

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Spring Mountain Road Winery “dba Titanium Winery” Use Permit Minor Modification (P23-00198) and Viewshed application (P23-00263)
2. **Property Owner:** Justin Moody, 3505 Spring Mountain Road, St. Helena, CA. Phone: (707) 963-8831 or email: Justin@titaniumwinery.com
3. **County Contact Person, Phone Number and email:** Wendy Atkins, Planner II, Planning, Building & Environmental Services, 1195 Third Street, Second Floor, CA 94559. Phone: (707) 259-8757 or email: wendy.atkins@countyofnapa.org
4. **Project Location and Assessor’s Parcel Number (APN):** The project is located on approximately 15.9 acres within the AW (Agricultural Watershed) zoning district at 3505 Spring Mountain Road, St. Helena, CA. APNs 022-260-004-000 and 022-260-005-000
5. **Project sponsor’s name and address:** Kirsten Shinnamon Baker, 1050 Adams Street, St. Helena, CA 94574. Phone: (707) 963-8831 or email: Kirsten@signumarchitecture.com,
6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** AW (Agricultural Watershed)
8. **Background/Project History:** On June 7, 2006, the Planning Commission approved Use Permit (P05-0137-UP) and adopted a Negative Declaration establishing a new 15,000 gallon per year winery totaling 3,348 sq. ft., including the following:
 - Conversion of four existing structures for the following:
 - 1,078 sq. ft. office and cellar;
 - 1,225 sq. ft. tasting room, storage and shipping and receiving with a bathroom addition of 50 sq. ft.;
 - 1,044 sq. ft. for barrel storage;
 - A crush pad area and outside work area of 2,100 sq. ft.;
 - A fermentation tank area of 700 sq. ft. with two 1,500 gallon tanks;
 - One full-time and one part-time employee;
 - Five parking spaces;
 - A new engineered septic system;
 - Associated access road improvements;
 - A Market Event program consisting of:
 - Two private wine and food events for the trade per year with meals for a maximum of 15 people (weekends only), and
 - Two private wine and food events for a maximum of 25 people (weekends only). One private harvest event per year for a maximum of 50 people (weekends only). (No events shall occur at the same time); and
 - Tours and Tastings by appointment only with a maximum of four visitors per day/eight per week (weekends only).

A Variance (P05-0138-VAR) and Use Permit (P05-0137) were also approved to permit the expansion of the existing structures by adding a crush pad area, fermentation tank pad area, and outside work area for winery related uses within the 300 ft. road setback.

As approved, conversion of these 4 structures would bring the property into conformance as to the number of permitted units (a primary and a second unit) on the property within the AW zoning district.

On June 26, 2008, the Director of Conservation, Development and Planning approved a Very Minor Modification (P08-00235-VMM) to allow the widening and paving of an area of the access road to accommodate fire truck access. Building Permits were issued for the winery in 2007 and 2013 (B07-00226, B07-01662, B13-01649).

In 2020, the winery tasting room and production facility, including residential structures were destroyed in the Glass Fire. Thus far, the applicant has received permits for the residential structures, and it is asking for authorization to rebuild and relocate the winery.

Description of Project: On September 27, 2020, the Glass Fire destroyed the existing 15,000 gallon per year Spring Mountain Road Winery's tasting room (720.5 sq. ft.), winery storage building (370 sq. ft.), office/cellar (457 sq. ft.), and barrel storage (1,045 sq. ft.). The Fire also destroyed the property's residence (2,850 sq. ft.) and an Accessory Dwelling Unit (carriage house) (400 sq. ft.).

The applicant requests approval of a Use Permit Minor Modification and Viewshed application in order to relocate and rebuild the winery and to construct a new cave, with the following characteristics: [The proposed total size of the winery will be 5,533 sq. ft., including 1,148 sq. ft. covered areas.]

- a. Construction of a new 901 sq. ft. winery building containing 166 sq. ft. of production space and 735 sq. ft. for accessory uses;
- b. Construction of a new 400 sq. ft. covered tasting terrace;
- c. Construction of a new 4,632 sq. ft. Type-3 cave, with two (2) access portals;
- d. Construction of a new 758 sq. ft. covered crush pad;
- e. Installation of a 175 sq. ft. of replacement landscaping;
- f. Install a new firetruck turn around area;
- g. Installation of one (1) new parking space for a total of six (6) parking spaces (2 employee, 3 guest, and 1 ADA accessible);
- h. Installation of a waste water system and hold and haul;
- i. Expansion of an existing and installation of a new access road to meet Napa County Road and Street Standards for commercial driveways; and
- j. Installation of one (1) 50,000 gallon fire suppression water tank, located on the west side of the winery structure.

There are no changes to the winery's production, visitation and marketing activities or the number of employees as previously approved under P05-0138-VAR, P05-0137-UP, and P08-00235-VMM.

The project also includes a review of the proposed winery building and cave portal under the Viewshed Protection Program (Chapter 18.106 of the Napa County Code) to review the visibility of the new construction from County designated Viewshed roads.

9. Describe the environmental setting and surrounding land uses.

Access to the project site is located off of Spring Mountain Road, approximately 1.79 miles west of the City of St. Helena and 0.83 miles south of Bothe-Napa Valley State Park. The project includes two (2) parcels, APN 022-260-004 and 022-260-005, approximately 15.9 acres in size and includes an existing driveway and approximately six (6) acres of vineyards. APN 022-260-004 and 022-260-005 were burned in the fall of 2020 by the Glass Fire and prior to the fire damage the existing conditions included a single-family residence, detached garage, three (3) sheds, a swimming pool, two (2) guest houses, a pump house, a barn, a water cistern, concrete pads with press tanks, a caretaker cabin, a water tank, and a carriage house. The structures that remain on APN 022-260-005 are the caretaker's cabin and a shed. The structures that remain on APN 022-260-004 are a pump house, water cistern, shed, barn. No trees are proposed to be removed. However, based on the property's location in the AW zoning district, the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code (NCC) Section 18.108.020. This section requires 70 percent retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. Due to impacts from the fire in 2020, the vegetation canopy cover analysis shall be as configured on the parcel existing on June 19, 2018, pursuant to NCC Section 8.80.130, Conservation Regulations for Fire Damaged Properties.

The area along the eastern boundary of the property, adjacent to Spring Mountain Road and further to the west, both contain slopes from 30 to over 50 percent. Along the northern boundary, adjacent to Spring Mountain Road, contains slopes of between 5 to 30 percent. Towards the center of the site the parcel is flat with the lowest elevation of 1,205 ft. above mean sea level (amsl), and further south slopes up to 15 to 30 percent, with the highest elevation of 1,295 amsl in the southwestern corner. On the north side of Spring Mountain Road the site slopes from 15 to 30 percent to over 50 percent, with the highest elevation of 1,320 ft. above amsl. According to County of Napa Environmental Mapping (GIS Vegetation layer) the majority of the parcel is identified as Agriculture, while an area of the parcel in the

northwest is identified as California Bay – Madrone -Coast Live Oak – (Black Oak Big Leaf Maple) and further to the west and southeast identified as Coast Redwood – Douglas-fir / California Bay; however, much like the structures, the vegetation canopy cover was largely destroyed in the Glass Fire, but is recovering. While no construction is proposed on APN 022-260-005, existing conditions include a guest house and two septic leach fields. Soil types are limited to Early Tertiary Assemblages. Land uses in the area are dominated by large lot residential properties and vineyards.

The Northern Spotted Owl and Aquatic Resources Assessment for the 3505 Spring Mountain Road Parcel, Napa County, California, prepared by Salix Consulting, Inc. on June 9, 2023, identified an ephemeral stream located along the southern boundary that originates from a few small outfall pipes that carry stormwater and terminates at the property line as it flows offsite to the south. The drainage appears to just carry storm water as it lacks riparian vegetation. This feature would have recently been considered a waters of the U.S. but because of the recent Sackett vs EPA Supreme Court decision, it is likely no longer under Corps jurisdiction. However, it would remain a waters of the State and regulated through the Regional Water Quality Control Board and impacts to the drainage would require permits from the state.

The surrounding land uses are primarily agricultural and residential development on large parcels, the nearest of which is more than 2,000 ft. to the northwest of the proposed project area. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones.

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

Responsible (R) and Trustee (T) Agencies

None.

Other Agencies Contacted

None.

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

On December 27, 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 within 30-days of the tribe's receipt of the invitations.

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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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



Signature

March 28, 2024

Date

Name: Wendy Atkins
Napa County
Planning, Building and Environmental Services Department

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

Discussion:

- a. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the Environmental Setting and Surrounding Land Uses section above, this area is defined by a mix of vineyards, and large lot rural residential uses. The project consists of relocating and rebuilding a winery destroyed by fire and the development of winery accessory infrastructure such as driveways, parking, a water tank, and a fire turnaround. The project area is not within an area considered a scenic vista, nor would the proposed development preclude views of a scenic vista.
- b. The project does not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway.
- c. The project also does not substantially degrade the existing visual character or quality or public views of the site from Spring Mountain Road and is compliant with the County General Plan and typical of land uses in the surrounding area. The new winery building is proposed to be constructed on land with average slopes of 16.6 percent and the proposed access road is proposed to be constructed on land with average slopes of 20.02 percent, so Administrative Viewshed application /P23-00263 was submitted to analyze visibility of the winery building and cave portals from Spring Mountain Road. Construction of new buildings and roads on slopes of 15 percent or greater are subject to the County's Viewshed Protection Program when they are visible from scenic roadway candidates identified in the Community Character Element of the Napa County General Plan and/or designated area under the Viewshed Protection Program (NCC Chapter 18.106) which includes Spring Mountain Road. The County's viewshed Protection Program provides for review of projects in locations such as the project site, and establishes standards that must be met prior to project approval. Structures are required to be located and/or screened from view such that visual impacts are reduced. Use of existing natural vegetation, new landscaping, topographical siting, architectural design, and color tone are mentioned in the Viewshed Protection Program as viable ways to reduce the visual impact, and either these techniques must be applied to effectively "screen the predominant portion" defined as 51 percent or more of viewable areas as it relates to views or screening of structures and benches and shelves from designated roads) of the proposed structure, or the applicant must seek an exception pursuant to NCC Section 18.106.070. Whether or not an exception is needed, the proposed project cannot be approved unless the County finds it to be conformance with the Viewshed Protection Program, which is expressly designed to protect the scenic quality of the County and to promote architecture and designs that are compatible with hillside terrain and minimize visual impacts (see NCC Section 18.106.010). For this reason, the project that is ultimately approved for this site must be one which has addressed potentially significant visual impacts. And by definition, such a project – while noticeable from surrounding areas – would not substantially degrade scenic views or visual quality pursuant to the California Environmental Quality Act (CEQA). In addition, prior to the issuance of a building permit, the property owner shall be required to execute and record in the County recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with NCC Section 18.106.050(B).

Due to loss of vegetation from the 2020 Glass Fire, a portion of the proposed covered tasting terrace would be visible from Spring Mountain

Road, at its location directly south of the proposed project site. Design features associated with the Administrative Viewshed including, but not limited to, landscape screening, earthtone material colors, and design regulations compliant with NCC 18.106.030 would ensure the project area is adequately screened from Spring Mountain Road.

The proposed winery structure is proposed in areas of the site with slopes between 11.9 percent and 21.9 percent and the access road is proposed in areas with slopes of between 6.05 percent and 29.1 percent. Due to the Glass Fire, a significant amount of tree canopy and vegetation was lost on the site, and much of the mature vegetation between the project site and the designated Viewshed road (Spring Mountain Road) were badly damaged. Because of this, there is a possible filtered view of the winery structure and access road from a small portion of Spring Mountain Road. The access road requires the removal of approximately 0.16 acres of pre-fire vegetation canopy cover (no existing trees are proposed to be removed). The applicant is proposing to replace a total of 0.48 acres (3:1 ratio) of comparable vegetation canopy cover, consistent with NCC Section 18.108.020.D, in an area north of the proposed winery structure and north of the new residence with slopes of between 4 to 10 percent. As previously mentioned, an area of mature vegetation area south of the winery structure which is currently visible from Spring Mountain Road was badly damaged by the Glass Fire, this is an area with slopes of 30-50 percent. The damaged vegetation is recovering and will provide adequate screening from Spring Mountain Road. Given the screening by existing vegetation and exterior earthtone colors, the project, while noticeable from surrounding areas, would not substantially degrade scenic views or the visual quality of the site. As designed the project complies with County Code Section 18.106.040. As required by County Code and included as a condition of approval, see below, prior to the issuance of a building permit, the property owner shall be required to execute and record in the County Recorder's office a use restriction requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors to maintain conformance with County Code Section 18.106.040.

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION

The property owner shall execute and record in the County Recorder's office a use restriction, in a form approved by County Counsel, requiring existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation to be maintained by the owner or the owner's successor so as to maintain conformance with the County Code.

- d. The proposed new winery facility may result in the use of additional lighting that may have the potential to impact nighttime views. Pursuant to standard Napa County conditions of approval for wineries, the existing outdoor lighting for the winery is required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As designed and operating subject to the County's standard condition of approval, below, the project would not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No floodlighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

Mitigation Measures: None are required.

II.	AGRICULTURE AND FOREST RESOURCES. ¹ Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. 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, a portion of the 15.9-acre project site includes approximately 7.75 acres as “Other Land”. This area includes the single-family residence (under separate permit), one shed, barn, and apportion of the driveway. An approximate 8.15-acre portion in the center of the parcel is designated “Unique Farmland”. † This area is planted with vineyards and a portion of the area contains Spring Mountain Road. With project approval a portion of the area would include the driveway expansion to access the cave and winery building. Although portions of the Unique Farmland would be developed with winery infrastructure, in total approximately 2.6 acres of the property would continue to be planted in vineyards. Land on the property would continue to be used for an agriculture use.
- b. Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. The proposed project would not conflict with existing zoning for agricultural uses. A Williamson Act contract was recorded for the parcel in 2004. Agricultural processing facilities, including but not limited to wineries are designated as a permitted use in the contract. Therefore, there will be no conflicts with existing zoning, or a Williamson Act contract and no impacts will occur.
- c/d The project site is zoned Agricultural Watershed (AW), which allows wineries upon grant of a use permit. According to the Napa County Environmental resource maps the project site contains California Bay – Madrone -Cost Live Oak – (Black Oak Big Leaf Maple) and Agriculture in the sloped areas of the property, however the property was highly damaged in the 2020 Glass Fire and is beginning to recover. The project does not propose the removal of any existing trees. Thus, the proposed project does not 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) nor will the project conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts

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

will occur.

- e. The project does not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. No impacts will occur.

Mitigation Measures: None are required.

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

Discussion:

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

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

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

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.

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

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

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

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately 6,691 sq. ft. of enclosed floor area (winery building and cave) with 1,685 sq. ft. of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 47,000 sq. ft. (high quality restaurant) and 541,000 sq. ft. (general light industry) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- c/d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to the winery, cave, road and infrastructure improvements. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings, if applicable. The proposed grading plan has been designed to balance cut and fill resulting in approximately 200 truck trips to haul off site, these potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process. 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 will not expose sensitive receptors to substantial pollutant concentrations and are considered less than significant:

7.1 SITE IMPROVEMENT

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.
3. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
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 State Regulations). Clear signage shall be provided for construction workers at all access points. 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/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>

Furthermore, while earthmoving and construction on the site will 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 IMPROVEMENT b. DUST CONTROL Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

Mitigation Measures: None are required.

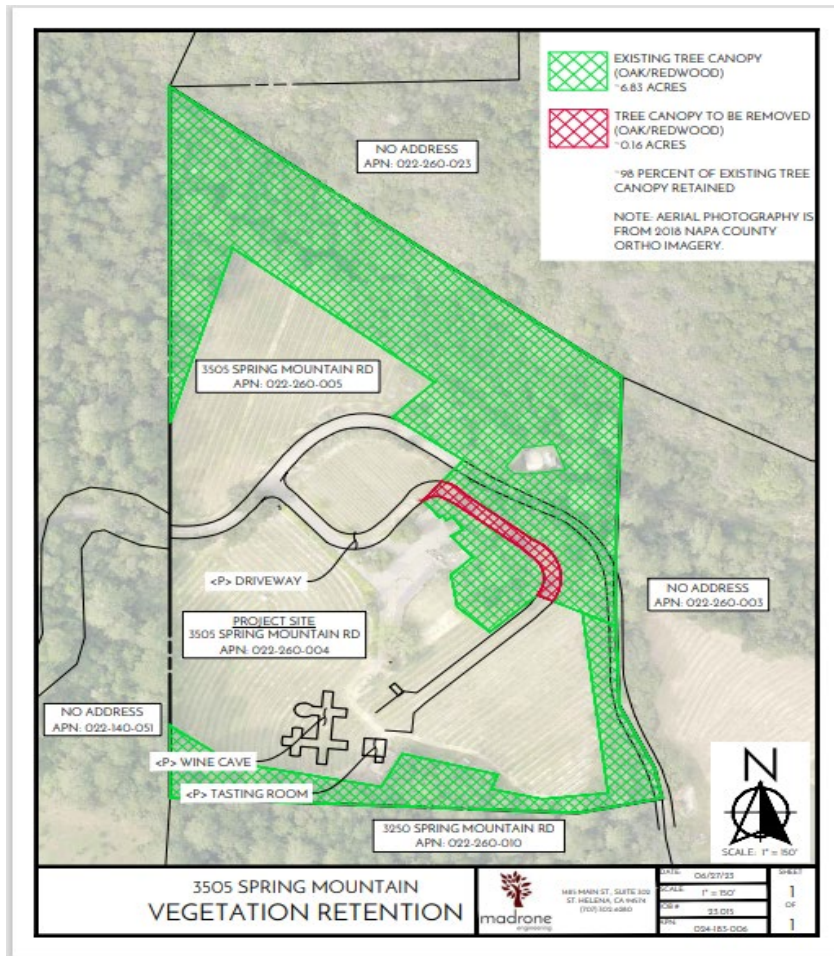
IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive,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

- a. The project consists of construction of a new winery building, cave, accessory structures and infrastructure such as driveways, parking, a water tank, and a fire turnaround. According to County of Napa Environmental Mapping (GIS Vegetation layer) the majority of the parcel is identified as Agriculture, while an area of the parcel in the northwest is identified as California Bay – Madrone -Coast Live Oak – (Black Oak Big Leaf Maple) and further to the west and southeast identified as Coast Redwood – Douglas-fir / California Bay; however, much like the structures, the vegetation canopy cover was largely destroyed in the Glass Fire, but is recovering. Soil types are limited to Early Tertiary Assemblages. In the early fall of 2020, the Glass Wildfire impacted the subject parcel and proposed project site. The proposed project does not propose the removal of any trees. As discussed in subsection (e) and (f) of this section, Oak woodland preservation and retention has been incorporated to comply with County code. Riparian habitat or other sensitive natural communities were not identified on site. According to County of Napa Environmental Mapping (GIS Vegetation layer) there are no Special Species plants on the parcel. The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to County of Napa Environmental Mapping (GIS CNDDDB layer) there are no wildlife corridors on the parcel. Less than significant impacts would occur.
- b. According to the GIS layer – CNDDDB Owl Habitat, shows the potential for owl habitat to occur on the subject parcel. The general attributes of Northern Spotted Owl (NSO) include dense, multi-layered canopy of several tree species of varying size and ages with open spaces among the lower branches to allow flight under the canopy. NSO habitat also tends to include abundant logs, snags/cavity trees with broken tops or platform-like substrates. The Northern Spotted Owl and Aquatic Resources Assessment for the 3505 Spring Mountain Road Parcel, Napa County, California, prepared by Salix Consulting, Inc. on June 9, 2023, opines that the study area does not provide suitable northern spotted owl nesting habitat, primarily because of the lack of trees or trees that are not suitable for nesting. The proposed project will not remove any trees and new ground disturbance will be relatively minimal. Soil excavated from the new wine caves will be hauled away so truck traffic will temporarily increase. Because the site is along an existing regional well-traveled road (Spring Mountain Road), activity on the site should have no effect on owls if they are nesting beyond the study area.
- c. According to the Napa County Environmental resource maps (based on the following GIS layer – Wetlands and vernal pools and National Wetlands Inventory), there are no wetlands on the site. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- d. The property was evaluated for aquatic resources. Aquatic resources can be surface wetlands or ponds, or drainages. The property is almost entirely occupied with vineyards, landscaping, roads and a residential area. Only one area is relatively unaltered along the southern boundary and contains an ephemeral stream drainage outfall into a steep natural drainage. The area carries the outfall water to the south and offsite. The drainage appears to just carry storm water as it lacks riparian vegetation and was dry during the survey. This feature would have recently been considered a water of the U.S. but because of the recent Sackett vs EPA Supreme Court decision, it is likely no longer under Corps jurisdiction. However, it would remain a water of the State and regulated through the Regional Water Quality Control Board and impacts to the outfall would require permits from the State. No permits would be required if the feature is avoided. Since the feature will be avoided, no permits would be required. The proposed project will not substantially interfere with migratory fish. In addition, according to the GIS layer – CNDDDB, special species animals are not identified on the parcels.
- e. Based on the property’s location in the AW zoning district, the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code (NCC) Section 18.108.020. This section requires

70 percent retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. Due to impacts from the fires in 2020, the vegetation canopy cover analysis shall be as configured on the parcel existing on June 19, 2018, pursuant to NCC Section 8.80.130, Conservation Regulations for Fire Damaged Properties.



The vegetation canopy cover subject to NCC 18.108.020 includes the new winery access road, which removes 0.16 acres of pre-fire canopy (currently burned stumps). The applicant submitted an Overall Site Plan (G0.04) indicating the permanent replacement of vegetation canopy cover located east and west of the residence on slopes of approximately 8 to 10 percent. As proposed, the project would plant trees, resulting in a 98 percent retention compared to the 2018 condition. This is in compliance with NCC Section 18.108.020(D). The proposed total canopy cover removal of 0.16-acre would require approximately 0.48-acre of planting or preservation area to comply with 3:1 preservation ratio found in NCC Section 18.108.020(D). The Vegetation Retention Plan shows the existing tree canopy and tree canopy to be removed. Conditions of approval related to vegetation canopy cover preservation, a perpetual protection easement (or deed restriction), and oak woodland/redwood preservation will be included to ensure the site is developed and preservation is incorporated as proposed. The project would not conflict with any local policies or ordinances. A less than significant impact would occur.

Conditions of approval related to vegetation canopy cover preservation, the following perpetual protection easement (or deed restriction), and oak woodland preservation will be included to ensure the site is developed and preservation is incorporated as proposed. The project would not conflict with any local policies or ordinances. A less than significant impact would occur.

6.15 (b) VEGETATION CANOPY COVER PRESERVATION

1. A Vegetation Canopy Cover Preservation Area totaling 0.48 acres of vegetation canopy cover consistent with Vegetation Retention Plan, prepared by Madrone Engineering, dated June 27, 2023, shall be designated as such in a deed restriction or open space easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The Owner/Permittee shall record the deed restriction or open space easement prior to earthmoving or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the Oak/Redwood trees burned in the Glass Fire, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project property and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation

of forest within the project property, protects special-status species; and the preservation area should not include portions of the property already subject to development restrictions (i.e., within creek setbacks or on slopes over 50 percent). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.

2. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the project site (typically within approximately 50-ft. of the project site). The precise locations of said fences shall be shown on grading and/or building permit plans and approved and inspected by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of project construction.
3. The Owner/Permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the project area. 4. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P23-00198 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80 percent, and monitoring activities for the replacement trees. The replacement plan shall be implemented before final inspection of the building permit. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to final inspection of the building permit.

Grading will be subject to the County’s “Winter Shutdown Period”, consistent with Napa County Code Section 18.108.070 and standard grading deadlines. The proposed project is not located within a sensitive domestic watershed.

- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur

Mitigation Measures: None are required.

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

Discussion:

- a-b. According to the Cultural Resources Study of the Property at 3505 Spring Mountain Road St. Helena, Napa County, California, dated April 14, 2023, prepared by Taylor Alshuth, BA and Eileen Barrow, MA/RPA, archival research found that the study area had been previously subjected to a cultural resources study (Beard 2002). Resource P-49-002473 is plotted adjacent to the study area; however, this plotting is due to an error (Surgeon 2018). No evidence of an archaeological site has been found at this plotted location (Beard 2002:6 and Beard and Rumph 1977). Therefore, there are no known resources within the study area. No cultural resources were identified within the study area; therefore, no recommendations are warranted. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval:

7.2 Archeological Finding.

“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-ft. 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 would be contacted 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.*”

Impacts would be less than significant.

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

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

a.

- i) There are no known faults 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. Although the project site is identified as having a VL Very Low (br) liquefaction potential according to the Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.
- iv) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there is evidence of a Large Landslide Deposit on the subject site. A Geotechnical Study Report was completed by RGH Consultants, dated September 14, 2023. The study indicated that while a questionable large-scale landslide deposit was identified on the Dwyer

et al., 1976 map, the Delattre et al. (2013) maps the property as being underlain by older (ancient) landslide deposits. RGH did not observe surficial features indicative of active landslides at the proposed building site, landslide stability would result in less than significant impacts.

- b. Site improvements are primarily located in areas developed by the previously existing single-family residence, winery building, and accessory structures that were destroyed in the 2020 Glass Fire. The total proposed grading for creation of the site's caves and building pads is estimated at approximately 2,114 cubic yards. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Prior to issuance of a building permit the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES. Prior to issuance of a building permit, and Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. Before final occupancy the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.
- c/d. According to the Napa County Environmental Resource Maps (based on the following layers – Geology, Surficial deposits, Soil Types, Geologic Units), the project site features Forward silt loam, 5 to 39 percent slopes. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Building improvements will be constructed in compliance with the latest edition of the California Building Code. The project is not proposed on any unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.
- e. A Wastewater Feasibility Study, dated June 30, 2023, was prepared by Madrone Engineering, which outlines the required wastewater system to meet the needs of the proposed fire rebuild of a destroyed winery tasting room and production facility. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Impacts would be less than significant.
- f. A Cultural Resource Study of the Property at 3505 Spring Mountain Road, St. Helena, Napa County, California, was completed by Taylor Alshuth, BA and Eileen Barrow, MA/RPA on April 14, 2023. The study included a record search, review and consultation, and a field survey. There are no known resources within the study area.

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?

Discussion:

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).² The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018, through August 22, 2018. The Draft Focused EIR for the CAP was published May 9, 2019. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <https://www.countyofnapa.org/589/Planning-Building-Environmental-Services>. The County's draft CAP was placed on hold when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019. The County is currently preparing an updated CAP to provide a clear framework to determine what land use actions will be necessary to meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

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

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) 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

² <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

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 percent, the conclusion would be that the project would cause a significant environmental impact.

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

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

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared. GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include the construction of approximately 5,006 sq. ft. winery production space, 1,685 sq. ft. of accessory space, and a new domestic water tank, driveways, landscaping and other winery related improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

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

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

Specifically for buildings, the project must not:

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

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to

include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The 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 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 and VMT analysis. See section XVII. Transportation for additional detail.

The applicant proposes implementing some GHG reduction strategies through an energy conserving lighting and the installation of water efficient fixtures. New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building Code, and the County’s conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None are required.

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

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 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 than 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. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the continued operations of an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed winery buildings. According to Google Earth, the nearest school to the project site is the Robert Louis Stevenson Middle School, located approximately 2.54 miles to the east. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The proposed access road improvements and on-site circulation configuration meets Napa County Road and Street Standards. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed road improvements would provide adequate access to Spring Mountain Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None are required.

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

through the addition of impervious surfaces which would:

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

Discussion:

The County requires all discretionary permit application (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

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

On 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 ft. per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. On May 30, 2023, the Napa County Board of Supervisors terminated the Local Emergency due to the 2021-2022 drought but acknowledged that there are still adverse conditions that will continue to affect the Napa Valley groundwater subbasin and the need to continue groundwater management efforts including the interim actions and procedures still exists. 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. The project is not located in the GSA Subbasin.

- a. As discussed in Section VII. Geology and Soils an Onsite Wastewater Feasibility Report, dated June 30, 2023, was prepared by Madrone Engineering, details the proposed wastewater system to accommodate the proposed wine production, number of employees, visitation program, and replacement residence, under separate permit. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditions that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Impacts would be less than significant. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

- b. A Water Availability Analysis was prepared by O'Connor Environmental, Inc., dated Revised February 29, 2024. As directed by the County Water Availability Guidelines (May 2015), the report includes a Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis, and a Tier 2 well interference analysis.

Tier 1

The Tier 1 analysis considered existing uses onsite to include a 5,195 fire-destroyed replacement residence, 735 sf. hospitality building, and 4,632 sq. ft. wine cave. The existing (pre-fire) groundwater usage is estimated at 5.1 acre-ft./yr. The proposed new project would not increase production, employee, marketing or visitation levels and therefore groundwater usage would remain the same as the existing usage of 5.1 acre-ft./yr.

	Existing Condition (acre-ft/yr)	Proposed Condition (acre-ft/yr)
Total Usage on the Project Parcel	5.1	5.1
Residential Use – Primary & Secondary, Pool and Landscaping	1.25	1.25
Winery Use	0.32	0.32
Employee (Full & Part-Time)/Guest Use (Visitation & Marketing)	0.02	0.02
Vineyard Use	3.50	3.50

Due to the parcel location outside of the GSA boundary, a parcel specific recharge calculation was prepared. In calculating the recharge for the 15.9-acre project site, the analysis concluded that Water Years 2012-2021 average precipitation averaged 33.4 inches across the project recharge area. During the simulation of Water Year 2010, precipitation averaged 45.0 inches across the project recharge area and actual evapotranspiration (AET) averaged 24.8 inches. Simulated groundwater recharge varied from 6.9 to 27.3 inches across the recharge area, with a spatial average of 11.8 inches. During the simulation of Water Year 2014, precipitation averaged 27.0 inches across the project recharge area and actual evapotranspiration averaged 17.7 inches. Groundwater recharge varied from close to zero to 10.2 inches across the recharge area with a spatial average of 3.7 inches. Assuming a linear relationship between the precipitation of the selected average and dry year results of simulated recharge percent, Water Years 2012 to 2021 had an average of 6.6 inches recharge.

Groundwater recharge estimates can also be expressed as a total volume by multiplying the estimated recharge rate by a representative area. For the 407-acre project recharge area, these calculations yield an estimated average annual recharge of 125.5 acre-ft/year during drought conditions of Water Year 2014 and 400.1 acre-ft/yr for the average Water Year of 2010. Applying these representative rates across the ± 15.9-acre project site, these calculations yield an estimated total recharge of 7.2 acre-ft/yr during Water Year 2014 and 18.6 acre-ft/yr in Water Year 2010. For the impact acres the averaged 2012-2021 Water Years the recharge is estimated to be 223.1 acre-ft/yr. For the project parcel the estimated recharge is 8.7 acre-ft./yr.

Well Interference Analysis (Tier 2)

There are no neighboring wells within 500 ft. of the project well. The nearest well, Well 2, is located 1,260 ft. east of the project well. Distances between the project well and Well 2 were calculated based on aerial imagery interpretation. Based on the WAA guidance document, a Tier 2 well interference analysis is not required given that all non-project wells are located greater than 500-ft. from the project wells.

Groundwater-Surface Water Interactions (Tier 3)

The nearest significant stream as defined by the County of Napa to the project parcel is York Creek which lies approximately 1,900 ft. away from Well 1 at its closest point. This distance was calculated in GIS. Given this horizontal separation pumping of the project well is not expected to impact flows in York Creek. Based on County WAA guidance, a Tier 3 analysis of potential for streamflow depletion due to well pumping is not required given that the project well is located more than 1,500 ft. from a significant stream.

The public trust doctrine requires the state and its legal subdivisions to “consider,” give “due regard,” and “take the public trust into account” when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no “procedural matrix” governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis “begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.” (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County’s obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA). As disclosed and assessed in this Initial Study/ Negative Declaration and the WAA, the County concludes that no harm to (or less-than significant impacts on) public trust resources would result from the proposed project.

- c/d. While the proposed work would take place on slopes of between 15 to 30 percent, the project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.
- e. As discussed above, the parcel specific groundwater recharge analysis estimated a recharge potential of 8.7 acre-ft./yr. which is greater than the estimated use of 5.1 acre-ft./yr. No increase in water demand is proposed. The project would not result in an impact to water use and would therefore comply with the GSP. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur.

Mitigation Measures: None are required.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” The property’s General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows “agriculture, processing of agricultural products, and single-family dwellings.” More specifically, General Plan Agricultural Preservation and Land Use

Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 (“The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space...”) and General Plan Economic Development Policy E-1 (The County’s economic development will focus on ensuring the continued viability of agriculture...). The General Plan includes two complimentary policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. 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 required.

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

project expose people residing or working in the project area to excessive noise levels?

Discussion:

a/b. The project would result in a temporary increase in noise levels during grading and construction activities for the proposed winery tasting room, production space, and caves. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the proposed eastern winery parking lot is approximately 425 ft. to the west and the nearest residence to the eastern winery structure is approximately 480 ft. to the northwest. Due to this distance, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7 a.m.-7 p.m. on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

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

The project proposes a fire rebuild of a destroyed winery tasting room and production facility.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed parcel are predominantly large lot residential properties and vineyards; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.). Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). The nearest off-site residence to the proposed winery is approximately 2,000 ft. to the northwest. Winery operations would occur between 7:00 a.m. and 5:00 p.m., Monday through Friday (production, excluding harvest) and 10:00 am to 4:00 pm (hospitality). The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery structure itself, with the exception of the covered patio area. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including clean-up are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events.

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

Due to the potential for discrete maximum noise events, related to seasonal crush activities, to potentially exceed the 65 dBA Lmax nighttime noise limit, Condition of Approval number 4.20(b) has been added to highlight and reiterate that the proposed project would be subject to Napa County noise standards, which do not support noises in excess of 65 dBA before 7:00 am. Adherence to Napa County Code would result in less than significant impacts. The proposed project would not result in long-term significant permanent noise impacts.

c. The project site is not located within the influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan. No impacts would occur.

Mitigation Measures None are required.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing.

The Association of Bay Area Governments’ Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23 percent by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County’s Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15 percent. The project is not proposing an increase in employees working at the rebuild winery. Relative to the County’s projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County’s housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

The proposed project does not require installation of any additional, new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings.

No new employees are proposed. The project would have no impact on population growth.

b. Prior to the 2020 Glass Fire there was an existing single-family residence and a second unit on the project parcel. The building permit for this residence was issued in November 2023 (BR23-01107-RPL) and is currently under construction. A second unit is proposed but has not been authorized. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None 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:

Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

- a. 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.
- b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed P23-00198; Spring Mountain Road “dba Titanium Winery” Minor Modification Winery Use Permit project would have no impact.

Mitigation Measures: None are required.

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

Discussion:

- a./c./d. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. Existing pedestrian and transit facilities serving the site are limited, though given the rural location of the project site and anticipated demand for these modes, this is considered an acceptable condition. The existing driveway entrance is not proposed to be disturbed. Therefore, would not increase hazards due to a geometric design feature. CalFire and Engineering divisions have reviewed the proposed plans for access and circulation and found them to be in compliance with the Napa County Road and Street Standards.
- b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor’s Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The County’s General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project’s VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy

states that “projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact.” That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that “would not be considered to have a significant impact to VMT” and that could therefore be exempted from VMT reduction requirements.

The new CEQA Guidelines and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that “typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet”. They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact. The County’s TIS Guidelines 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. Furthermore, The TIS Guidelines state that if the net cumulative result of all project modifications after January 1, 2022, would generate less than 110 net new daily passenger vehicle and truck trips, the project is presumed to have a less than significant impact for VMT. Given that the project is a rebuild of an existing winery destroyed in the 2020 Fire, and there are no proposed changes to production, visitation/marketing activities, nor employee previously authorized in 2005, a VMT analysis was not required.

- e. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site’s capacity is discouraged. The winery was approved for five (5) parking spaces, the previous parking area was located near the residence. The project proposes to redesign the parking area and installing one (1) addition parking space, for a total of six (6) parking spaces (2 employee, 3 guest, and 1 ADA accessible).

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:

On December 27, 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. The Yocha Dehe, Middletown Rancheria, and Mishewal Wappo Tribe of Alexander Valley did not request consultation within the 30-day notification period, and because no response to the consultation invitation was received, the consultation time period elapsed.

Mitigation Measures: None are required.

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

Discussion:

- a. As discussed in detail in Section VII. Geology and Soils, a Wastewater Feasibility Study, dated June 30, 2023, was prepared by Madrone Engineering. The proposed system design proposes to handle the domestic and process wastewater separately. The system would disperse winery domestic waste into the existing winery septic system (standard system) and would propose a hold and haul system for process wastewater. The process waste system will be designed per RWQCB and PBES requirements. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Based on the proposed uses, the onsite public water system will be classified as a transient noncommunity (TNC) public water system per the State of California Drinking Water Requirements. Additionally, the applicant proposes installing a water tank on the west side of the winery building. The proposed water tank will be used for fire suppression. Impacts will be less than significant.
- b. As discussed in Section X., a Water Availability Analysis was prepared by O'Connor Environmental, Inc., dated Revised February 29, 2024. As directed by the County Water Availability Guidelines (May 2015), the report includes a Tier 1 calculation for the existing and proposed water uses and a groundwater recharge analysis, and a Tier 2 well interference analysis. The parcel specific groundwater recharge analysis estimated a recharge potential of 8.7 acre-ft./yr. which is greater than the estimated use of 5.1 acre-ft./yr. No increase in water demand is proposed. The project would not result in an impact to water use. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur.
- c. A hold and haul process wastewater disposal system is proposed and will be installed to dispose of the process wastewater. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.
- d. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

e. The project will comply with federal, state, and local statutes and regulations related to solid waste. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing road and proposed project will be designed and improved to meet commercial standards as defined in the Napa County Road and Street Standards (RSS). Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal’s office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. The new buildings and cave would be equipped with sprinklers and fire suppression equipment as required by the CA building Code. No impacts would occur.
- b. The proposed project is located within a high fire hazard severity zone and in the State Responsibility (SRA) zone. Spring Mountain Road runs between the two properties and provides access to the City of St. Helena and then to State Highway 29. The proposed project’s access road runs across the site and through an existing vineyard, which is situated on slopes ranging from 0 to over 50 percent. A portion of the production facility will now be located underground, within a cave system, and will not physically change the hillside. The Fire Marshal’s office and Engineering Division has reviewed the plans and determined that the proposed improvements would not result in a physical modification to the slope of the site, changes prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts of the project would be less than significant.
- c. The existing driveway will be improved to meet County RSS. As discussed in Section XIX. Utilities and Service Systems, the project proposes a water storage tank for fire protection. The water storage tank will be installed on the south side of the proposed winery building. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. The physical improvements are located within a vineyard and at the base of a hillside. The proposed project includes relocating and rebuilding the winery and constructing a new cave. The proposed project would not physically alter the site in a way, which would expose people or structure 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 other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. As discussed in Section IV (Biological Resources), the study area does not provide suitable northern spotted owl nesting habitat, primarily because of the lack of trees or trees that are not suitable for nesting. The proposed project will not affect any trees and new ground disturbance will be relatively minimal. Soil excavated from the new wine caves will be hauled away so truck traffic will temporarily increase. Because the site is along an existing regional well-traveled road (Spring Mountain Road), activity on the site should have no effect on owls if they are nesting beyond the study area. Aquatic resource assessment was conducted for the site and a feature was identified, an ephemeral stream located along the southern boundary that originates from a few small outfall pipes that carry stormwater and terminates at the property line as it flows offsite to the south. Permits would be required if any fill is placed in the drainage. No permits would be required if the feature is avoided. The project shall comply with Napa County Code (NCC) Section 18.108.020. This section requires 70 percent retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. The potential for this project to have an impact on special status species is less than significant.

As discussed in Section V. (Cultural Resources) no known resources within the study area. No cultural resources were identified within the study area; therefore, no recommendations are warranted.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to aesthetics, agriculture and forest resources, air quality, biology, cultural, energy, geology and soils, greenhouse gas emissions, hazard and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, transportation, utilities and service systems, tribal cultural, and wildfire are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, as included on the form dated November 6, 2023. Section X. Hydrology includes detail on the

Water Availability Analysis which demonstrates that the proposed project would not increase water use above the existing conditions 5.1 acre-ft./yr . The groundwater recharge analysis estimates 8.7 acre-ft./yr. which is greater than the proposed use of 5.1 acre-ft./yr. Consequently, the project would not interfere with groundwater recharge or lowering of the local groundwater level. Overall, potential cumulative impacts would be less than significant.

- c. All impacts identified in this mitigated negative declaration have been reduced to a less than significant with mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.
