the project as viewed from the limited perspective of the terminus of the private driveway to the public right-of-way. Plans submitted with the application for the use permit do not identify any illumination of the private roadway.

With slope that does not equal or exceed 15 percent along any segment of the roadway, the proposed widening is not subject to the requirements of Napa County Code Chapter 18.106 (Viewshed Protection Program).

Mitigation Measures: None are required.

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

Discussion:

- a. The existing driveway and proposed widening crosses an area approximately 140+/- feet that is mapped as Prime Farmland. There is vineyard and orchard on the north side of the driveway, Bear Creek to the south and additional vineyard directly adjacent to Bear Creek. The project proposes to widen the driveway and will not result in impacts to Prime Farmland. The project would not result in the conversion of Unique Farmland or Farmland of Statewide Important as shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- b/e. The proposed project would not conflict with existing zoning for agricultural uses. There is no Williamson Act contract associated with the parcel. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site.
- c-d. The project site is zoned Agricultural Watershed (AW), which allows a single residential unit, a second unit, and a guest house, and various accessory structures. According to the Napa County Environmental resource maps (based on the following layers – Vegetation) the project site does contain oak woodland and grassland in the immediate area of the project. However, as discussed in the **AESTHETICS** section above, the proposal and associated earthwork includes the removal of a single live oak that measures 6 inches at breast height. There is coniferous forest mapped on the northeast side of the parcel; however, the project is not proposed within this area, nor will the project result in removal of trees that would conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. There is no impact.

Mitigation Measures: None are required.

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

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

Discussion:

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

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

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

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.

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. The proposed thresholds to evaluate GHG and climate impacts from land use projects are qualitative, therefore there is no bright-line (quantitative) level to mitigate below. Projects that decline to integrate qualitative design elements can alternatively demonstrate consistency with a local Greenhouse Gas (GHG) Reduction Strategy that meets the criteria of the State CEQA Guidelines section 15183.5(b).

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

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

a-c. The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits,

waste disposal permits. Construction details will be provided at the time of building and grading application submittals, including best management practices for construction materials, dust control, and other air quality controls.

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

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, In Your Community: Napa County, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. The proposed project consists of widening a 2,275 linear foot existing driveway to meet the Napa County Roads and Street Standards in order to construct a future single-family residence at APN 027-200-017. Over the long term, emission sources associated with the proposed project consist primarily of automobiles using the roadway which is anticipated to contribute 10 additional vehicle trips per day. The proposed project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

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

## 7.1 SITE IMPROVEMENTS

### c. AIR QUALITY

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

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints.

The BAAQMD's phone number shall also be visible.

2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize dust speeds exceed 20 mph.

Mitigation Measures: None are required.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

**Discussion:**

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

- Lucy Macmillan, M.S. and Anya Peron-Burdick M.S., March 2023, Biological Resource Assessment, APN 027-200-017 & 027-210-032 (Exhibit B)
- Anya Perron-Berdick, M.S. July 31, 2023, Survey and Evaluation Results for the Special Status of Native Plant Populations and Sensitive Natural Communities, APN 027-200-017 & 027-210-032 (Exhibit B-1)

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

A list of special-status plant and animal species that have the potential to occur within the vicinity of the project site was compiled based on data in the CNDDDB (CDFW, 2021a), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS, 2021a), and the USFWS List of Federal Endangered and Threatened Species (USFWS, 2021b) that may be affected by projects in the Rutherford USGS 7.5 minute quadrangles and the eight surrounding quadrangles.

- a. On February 7, 2023, Lucy Macmillan, M.S. conducted a reconnaissance level evaluation of the project site. The focus of the survey was to identify suitable habitat elements for each of the special status species documented in the surrounding 5-mile vicinity, as well as within the immediate area of the site to determine if the project has the potential to result in impacts to any of these species and/or habitats. The studies considered the presence of dispersal, foraging, refugia or estivation, and breeding or nesting habitats. The was also evaluated for the potential presence of wildlife corridors and possible connectivity routes to surrounding areas and whether or not the proposed project would result in potential impacts.

During the 2023 biological site reconnaissance, approximately 81 native and non-native plant species were observed within the project site and immediate vicinity. There were no sensitive plants identified, which was confirmed in a follow up reconnaissance in June 2023. Additionally, of the species identified by the CNDDDB and CNPS as special-status species or species of concern occurring within a 5-mile radius of the site, field verification confirmed that species listed do not occur within the project site or immediate vicinity.

Special Status Plants

Prior to conducting a site evaluation, a focused review of literature and data sources was conducted to identify special-status plant species with potential to occur in the survey area. Sources reviewed include California Natural Diversity Data Base (CNDDDB) occurrence records for the Rutherford USGS 7.5' quadrangle, the quadrangle on which the survey area is located, and the eight quadrangles surrounding it; county and USGS quadrangle occurrence records in the California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Plants* (CNPS 2018) for the same nine quadrangles.

Sources consulted for up-to-date information on conservation status included the U.S. Fish and Wildlife Service for federally listed species (including Proposed and Candidate species) and California Department of Fish and Wildlife (CDFW) (2018) for State of California listed species. Special-status species also include species with California Rare Plant Rank (CRPR) 1A (Plants Presumed Extinct in California), CRPR 1B (Plants Rare, Threatened, or Endangered in California and Elsewhere), or CRPR 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere), as indicated by the CNPS *Inventory* (CNPS 2018). Impacts to these species must be reviewed under the provisions of the California Environmental Quality Act (CEQA) Guidelines.

Also considered as special-status species are those with CRPR 3 (Plants About Which We Need More Information—A Review List) and CRPR 4 (Plants of Limited Distribution—A Watch List) of the CNPS *Inventory*. Based on information from the above sources, a target list of

special-status plant species with potential to occur in the vicinity of the study area was prepared (Exhibit B).

The dominant habitat within the project site is Riparian Forest, with indirect adjacent habitat comprised of Oak Woodland and Mixed Evergreen Forest. The Riparian Forest is dominated by a *Quercus agrifolia* (coast live oak) vegetation alliance, with the primary canopy cover consisting of *Quercus agrifolia* (coast live oak), *Salix lasiolepis* (Arroyo willow), *Acer macrophyllum* (big-leaf maple), *Aesculus californica* (California buckeye), and *Rubus armeniacus* (Himalayan blackberry). The Riparian Forest soil on-site is primarily composed of clay loam and loam with geological formations of Sonoma Volcanic and Great Valley Sequence. The adjacent Oak Woodland habitat is dominated by *Quercus agrifolia* - *Umbellularia californica* - *Arbutus menziesii* vegetation alliance and the adjacent Mixed Evergreen Forest is dominated by *Pseudotsuga menziesii*. A list of plant species observed on the project site on February 7, 2023 is included as Appendix A.

No rare plants were observed during a protocol-level survey on February 7, 2023. A second survey was conducted in July 2023 (Exhibit B-1) that confirmed the finding of the earlier protocol level survey. A second survey will be conducted later in the season for those species that flower in April through May.

### Special Status Wildlife

In addition to plant species, the biologist conducted a wildlife assessment. During the site reconnaissance there were no animal species observed onsite. However, special attention was made to search for occurrences and suitable habitat types for 15 listed special status wildlife species within the CNDDDB, five of which were added due to the presence of potential habitat. Animal species include, the Foothill Yellow-Legged Frog (*Rana boylei*), Purple martin (*Progne subis*), Pallid Bat (*Antrozous pallidus*), and California giant salamander (*Dicamptodon ensatus*). As previously mentioned, none of these species were observed onsite despite the presence of potential suitable habitat. Additionally, there is a Napa Resource Conservation District fish barrier passage on Bear Creek located within the boundary of the project site, Bear Creek contains fish habitat, but for the reasons discussed in Section VI, Geology and Soils, and Section VIII, Hydrology and Water Quality, the project would not result in impacts that would reduce the quality of habitat for fish species within Bear Creek. Based on the presence of habitat that could support the five species listed, the following mitigation has been proposed by the biologist to avoid disturbance of nesting birds, roosting bats, amphibians that may occur in Bear Creek and disperse through the project area, particularly during rain events. Implementation of the following mitigation measures will reduce potential impacts to the bird, mammals and amphibians from earthmoving and ground disturbing activities associated with the project.

**Mitigation Measure BR-1** - The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

1. 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.
2. 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.
3. 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.
4. 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 qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be

consulted 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.

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.

**Mitigation BR-2** - A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

1. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure BR-2b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures will be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.
2. If removal of bat habitat trees must occur outside the seasonal activities identified above (i.e., between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct a pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or tree removal to determine absence/presence of special-status bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey results shall be provided to the County Planning Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-1a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.

**Mitigation BR-3** - Prior to the commencement of earthmoving or earth-disturbing activities associated with #P22-00404-UP, a qualified biologist shall conduct focused pre-construction surveys to determine presence of Foothill yellow-legged frog (FYLF) and California red-legged frog (CRLF). The focused pre-construction surveys for FYLF and CRLF shall be conducted within 48 hours of the start of Project activities and shall include surveying all streams on the Project parcel, as well as all upland habitat within 150 feet from the streambed. If either CRLF or FYLF are discovered during surveys, the qualified biologist shall develop site-specific avoidance and minimization measures in consultation with CDFW and the County, to ensure these species are not adversely impacted by the Project. Presence of CRLF on site will require that the owner/Permittee consult with the USFWS prior to commencement the Project. After commencement of work if there is a period of no work activity of five consecutive days or longer surveys shall be repeated to ensure FYLF or CRLF have not occupied the Project area during the period of inactivity.

b-c. Bear Creek is a mapped blue-line stream located within the project parcel and immediate vicinity. There are no vernal pools or wetlands within the project site, property or project area.

There is one primary extrapolated streams located in the project parcel. One bisects the center of the project parcel in a north-south direction that flowing in a southerly direction into Bear Creek, north of the project site and the future single-family residence. There is no distinctly riparian vegetation associated with the narrow channel intermittent stream. The project site and parcel ultimately drain to Bear Creek which drains to Bale Slough approximately 1.6 miles to the northwest, and eventually joins the Napa River, which then drains into the San Pablo Bay.

The project proposes widening the existing access driveway in order to meet the County Roads and Street Standards to develop a future single-family residence. The existing driveway is located adjacent to Bear Creek within an area with steep slopes to the north east resulting in the request to encroach within the stream setback as required pursuant to County Code Section 18.108.025 (General Provisions –

Intermittent/Perennial Streams). Therefore, the applicant requests an exception to the Conservaiton Regulations to allow widening of a 2,275 foot existing driveway where approximately 880 feet of noncontinuous sections of the driveway encroach into the County's minimum required creek setback. The improved roadway would meet County standards for roads and streets and stormwater quality and would follow the alignment of the existing access easement on the property. The improvements would be parallel to the existing, 10-foot wide private driveway that currently provides vehicular access to the applicant's barn and agricultural storage structures.

The project will include best management practices during construction and road base to stabilize the road to avoid impacts to sediment from entering the stream. The project will require approval of a grading application through PBES that will include standard preventive measures and practices, and require inspection at regular intervals to ensure compliance with the standards of the permit. A grading application can only be submitted upon granting the application for Use Permit Exception to the Conservation regulations presented herein.

- d. The project site was assessed for the potential presence of wildlife corridors that may potentially be impacted by the proposed project. There are three types of wildlife corridors: dispersal corridor (one-way movement from a natal area); migration corridor (seasonal, cyclical movement due to changing conditions); and home range (movement for locating resources). Habitat elements and surrounding core areas were examined to determine the potential for the project site to support any of the three types of corridors. Primary elements include: water, cover, and food.

Bear Creek provides a wildlife corridor for all of the above types listed. However, the project will not alter or directly affect Bear Creek therefore the project is not likely to result in impacts to any wildlife corridor or barriers to wildlife movements.

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

To avoid additional cut/ fill the project is seeking an exception to the Conservation Regulations in order to widen the existing driveway to meet the County's RSS. This was done in part to avoid steep slopes and minimize the potential for sediment loss that from road cuts. The project itself will result in the removal of a single oak tree, grass and non-native ivasive species that are currently present adjacen to the driveway. The project is in conformance with the county code and will not result in the loss of vegation canopy cover.

- f. There is no habitat conservation plan (HCP) or natural community conservation plan (NCCP) that has been adopted or is being implemented in unincorporated Napa County.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-c. According to the Napa County Environmental Resource Maps, no historical, archaeological, or paleontological resources, sites or unique geological features have been identified on the property. However, if other resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval:

*"In the event that archeological artifacts or human remains are discovered during any subsequent construction in the project area, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building, and Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98."*

- d. No information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard condition of approval as noted above.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

VII. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.              | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a.
- i. There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
  - ii. All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
  - iii. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest editions of the Uniform Building Code for seismic stability would result in less than significant impacts.
  - iv. According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no landslide deposits in the proposed development area.
- b. The proposed development is minimal and will occur on slopes ranging from 2% to 15%. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the soils on site are comprised of Millsholm loam and Bale clay loam. The project will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable.
- c-d. According to preliminary geologic mapping of the St. Helena Quadrangle performed by the California Geologic Survey (CGS-2004), the property is underlain by Surficial deposits (Pre-Quaternary), the majority of the site is underlain by undifferentiated bedrock. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the project site has a very low susceptibility for liquefaction. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to the maximum extent possible.

- e. The future residence will include installation of a septic system, which will be designed by a licensed engineer and will be reviewed and approved by the Department of Environmental Health. There does not appear to be any limitation on this parcel's ability to support an on-site wastewater treatment system which will be able to support the proposed project.
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing development was constructed or when the vines were planted. The project as proposed would require minimal earth disturbing activities and construction is unlikely to uncover paleontological or unique geological features. Impacts would be less than significant

Mitigation Measures: None are required.

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

**Discussion:**

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

a-b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project", rather than the cumulative impacts previously assessed.

Consistent with 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. During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). As discussed in Section III. Air Quality, the applicant provided an Air Quality and GHG Emissions Assessment prepared by Illingworth & Rodkin, Inc. dated July 11, 2022 – Revised October 6, 2022, which noted that construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than

significant. See Section III. Air Quality for additional information.

The BAAQMD proposed thresholds for land use projects are designed to address “Operational” GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a winery generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a “no project” scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions).

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

Specifically for buildings, the project must not:

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

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

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting the following recommendations:
  - Residential projects: 15 percent below the existing VMT per capita;
  - Office projects: 15 percent below the existing VMT per employee; or
  - Retail projects: no net increase in existing VMT.

The project will be required to comply with the recently adopted version of CALGreen Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code. As discussed above and in section XVII. Transportation, the County maintains a TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study or VMT analysis.

Mitigation Measures: None are required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 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 wild-land fires?

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater the 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less-than- significant impact.
- b. The project would not result in the release of hazardous materials into the environment
- c. There are no schools located within one-quarter mile from the proposed project site.
- d. The proposed site is not on any known list of hazardous materials sites.
- e. The project site is not located within two miles of any public airport.
- f. The project site is not located within the vicinity of any private airports.
- g. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan

Mitigation Measures: None are required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

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 8, 2022, and August 9, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, 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.

There are two blue line streams on the Rutherford 7.5-minute quadrangle (USGS, 2012) and in the National Wetlands Inventory (NWI; USFWS 2020a) the California Aquatic Resources Inventory (CARI; SFEI, 2021); that meet within the parcel boundary. There are extrapolated channels within the parcel boundary that flow into Bear Creek that lie outside the area of proposed development. All watersheds eventually drain to the Bale Slough and eventually to the Napa River east of the property.

- a-b. The project is located adjacent to Bear Creek with work associated with widening an existing driveway. Work will include grading, compacting and laying road base to stabilize the newly graded driveway. The proposed project will require a grading application through the Engineering Division of PBES, with oversight of work including inspections and minimum best management practices to reduce the potential to contribute sediment. The project is not expected to violate any water quality standards to Bear Creek. The project is intended to comply with access requirements for the construction of a future single-family residence that will be served from an existing groundwater well. Residential use is anticipated to use between 0.5 and 0.75 acre feet of water per year. There is presently no plan to construct an additional well or relocate the existing well. No further analysis is required.
- c. The project proposal will not alter any drainage patterns on site or cause an increase in erosion on or off site. The project would be required to incorporate an erosion control plan to manage onsite surface drainage and erosion of onsite soils during construction and winter months

(October to April). By incorporating a Standard Measures erosion control plan, this project would have a less than significant impact on drainage and siltation. There are no existing or planned stormwater systems that would be affected by this project.

- d. The project location is not in a flood hazard, tsunami, or seiche zones, and does not risk the release of pollutants due to project inundation.
- e. The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Mitigation Measures: None are required.

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

Discussion:

a-b. The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures: None are required.

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

Discussion:

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

Mitigation Measures: None are required.

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

Discussion:

- a-b. The project will result in a temporary increase in noise levels during the brief construction of the project. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The project would not result in potentially significant temporary construction noise impacts or operational impacts. Given the proximity to the neighbors, the closest of whom is located over 200 feet away from the winery building, there is a relatively low potential for impacts related to construction noise to result in a significant impact. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project will not result in long-term significant construction noise impacts. Conditions of approval as described under Section a and b above would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels.
- e. The project site is not located within an airport land use plan or within two miles of a public airport or within the vicinity of a private airstrip

Mitigation Measures: None are required.

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

Discussion:

- a-b. The project would not result in the inducement of substantial population growth, either directly or indirectly. No housing or people will be displaced as a result of the project

Mitigation Measures: None are required.

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

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures, such as winery access that meets Napa County RSS, defensible space, and sprinklers in the remodeled winery building and new barrel building will be required as part of the development. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. There would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The proposed project is required to meet minimum road standards for a future single family residence, which would utilize existing parks or potentially increase student enrollment in local schools. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested project. School impact fees, which assist local school districts with capacity building measures, would be levied for any required building permits for the project. The proposed project would have little impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None are required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Discussion:

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

Mitigation Measures: None are required.

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

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

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

significant VMT impact.

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

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. 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.

The property has access to the County roadnetwork via an existing driveway at the western terminus of Niebaum Road, a two lane, County managed roadway that extends easterly from the property towards State Highway 29 north of the City of Napa municipal boundary. The proposed project consists of widening private road named Beerstecher and the existing driveway on private property, with no modifications to the public road or the point at which the public road terminates at the property line. The project widens the existing driveway in order to comply with the Napa County Roads and Street Standards and Calfire Fire Safe Regulations for a future single-family residence. The project would generate less than 110 net new and temporary daily trips, while the future residence is anticipate to generate 10 permanent daily trips. The proposed project and future residence are combined less than current threshold.

Mitigation Measures: None are required.

XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-b. On August 28, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received.

Mitigation Measures: None are required.

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e The proposed private driveway project does not include any land use or development component that would have ongoing needs for water use (as for consumption, irrigation or cleaning), nor for disposal of refuse or treatment of wastewater generated by the project. The proposed project would therefore have no significant impact in these areas.

Extensive stormwater treatment facilities, such as detention basins or ponds, that would require extensive grading or installation of infrastructure, are not proposed with this project. Proposed improvements include widening the existing driveway in order to comply with the Napa County Roads and Street Standards and the Calfire Fire Safe Regulations. The project has been designed to maintain or reduce stormwater. Construction will require a minimal amount of grading as to avoid ground disturbance that could result in impacts to surface and groundwater. Impacts would be less than significant.

Mitigation Measures: None are required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion:

- a. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery, and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure of permanent obstruction of adjacent public-rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit. The proposed project and plans have been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. The proposed winery would not impair an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.
- b. Slopes on the property range from 2 to over 50% percent adjacent with slopes increasing in steepness on the north side of the existing driveway. The majority of the property is conifer and oak woodland with vineyard planted to the east. The parcel is located in an area of moderate to very high fire hazard severity. The proposed project would comply with the Napa RSS which would provide additional access in the event of a wildfire. The proposed physical improvements and operational changes would not result in a physical modification to the slope of the site, change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire. Impacts of the project would be less than significant.
- c. The project proposes improvements to the existing driveway to meet County RSS. As discussed in Section XIX. Utilities and Service Systems, the project does not require the construction of new or expanded water facilities. Water will be provided by an existing well. These developments are not considered the types of improvements that exacerbate wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. The physical improvements are located on a minimally sloped area of the property, the majority of which is already graded, or has been used for agriculture and the access to barns and storage structures. The driveway improvements and future residence are not proposed to be constructed into the hillside. The proposed project would not physically alter the site in a way, which would expose people or structures to risks such as downstream or downslope flooding or landslides resulting from runoff, post fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are required.

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

other current projects, and the effects of probable future projects)?

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

Discussion:

- a. The proposed project consists of widening an existing roadway and construction of turnouts to comply with Napa County Roads and Street Standards and the California Department of Forestry and Fire Protection Fire Safe Standards for a future single-family residence. The roadway would be improved to capture and treat runoff from the new roadway surface.

The 133.73 acre parcel has approximately 2.5 acres of vineyard, 3 acres of orchard, and less than 2 acres of development that includes storage, agriculture structures and existing roadway, with the remaining 126.23 acres is native vegetation. In the proposed project area, slope at top of bank ranges between 0 and 15 percent, so that the minimum stream setback from top of bank is either 45 or 55 feet depending on the precise location along the roadway.. The project area is lacking any unique geological features such as rock outcroppings or other landforms. There are no known archaeological or paleontological resources on the property, and the project area is located within an area of previous disturbance. However, if any resources not previously uncovered during this prior disturbance are found during any earth distributing activities associated with the proposed project, construction of the project is required to cease, and a qualified archaeologist must be retained to investigate the site in accordance with standard County conditions of development.

- b. As described in the sections above, noise and air quality impacts associated with construction of the roadway would be temporary in nature, and so would be less than significant. Operational noise, air quality and traffic impacts are also anticipated to be less than significant due to the limited use of the roadway for a future single-family residence and ongoing use of the storage and agricultural structures. There would be no ongoing groundwater needs for the project, and the new roadway would result in 10 additional vehicle trips, as the roadway will service a future single-family residence.
- c. There are no schools or hospitals housing sensitive receptors within a quarter-mile of the site. Noise that would occur with construction and installation of the proposed site improvements would be temporary, lasting approximately two to three moments, would be limited to day time hours, and would be subject to best management practiced intended to limit fugitive dust and protect stormwater quality. Ongoing operations of the roadway are also anticipated to have comparable noise and traffic impacts when compared to other single-family residences, as the roadway improvements are designed to meet local and state standards for a future home site. The proposed project would not be subject to damage from natural occurrences such as earthquakes, and would be designed outside the highwater mark of Bear Creek to avoid potential flooding.

Mitigation Measures: None are required.