

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:** Hendry Winery, Use Permit Major Modification Application No. P15-00173-MOD
2. **Property Owner:**
Winery Parcel - George Hendry
Well Parcel - Michael Hendry
3. **County Contact Person, Phone Number and email:** Emily Hedge, Planner III, (707) 259-8226, Emily.hedge@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):**
Winery Parcel - 3104 Redwood Road (nearest cross street Browns Valley Road), unincorporated Napa County, California 94558; APN 035-120-031.
Well Parcel - APN 035-120-030; undeveloped property to the west across Redwood Road.
5. **Project sponsor's name and address:** Jeff Miller, Hendry Winery, 3104 Redwood Road, Napa, California 94558
6. **General Plan description:**
Winery Parcel and Well Parcel - Agricultural Resource (AR) and Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:**
Winery Parcel - AP (Agricultural Preserve) District
Well Parcel - AW (Agricultural Watershed) District
8. **Background/Project History:**

The Winery Parcel is a 60.68-acre parcel located on the east side of Redwood Road, in an unincorporated area just outside the municipal boundary of northwest Napa city. Members of the Hendry family have owned the subject property and three adjoining parcels since 1939. Although the current property owner planted much of the property in vineyards following his family's purchase of it, the applicant reports that the property had grapevines as early as the 19th century. Access to the property is directly from Redwood Road, with a 20-foot wide asphalt-paved driveway from Redwood Road providing access to the residential and winery buildings on-site. The Well Parcel, owned by the Hendry family, is located on the west side of Redwood Road. The parcel is currently undeveloped except for the existing well that serves the winery.

On September 2, 1998, the property owner obtained from the Napa County Conservation, Development and Planning Commission, use permit approval to operate a winery on the property (Use Permit No. 97506-UP). The use permit allowed the winery an annual production limit of 59,000 gallons of wine per year; 21,000 square feet of building area to house wine production and barrel storage facilities; and a 6,880 square foot covered crush pad and outdoor work area. The Commission approved weekly visitation, by appointment, for one to two groups of four to eight general public visitors per group, plus one group of one to four visitors from the wine trade, for a total of 20 visitors per week. Use Permit No. 97506-UP was later modified by approval of Use Permit Major Modification Nos. 99408-MOD and 00343-MOD, which resulted in: 1) shifting the location of the winery building 400 feet northward, further away from the existing on-site residence; 2) an increase in winery building area from 21,000 to 23,000 square feet, which included an approximately 500 square foot room for conducting wine tours and tastings; 3) addition of a marketing program to winery operations, consisting of up to two, 30-person events per year; and 4) an increase in the allotment of annual production available to custom crush producers, from 2,300 gallons to 35,400 gallons of the winery's 59,000 gallon annual production limit. While the property owner removed some of the vineyard in 2000-2001 to accommodate construction of the existing winery building and production areas, there are still approximately 25 acres of grape vines planted on-site.

On February 2, 2015, staff of the Napa County Code Enforcement Division sent the Hendry Winery a Notice of Violation. The notice

referenced the 2013 Wine Audit, during which staff became aware that the winery was exceeding its permitted visitation levels. The applicant submitted this Use Permit Major Modification application in response to the violation. In 2018, the project was presented at the September 19, 2018, Planning Commission hearing. At that time the winery was determined to also be out of compliance with their number of employees. The applicant was directed by the Planning Commission to revise their 2015 project request to include recognition of the existing conditions identified in the hearing and update necessary analyses to evaluate the project as revised. While the applicant was considering direction moving forward, the County's Code Compliance Program (Program), as described in Resolution No. 2018-164, was adopted by the Napa County Board of Supervisors on December 4, 2018. Because the application was determined to be a Code Compliance case prior to the Program's March 29, 2019, submittal deadline, it was determined that the application could be included in, and processed under, the direction of the Program. The applicant submitted a revised project proposal that included the items originally requested in 2015 and recognition of the 2018 components of the project that were out of compliance. Consistent with this program, staff has bifurcated their request to the recognition of existing conditions and a request for expanded conditions.

9. **Description of Project:**

The project is included in the Program. The proposal is to modify a Use Permit for an existing 59,000 gallon per year winery to allow the following. This initial study analyzes the request inclusive of the components necessary to remedy violations and expansion beyond.

A. Components Necessary to Remedy Existing Violations:

1. Recognition of one (1) unpermitted part-time employee;
2. Recognition of 34 visitors per day, up to 121 visitors per week;
3. Recognition of annual marketing events including 12 events with 50 guests and one (1) event with 150 guests; and
4. Recognition of four (4) parking spaces (for a total of 10 spaces).

B. Expansion Beyond Existing Entitlements:

1. Increase employment from three (3) full-time and three (3) part-time employees (existing conditions requested to be recognized via the County's Code Compliance program) to five (5) full-time and five (5) part-time employees;
2. Increase tours and tastings by appointment only from 34 visitors per day, up to 121 visitors per week (existing conditions requested to be recognized via the Program) to 35 visitors per day, up to 245 per week;
3. Remove limitation on custom crush operations; no change to annual production of up to 59,000 gallons of wine;
4. Convert approximately 400 square feet of offices to tasting rooms;
5. On-premises consumption in the wine tasting rooms, front porch, and the covered work area on the east side of the building;
6. Expansion of an on-site wastewater treatment system;
7. Installation of a non-transient community water system; and
8. Installation of a new well on APN 035-120-030 to fully serve the winery and its accessory uses.

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

The Winery Parcel is located on the east side of Redwood Road, in a pocket of unincorporated lands bordered on the south, north, and east by the city of Napa municipal boundary. The property is currently developed with an approximately 23,000 square foot winery building with a 900 square foot attached porch; approximately 6,150 square feet of covered outdoor work areas; and 10 winery employees and visitor parking stalls. Also on-site, but outside the scope of this use permit modification, are approximately 25 acres of vineyard, an irrigation pond, three agricultural and utility buildings, and the single-family residence of the winery operator and property owner. Redwood Creek extends north to south through the property. Access to the property is directly from Redwood Road, with a 20-foot wide asphalt-paved driveway from Redwood Road providing access to the residential and winery buildings on-site.

The Well Parcel is undeveloped, other than the existing well. The existing well infrastructure includes a two (2) inch pipe that runs underground down the well access road and crosses under Redwood Road. The pipe comes above ground and is attached to the existing winery driveway bridge where it crosses over Redwood Creek and then continues below ground to the winery facility. The parcel is heavily wooded. The property is sloped west to east with the majority of slopes ranging from 15-50%, with limited areas with slopes over 50%.

The properties are located within a Alquist-Priolo Earthquake Fault Zone of the West Napa Fault, as designated by the California Department of Conservation, Division of Mines and Geology; however, no new building construction is proposed with the project. The Winery Parcel is underlain with Pleasanton loam, 2 to 5 percent slopes, a well-drained soil formed from alluvial deposits. Soil on the Well Parcel is Felton gravelly loam, 30 to 50 percent slopes.

North: The city of Napa's 155-acre Alston Park, within the Napa municipal boundary, borders the Winery Parcel to the north. The Hendry property also shares its northern property line with a smaller, 6.24-acre parcel that is unincorporated, and on which operates the Brookside Inn & Vineyards, a bed and breakfast inn. The smaller, unincorporated parcel is zoned AW (Agricultural Watershed) and has a General Plan land use designation of AWOS. The Well Parcel is bordered by an approximately 5-acre parcel zoned AW, with a land

use designation of AWOS.

East: Alston Park shares roughly one-third of the length of the eastern property line of the project site. The southern two-thirds of the eastern property line is shared with a 42-acre parcel that is also owned by the applicant and substantially planted with vineyards; the parcel is zoned AP and has a General Plan land use designation of AR. The Well Parcel is bordered by Redwood Road and the Winery Parcel.

South: To the south of the Hendry Winery property are two parcels of 22.1 and 18.8 acres in size. Both parcels are owned by the applicant, and both parcels are predominantly planted with vineyards. The larger of the two parcels includes an irrigation pond. Both parcels are zoned AP and have a General Plan land use designation of AR. Along the property line shared between the subject site and the adjoining two parcels is an access stem providing access from Redwood Road to Alston Park to the north and east. The Well Parcel is bordered by City properties to the south.

West: The right-of-way of Redwood Road, a county collector facility, borders the property to the west. Across Redwood Road from the winery site is an undeveloped 35.3-acre parcel owned by Michael Hendry, a relative of the applicant; the parcel is zoned AW and has General Plan land use designations of AR and AWOS. The Well Parcel is bordered by a 255-acre parcel zoned AW, with a land use designation of AWOS.

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

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife (CDFW) (T)

Other Agencies Contacted

This document will be submitted to the State Clearinghouse for 30-day distribution to state agencies.

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 May 1, 2018, county staff sent invitations to consult on the proposed project to the three 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. On May 30, 2018, members of the Yocha Dehe Wintun Nation sent a response letter requesting additional information about the project. Staff responded to the Yocha Dehe Wintun Nation request on June 27, 2018. After replying to the information request, county staff concluded consultation proceedings by letter of August 15, 2018, following 45 days of no additional correspondence or requests from tribal representatives for additional project information.

On October 24, 2024, staff sent another invitation to consult, with the updated project description, specifically noting the inclusion of the Well Parcel. On October 31, 2024, staff received a letter from Middletown Rancheria stating that they determined the project is outside of Middletown Rancheria's Area of Concern (AOC) and declined to comment. On November 9, 2024, staff received an email from the Mishewal Wappo Tribe requesting additional information on the project. On November 12, 2024, staff sent a response email and provided information and maps with more detail on the extent of the ground disturbing activity, with the offer to set up a call to answer any questions or discuss the project further. Staff sent a follow up email on November 18th, offering the opportunity to discuss. Additionally, staff noted that we will include our standard condition of approval regarding the discovery of archeological artifacts or human remains, as listed in Section V. Cultural Resources. As of November 25, 2024, staff has not heard back from the tribe. On January 16, 2025, staff received a response from the Yocha Dehe Wintun Nation stating that the project is not within the aboriginal territories of the tribe. The tribe declined any comment on this project.

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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant and filed by the applicant in conjunction with Application No. P15-00173-MOD as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559:

- Water System Feasibility Report for the Hendry Winery Property (Rev. 2), dated: 10/30/2024
- Preliminary Water System Technical Report pertaining to Section 116527 of the Health and Safety Code for the Hendry Winery (Rev 1), dated: 10/30/2024
- Winery Use Permit Modification Narrative Report for the Hendry Winery (Rev. 4), dated: 10/30/2024
- Domestic & Production Wastewater Feasibility Report for the Hendry Winery (Rev. 4), dated: 1/5/2023
- Water Availability Analysis Report for the Hendry Winery (Rev. 6), dated: 6/24/2024
- Napa County Geographic Information System (GIS) sensitivity maps/layers.
- Project narrative and plans for Permit No. P15-00173.

On the basis of this initial evaluation:

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

Emily Hedge

Signature

February 10, 2025
Date

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

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

The existing winery and vineyards are on lands that are gently sloping. During a visit to the property, Planning staff observed no significant scenic resources such as rock outcroppings on the site. No trees or structures would be removed from the property as a result of the project, which consists primarily of operational changes associated with the previously permitted winery. The existing winery building would remain unchanged, and the existing restored residence on the property would be maintained as a residential use. The new well is located adjacent to the existing well and will not change views of the Well Parcel.

The closest state highway, State Route 29, is over 1.4 miles east of the winery site. The buildings on the property are not situated on a hillside or knoll so as to be visually prominent from several perspectives; rather, the property lies on the valley floor, at the base of the hillsides that create the western boundary of the Napa Valley, and the buildings have been constructed on low-lying areas of the site. As no mature landscaping, planted grapevines, or buildings would be removed with the project, and no buildings would be constructed or expanded with the project, there would be no significant change in the appearance of the property as viewed from the limited perspective of Redwood Road.

With no construction proposed on any part of the properties that exceeds 15 percent, the proposed project is not subject to the requirements of Napa County Code Chapter 18.106 (Viewshed Protection Program). There are no changes to the existing hours of operation, which would result in new sources of light.

Mitigation Measures: None required.

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

Discussion:

- a./e. The California Department of Conservation maps the approximately 60-acre Project Property with a combination of designations that include Prime Farmland, Farmland of Statewide Importance and Farmland of Local Importance. Prime Farmland is assigned as a designation for those lands with an optimal combination of physical and chemical features, microclimate and water supply to produce high crop yields. Farmlands of Statewide and Local Importance are also valued for their crop production qualities, though they may lack irrigation or have other minor shortcomings such as greater slopes or lower soil moisture retention. The Well Parcel is designated Important Farmland (Type: Grazing Land). The requested use permit modification would not result in conversion of any mapped farmland to a non-agricultural use such as a residential or commercial complex of buildings. (For purposes of the Napa County General Plan, Policy AG/LU-2 defines wineries as agricultural uses.) No grapevines are proposed to be removed with the project.
- b. The County's zoning of the Well Parcel is zoned AW (Agricultural Watershed), with General Plan land use designations of Agricultural Resource (AR) and Agriculture, Watershed and Open Space (AWOS). The Winery Parcel is zoned AP (Agricultural Preserve) District, and land use designations of Agriculture, Watershed and Open Space (AWOS) and Agricultural Resource (AR). The zoning assignment of the property allows agriculture (vineyard) and single-family residences as permitted uses of property, and it allows wineries with associated accessory uses (such as winery tours and tastings and marketing events) as conditionally permitted uses. Crops, residences and wineries are also consistent with the intents of the AWOS and AR General Plan land use designations (County Code sections 18.16.020 and 18.16.030 and General Plan Policies AG/LU-20 and AG/LU-21). There is no Williamson Act contract applicable to the subject property.
- c/d. As previously noted, the parcel on which the winery operates is currently developed and zoned for agricultural land uses. Much of the area is planted with vineyards, and no new building construction is proposed with the project. The Well Parcel is undeveloped, except for the existing well. The proposed new well would be drilled in close proximity to the existing well and would use the existing infrastructure to transport the water to the winery site. Per the project engineer, no tree removal is necessary at the new well location. There are no forest resources on the sites that would be affected by the project proposal.

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.

Mitigation Measures: None 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.

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

The requested entitlement consists of various operational changes to the existing winery, including changes to winery staffing, an increase in its permitted number of visitors, and expansion of its marketing program. No new structures are proposed, although on-site grading would occur for installation of 100 additional feet of wastewater treatment system leachfield lines on a vacant area south of the winery and on-site residence. The Well Parcel development is limited to drilling the new well.

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.

The thresholds of significance for use in determining whether a proposed project will have a significant impact on GHG's and climate change (BAAQMD, April 2022) did not affect the Air Quality CEQA Thresholds of Significance for the above-mentioned air pollutants (i.e., ROG, NOx, PM10 and PM2.5) identified in Table 3-1 of the BAAQMD 2022 Guidelines. As such, those thresholds will be used to determine the significance of potential air quality impacts associated with air pollutant emissions.

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 20,000 square feet of enclosed floor area, including approximately 18,500 square feet related to wine production with approximately 1,500 square feet of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 105,000 square feet (high quality restaurant) and 998,000 square feet (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 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 small area of disturbance, short duration of work and compliance with standard conditions would not cause a substantial increase in particulate matter and therefore, would result in a less than significant construction impact related to particulate matter.

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.c AIR QUALITY

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

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

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

7.1.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.

With the small area of work, temporary duration of construction, and the project proponent's adherence to these relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related air quality impacts of the project are considered to be less than significant.

Mitigation Measures: None 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

a-f. The Winery Parcel project site is an existing developed vineyard and winery. Redwood Creek spans the Winery Parcel property from north to south, generally within the eastern third of the parcel. While Redwood Creek appears to have retained its natural and unmodified alignment, the remainder of the property has been significantly modified in prior decades for purposes of planting vineyards and constructing a residence, winery, agricultural outbuildings, and access roads. According to Napa County geographic information system (GIS) (Vegetation layer) Redwood Creek and its banks are riparian woodland with Valley Oak. County GIS notes that the stream provides habitat for steelhead trout and indicates owl habitat north of the winery and the northern portion of the Well parcel. No other sensitive species are known to be located on the site.

The Well Parcel is undeveloped, remaining in predominantly undisturbed, forested state, except for the existing well. The parcel contains a mix of Oak woodlands and native grasslands. While the County GIS system notes the potential occurrence of an ephemeral stream within the vicinity of the new well's location, the new well is being constructed adjacent to the existing well. It should be noted that the Conservation Regulations has an exception in Section 18.108.050.F which exempts land clearing, earthmoving and grading necessary for construction of any water well so long as the work is conducted and restored outside the winter shut down period and outside required stream setback. The County GIS system is not 100% accurate and the "ephemeral" called out does not appear to meet the County definition of an ephemeral or intermitted stream as detailed in Section 18.108.030. The area does not contain a defined bed or bank containing flowing water or showing evidence of having contained flowing water, and is absent rock deposits, sand, gravel or soil, nor does it appear to contain species that would indicate riparian species, nor are there any culverts or drainage infrastructure adjacent to or underneath Redwood road along this portion which support the existence of a true ephemeral channel on the parcel containing the new and existing well. No tree removal is required for installation of the well.

With the exception of an additional 200 linear feet of new wastewater treatment system leachlines in the existing leachfield in a fenced and graded area south of the winery and residence, the scope of the use permit modification is limited to operational changes to the winery that include changes to winery marketing, visitation and staffing. As noted above, wells and wastewater treatment system leachfields are exempt from the County's Conservation Regulations (Napa County Code section 18.108.050.F), it is noted that the leachfield is over 100 feet away from the top of bank of Redwood Creek and well outside of the 55-foot creek setback that might otherwise be required under the County's Conservation Regulations. Other than the leachfield expansion, no physical changes are proposed that would remove existing trees, demolish abandoned structures (that could have become roosting spots for birds or bats), or add impervious surface area causing increased surface discharge to the creek.

On the Well Parcel, the new well is approximately 505 feet from the closest portion of Redwood Creek. The well would utilize the existing two (2) inch pipe that runs underground down the well access road and crosses under Redwood Road. The pipe comes above ground and is attached to the existing winery driveway bridge where it crosses over Redwood Creek and then continues below ground to the winery facility. The existing well will be disconnected from the pipe and the proposed new well will be connected to it. There are no proposed changes to the supply pipe as part of the project, other than the point of connection at the well.

The project would not impact the riparian habitat along Redwood Creek or any potential associated vegetation or species, as the physical improvements of the project are located more than 100 feet from the creek, at the closest, in an already developed area and in a location

more than 500 feet from the creek and separated by Redwood Road. County GIS does not show any wetlands on the property. As the proposed project would not construct a barrier nor remove existing native habitat in an undisturbed area, it would not impede movement within an existing terrestrial wildlife habitat corridor or known wildlife nursery. There is no habitat conservation plan (HCP) or natural community conservation plan (NCCP) that has been adopted or is being implemented in unincorporated Napa County.

Mitigation Measures: None 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-c. The Winery Parcel is generally flat with some knolls and gentle undulations in the terrain, and it is predominantly developed with a vineyard. During a visit to the site in February 2018, Planning staff observed no unique geological features such as rock outcroppings. The Well Parcel is sloped from west to east. Approximate slopes in the location of the well primarily ranges from 15 to 30 percent.

County GIS data indicates previous archaeological finds southeast of the site but no such finds on-site of the Winery or Well parcels. It is further noted that the winery property has already experienced significant ground disturbance as would occur to remove native vegetation and grade the site for installation of the existing vineyard.

As noted in section IV, Biological Resources, of this initial study, the scope of the use permit modification is primarily limited to operational changes to the winery that include changes to winery marketing and staffing, with new construction limited to the addition of 200 linear feet of new wastewater treatment system leachlines in the existing leachfield south of the winery and residence and a new well installed on the Well Parcel. Excavation for the leachfield expansion would not require demolition of any existing buildings but would involve earthwork and approximately two-foot deep trenches to install the subsurface leachlines. Minimal ground disturbance would occur during drilling of the new well, which is in close proximity to the existing area used to access and maintain the existing well.

Although there is no known presence of archaeological resources in the vicinity of the leachfield or existing well, and ground disturbance associated with the project is limited to construction within the vicinity of the previously installed leachfield and existing well, ground disturbance to install the lines could uncover previously undocumented archaeological resources. If any resources not previously uncovered during prior site disturbance are found during any earth disturbing activities associated with the proposed project, construction of the project is required to cease, and a qualified archaeologist must be retained to investigate the site in accordance with the County's standard condition of approval, which reads as follows:

7.2 ARCHEOLOGICAL FINDING

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

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are

of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

Mitigation Measures: None 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 project does not include new construction. Any future building permits would be required to comply with Title 24 energy use requirements. There are no changes to the existing days or hours of operation. The proposed project would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None 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-c. The parcels are in the Alquist-Priolo Earthquake Fault Zone of the West Napa Fault, as designated by the California Department of Conservation, Division of Mines and Geology, in January 2018. The site is also generally located within a region of active fault zones, including those of the Berryessa, Calaveras, Concord/Green Valley, Great Valley, Mayacamas, North Hayward, Rodgers Creek and San Andreas faults. Movement along any of these faults is anticipated to result in Modified Mercalli Scale intensities of VI to VII at the project site; these “moderate” to “very strong” intensities would be felt by most people and are likely to result in negligible or slight damage to well-built structures. Due to its proximity to the winery building, movement along the West Napa Fault could generate more “severe” intensities at the project site (Modified Mercalli Scale VIII), which could result in slight damage to well-designed buildings (<https://earthquake.usgs.gov/learn/topics/mercalli.php>). The project winery building represents relatively new construction that commenced after 2000 and that was completed by 2004, well after adoption of several iterations of mandatory seismic building code standards. During a County staff visit to the site in February 2018, the winery’s representative reported that the winery building experienced no significant structural damage as a result of the August 2014 quake along the West Napa Fault, with damage primarily consisting of cosmetic cracks in sheetrock wall surfaces and items fallen or displaced from walls and furniture. Based on the young age of the building and the observations made after the recent West Napa earthquake, damage as a result of earth movement is not anticipated to expose people to substantial hazards related to ground shaking during an earthquake. Although the site is located within a designated fault zone, no physical changes to the existing winery building are proposed with this project, so the proposal is exempt from the regulations of the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2617.7[b] and 2617.7[c])

With location of the property in a seismically-active region and on-site soils considered to have “low susceptibility” to liquefaction (excluding the Redwood Creek banks, based on regional mapping), structural damage to the existing winery structure on-site as a result of liquefaction is not likely to occur following an earthquake. It is again noted that the winery’s representative reports that the winery building on-site did not experience any significant damage during the recent 2014 West Napa earthquake.

That portion of the property on which the winery has been built and the additional leachlines are proposed lacks any steep slopes and is underlain by Pleasanton loam, 2 to 5 percent slopes. The soil is characterized as well-drained and formed from alluvium. As described in the *Soil Survey of Napa County, California* (1978), this soil series generally has low to moderate shrink-swell potential and low erosion potential. Runoff from this soil type is slow. With only minimal disturbance to the ground surface to install new wastewater treatment system leachlines within a generally flat area, and with no introduced surface water source (such as an irrigation system) to exacerbate natural stormwater runoff toward Redwood Creek, and with characteristically slow surface runoff from the on-site soils, the potential for substantial adverse soil movement effects resulting from the proposed project is considered to be less than significant.

- d. As mentioned above, the Pleasanton loam, 2 to 5 percent slopes, soil type that underlies the winery improvements has a low potential for shrinking and swelling near the ground surface and moderate shrink-swell potential at depths of one or more feet below the ground surface. Also as noted above, no new buildings or structures for human occupancy are proposed to be constructed on either parcel.
- e. A revised Wastewater Feasibility Report was prepared by CMP Civil Engineering & Land Surveying, dated January 5, 2023, was submitted

to evaluate the revised proposed project. The existing winery is served by an existing private wastewater system that was designed to handle the peak flow from a 59,000-gallon winery. The system consists of (1) 1,200-gallon septic tank with a Zabel Filter for domestic waste. It also consists of (1) 1,500 gallon and (1) 3,000-gallon septic tank with a Zabel Filter for process waste. Lastly there is (1) 3000-gallon sump tank with an estimated 1500 gallons of reserve for pumping the process waste and (1) 1500-gallon sump tank with an estimated 750 gallons of reserve for pumping domestic waste. According to the report, upon inspection all tanks and associated equipment were found to be in good working order. The treated effluent from the domestic and process tanks is then conveyed to (15) 100-foot leach lines totaling 1,500 feet. The existing leach lines are rock and pipe type and have 18" of rock under the pipe with 6" of rock around and above the pipe for a total rock depth of 24" with 12" of native cover over the top. The existing system is located in a former animal paddock located south of the on-site residence.

Upon review of the estimated calculations of wastewater production associated with the previously approved use permit, it was determined that the existing leach field is undersized by approximately 96 feet. The report notes that this is likely due to a mistake in the original calculations and the designer did not account for the additional flow from the domestic waste. Despite this oversight, the system has been, and still is, functioning well without any evidence of being overtaxed. As noted in the project description, the winery has been operating beyond their existing entitlements in relation to employees and visitation. Wastewater generation calculations for the existing conditions, estimate the existing leach field is undersized by 146 feet.

The proposed project would increase domestic wastewater flows through the additional of additional employees and visitors. Although an increase in the number of event visitors is proposed, this will not impact the onsite wastewater system because all event wastewater flows will be handled by portable restroom facilities. There are no proposed changes to production, so there would not be changes to the process wastewater flows.

Statewide General Waste Discharge Requirements for Winery Process Water The State Water Resources Control Board recently adopted Statewide General Waste Discharge Requirements for Winery Process Water (WDR). Hendry Winery is required to apply for coverage under this order by January 2024. Under the order, Hendry Winery will be classified as a Tier 2 facility, producing an estimated 295,000 gallons of process wastewater per year. In order to comply with the WDR, it is anticipated that the existing process waste treatment and disposal system will be converted from a comingled sub-surface disposal system to a land-application system. This conversion is readily feasible since the existing domestic and process waste collection and treatment systems are fully segregated upstream of the leach field. In other words, the existing system will be modified downstream of the existing tanks to provide additional treatment, storage, and dispersal within the existing vineyard. With 26.26 acres of established vineyard on the winery parcel, there is ample opportunity to facilitate a future land application process waste disposal system in compliance with the WDR.

The report concludes that the entire existing wastewater system is functioning well and the proposed increase in use only affects the domestic wastewater system. Of the components comprising the domestic wastewater system, the existing domestic septic tank and pump tank are more than adequate to handle the proposed peak flow associated with the proposed operational changes. That said, the existing leach field at its current size is not adequate to handle this increase in peak flow. The existing leach field needs 195 additional feet of leach line to accommodate the proposed increase in use. The project engineer is proposing to add an additional 200 feet of leach line to meet this need. The engineer sees no physical or regulatory reason this can't be accomplished, thus from a wastewater perspective the proposed increase in use to this winery is feasible. 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.

- f. There are no know unique paleontological resources or unique geologic features on either site. The proposed well is adjacent to the existing well and the additional leachfields will be added to the end of the existing leachfield.

Mitigation Measures: None 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 contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's

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

transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

- a.-b. Overall increases in 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 includes improvements to the driveway, consistent with Napa County Road and Street Standards, and wastewater treatment system. 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 does not propose improvements that would install natural gas appliances or plumbing. Additionally, at the time of any 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. Any 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:
 - o Residential projects: 15 percent below the existing VMT per capita;
 - o Office projects: 15 percent below the existing VMT per employee; or
 - o Retail projects: no net increase in existing VMT.

There are no additional new parking spaces proposed, so vehicle parking requirements are not triggered.

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 VMT analysis; therefore, it is presumed to have a less-than-significant impact for VMT. See Section XVII. Transportation for additional detail.

On the GHG Voluntary Best Management Practices (BMP) Checklist submitted with the use permit application, dated November 10, 2017, the applicant identified seven GHG reduction BMPs that the operators are currently implementing at the winery. These include installation of energy-conserving lighting (BMP-9); use of recycled materials (BMP-28); support of local food production (BMP-29); and educational programs for staff and visitors on sustainable practices (BMP-30). As a component of the vineyard operation, the applicant indicated that the operators implement BMPs that include limiting the volume of grading and tree removal on-site (BMP-24); use of 70-80 percent cover crop (BMP-31); and chipping and reuse of pruned biomass, rather than burning the material on-site (BMP-32). The applicant did not indicate on the checklist their intent to introduce new GHG reduction programs into the winery's current operations. A condition of approval will be included to require continuous operation of the existing operations identified.

Mitigation Measures: None 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 checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

- a/b/c. The proposed project involves the use and transport of those hazardous materials typically used in agricultural maintenance and winery operations. The project proponent and winery operator are required to file a Hazardous Materials Business Plan (HMBP) with the Napa County Environmental Health Division, and the facility is subject to periodic inspection by County staff every three years or more frequently as needed to confirm ongoing compliance with State regulations for management of hazardous materials. There are no schools within one-quarter mile of the parcels. The school closest to the subject property is St. John's Lutheran School, which is over one mile east of the Hendry Winery parcel.
- d. The project parcels are not on any State agency list of identified hazardous materials sites (Government Code Section 65962.5).
- e. The project parcels are neither within the boundaries of an airport land use compatibility planning area nor within two miles of any public or private airport or airstrip. The St. Helena Hospital private heliport and Angwin Airport/Parrett Field (a public use airport owned by Pacific Union College) are over 18 miles northeast of the winery, and the Napa County Airport (public use airport managed by Napa County) is over seven miles southeast of the winery property.
- f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The new well will be drilled in close proximity to the existing well and will utilize the existing infrastructure to transport the water to the Winery Parcel. No work is required on Redwood Road. Water and wastewater treatment system improvements proposed by the project proponent would occur entirely on the winery property. No component of the winery operational changes would result in permanent closure or obstruction of adjacent public rights-of-way, and no component of the implementation of the EOP would otherwise be impaired by the proposed modification of the winery use permit.
- g. Development on the property is low in intensity, with buildings limited to the winery building, a single-family residence, and an agricultural/utility building. There are small areas of undeveloped woodlands along the vegetated banks of Redwood Creek, which spans the property from north to south, along the western portion of the site. These native vegetated areas are separated from the existing winery and residential buildings by an asphalt-paved roadway and vineyards, which cover over 25 acres of the approximately 60-acre parcel. With the low intensity of development on the property, coupled with the large acreage of irrigated, proximate vineyards, the project site is considered to have moderate potential for damage of wildland fires, as depicted on General Plan Figure SAF-2. In the event of a fire emergency, evacuation of the property could be achieved using the property's exclusive private drive from the winery and residence to Redwood Road. The Well Parcel would be limited to the well and well infrastructure. The property will not be inhabited or used by employees or guests of the winery.

Mitigation Measures: None required.

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

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

Discussion:

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

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability (GSP) Plan for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3-acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies.

Because the parcel is located outside of the GSA Subbasin, a parcel-specific Water Availability Analysis was performed. To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways, the County's WAA guidance requires applicants to perform a Tier 3 analysis for new or replacement wells, or discretionary projects that would result in an increase in groundwater demand on existing wells that are located within 1,500 feet of designated "Significant Streams."³

- a. As discussed in Section VII. Geology and Soils a revised Wastewater Feasibility Report was prepared by CMP Civil Engineering & Land Surveying, dated January 5, 2023, was submitted to evaluate the revised proposed project. The report concludes that the proposed expansion to the existing leachline will meet the needs of the proposed project. 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.
- b. A Water Availability Analysis was prepared by CMP Civil Engineering & Land Surveying, dated June 24, 2024, as directed by the County Water Availability Guidelines (May 2015). The report includes a Tier 1, Tier 2, and Tier 3.

There is one residence located on the subject property, which is served water by the Napa City Water District. There are two (2) existing 5,000-gallon tanks and one (1) 15,000-gallon water tank that provide both potable and fire protection water storage for the winery. All three of the tanks are filled by an existing off-site well located on the parcel directly west of the Winery parcel. Said well connection is legal and only serves the winery property. The Well Parcel is vacant with no existing uses. The existing well infrastructure includes a two (2) inch pipe that runs underground down the well access road and crosses under Redwood Road. The pipe comes above ground and is attached to the existing winery driveway bridge where it crosses over Redwood Creek and then continues below ground to the winery facility.

³ Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant_Streams" and "Significant_Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

The project proposes to drill a new well on the Well Parcel. This proposed well will serve all of the winery water needs and the existing off-site well will no longer be utilized to serve the winery. The proposed new well would be drilled in close proximity to the existing well and would use the existing infrastructure to transport the water to the winery site.

The report includes Tier 1 calculations for the approved, existing (out of compliance), and proposed water use. The winery is in compliance with their production allowance and are not requesting an increase, therefore there are no changes to the water usage associated with production activities. Winery domestic water use associated with employees and visitors, represents the water use that is currently out of compliance and that would further increase with this project. As shown in the table below, domestic water use was approved at 0.08 acre-feet (af) per year, current usage is 0.12 af per year, and the proposed usage is 0.26 af per year. The project would increase water use above the existing use by 0.14 af per year. The vineyards are also irrigated with the well water. There is no change to the vineyard irrigation.

Table: Groundwater Usage Calculations

Operation (Using Groundwater)	Approved (Acre-feet per year)	Existing (Acre-feet per year)	Proposed (Acre-feet per year)
Winery			
- Process	0.91	0.91	0.91
- Domestic • Employees and Visitors	0.08	0.12	0.26
Irrigation	5.25	5.25	5.25
Total	6.24	6.28	6.42

Because the location of the proposed well on the Well Parcel is located outside of the GSA Subbasin, a parcel-specific groundwater recharge analysis was prepared for the Well Parcel. This analysis quantifies the amount of average annual rainfall infiltrating to the underlying aquifer based on the most recent, stable 10-year precipitation data provided by the Oregon State University PRISM Climate Group, estimated losses to runoff, and estimated losses to evapotranspiration. The calculated groundwater recharge rate for the Well Parcel is 0.60 acre-feet of water per acre of land. Given that the parcel is 35.26 acres, the recharge potential for the Well Parcel is 20.99 acre-feet per year. The proposed water use of 6.42 acre-feet per year is less than the estimated recharge potential of 20.99 acre-feet per year.

Tier 2

There are no known off-site wells located within 500 feet of the proposed well location and there are no known springs located within 1,500 feet of the proposed well location. As such, the project passes the Tier 2 criteria with no further analysis required.

Tier 3

The new well is located within 1,500 feet of a significant stream, so a Tier 3 analysis was prepared. The nearest significant stream is Redwood Creek, which is 505 feet away at the nearest point.

The Water Availability Analysis Guidance Document provides distance standards that are expected to preclude any significant adverse effects on surface waters based on well pumping rates, aquifer hydraulic conductivity, and well construction characteristics. These distance standards are presented in Tables 3, 4 & 5 within the Water Availability Analysis Guidance Document.

In order to limit the radius of potential interaction and to preclude any significant adverse effects on surface waters, the proposed well will be constructed with a minimum 50 foot deep annular seal, well perforations will begin at a depth greater than 100 feet, and the well will be equipped with a Clack Corporation FLO-ET 9 GPM V7A106D (or equivalent) flow control device, which will limit the flow rate of the well to 9 gallons per minute. As proposed, the new well will meet the criteria of Table 3 of the Water Availability Analysis Guidance Document, and the acceptable distance from surface water is 500 feet. As noted above, at its nearest point, Redwood Creek is approximately 505 feet from the proposed well and therefore the proposed well will not have any significant adverse effect on Redwood Creek. The proposed well passes the Tier 3 screening criteria. Staff is recommending that a condition of approval (COA #??) be included which would require the installation of the specific equipment for the new well as noted above.

Comparing the proposed total groundwater use of 6.42 acre-feet per year to the calculated parcel groundwater recharge rate of 20.99 acre-feet per year, it is clear that the well parcel has adequate groundwater available to serve the proposed use, and therefore passes the Tier 1 screening criteria. Since there are no known off-site springs within 1,500 feet and no known off-site wells within 500 feet of the proposed well, the project passes the Tier 2 screening criteria. Lastly, the proposed well meets the distance and construction assumptions in Table 3 of the WAA Guidance Document, and therefore passes the Tier 3 screening criteria. The project would not substantially decrease

groundwater supplies or interfere substantially with groundwater recharge.

Public Trust: 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).

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance to complying with the Public Trust.

A Tier 3 review is the County’s adopted method for complying with its duties under the Doctrine. As discussed above the new well will comply with Table 3 of the WAA Guidance document. County has satisfied its duty to consider impacts to trust resources and no further analysis is required.

- c. The project proposal will not alter any drainage patterns on site or cause an increase in erosion on or off site. The project does not include an increase in the existing area of impervious surfaces. Physical modifications proposed for the site would not change the flow or alignment of Redwood Creek and instead would be limited to addition of wastewater treatment system leachlines in a previously disturbed area on the property within a former animal paddock, and drilling a new well. The winery’s outdoor work areas are currently covered by roofs so as to minimize discharge of potentially contaminating fluids and process wastewater to the storm drain system. The additional four stalls proposed to be recognized have been striped in a work area located behind the winery building. No additional ground disturbance is required.
- d. According to Napa County’s environmental resource mapping (Flood Hazard Areas and Dam Levee Inundation layers), that portion of the property where the existing winery structure has been built is outside of the 100-year floodplain of Redwood Creek, as well as, dam failure inundation areas. While some planted grapevines and a portion of the access driveway on the parcel might incur damage as a result of flooding of Redwood Creek, the winery’s production and accessory use spaces in the winery building are outside of 100- and 500-year floodplains, would not be damaged, and would not, therefore, have the potential to impede, redirect or otherwise alter flooding potential in the general vicinity.
- e. The project is not located in the County GSA. As discussed above, the parcel specific groundwater recharge analysis estimated a recharge potential of 20.99 af per year which is greater than the estimated use of 6.42 af per year. 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 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. 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 Winery Parcel is located in the AP (Agricultural Preserve) 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 Winery Parcel General Plan land use designations of AR (Agriculture Resource) and AWOS (Agriculture, Watershed and Open Space) allow “agriculture, processing of agricultural products. 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 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	Less Than Significant With	Less Than Significant	No Impact
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	Impact	Mitigation Incorporation	Impact	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The project will result in a temporary increase in noise levels during the brief and limited construction of the project. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The project would not result in potentially significant temporary construction noise impacts or operational impacts. The closest noise receptor is a single-family residence, on a property also owned by the project proponent, that is over 600 feet southwest of where grading would occur for the proposed leachfield expansion. Given the proximity to the neighbors, there is a relatively low potential for impacts related to construction noise to result in a significant impact. Furthermore, construction activities would generally occur during the period of 7 a.m.-7p.m. on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project will not result in long-term significant construction noise impacts. Conditions of approval as described under Section a and b above would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels.

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 a.m. to 5 p.m."

Visitation and events would continue to occur in the current areas - wine tasting rooms, front porch, and the covered work area on the east side of the building. Daily visitation would only increase by one (1) daily visitor above the current conditions (existing conditions requested to be recognized via the Program). Potential impacts from the increased visitation is limited. Impacts would be less than significant.

- b. Winery operations are not a known source of groundborne vibration or groundborne noises. Project changes are primarily limited to operations, including increased employees, visitors, and visitor activities. These operations are unlikely to generate excessive groundborne vibration or noises. Impacts would be less than significant.
- c. The project is not 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. No impacts would occur.

Mitigation Measures: None required.

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

Discussion:

- a. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The 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. Cumulative impacts on the local and regional population and housing balance will be less than significant. 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 proposing five (5) full time employees and five (5) part time employees. 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, any building permits 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. Employees and visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other business supporting the winery’s requested operations is uncertain, unquantifiable, and speculative. The policies and programs identified in the General Plan Housing Element, in combination with the County’s housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With limited staffing proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have less than significant impact on population growth.
- b. This application will not displace a substantial volume of existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere.

Mitigation Measures: None required.

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

Discussion:

a. Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. If approved, the requested use permit modification would facilitate the continued operation and expansion of an existing winery on-site of an existing vineyard. The proposed project scope does not include construction of any new winery buildings, and it does not include any new residential units. The proposed increase in employees of two (2) full-time and two (2) part-time above the existing conditions, is unlikely to introduce a significant number of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the winery. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed use permit. 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. 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. Also see discussion under Section XV, below. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None required.

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

Discussion:

a/b. If approved as proposed, the project would allow operational changes that include expansion of the currently permitted hospitality program, expansion of the winery’s program of marketing events, a change in the permitted winery staffing, the expansion of the existing wastewater treatment system leachfield, and a new well on the Well Parcel. While the existing, property owner-occupied, single-family residence on the winery property would be retained, the proposed project includes no new residential units nor accompanying introduction of new residents that would utilize existing parks in the area, potentially accelerating those recreational facilities’ deterioration. The proposal would increase the number of employees on and visitors to the property, some of whom might visit recreational facilities in the area during breaks, before or after work, or on the way to or from other wineries. However, given that the purpose of employees’ and guests’ trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of those public park amenities. No new parks or other public recreational amenities are proposed to be built with the proposed winery.

Mitigation Measures: None required.

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

Discussion:

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. There are no proposed changes to the existing driveway or internal circulation beyond what was previously approved, therefore, the project 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 & 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 maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. This project would fall into the category of a "project modifying an existing facility that would generate additional trips". The TIS Guidelines state that if the net cumulative result of all project modifications after January 1, 2022, would generate less than 110 net new daily passenger vehicle and truck trips the project is presumed to have a less than significant impact for VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

The applicant submitted the County's Winery Trip Generation Worksheet which calculated the maximum weekday trips during harvest would be 58, with a maximum 53 trips during non-harvest. Weekend trips during harvest would be 56, with a maximum of 51 trips during non-harvest. The project did not meet the threshold requiring preparation of a traffic impact study or VMT analysis. Based on the number of trips (less than 110), the project is also presumed to have a less than significant impact for VMT.

- e. The major modification request includes a request for the County to recognize an increase in the number of permitted parking stalls on-site, from six (6) permitted parking stalls to 10 existing stalls. The requested increase in parking corresponds with the increase in employee and visitor presence on the property but is still lower than the demand that would be generated by the total number of employees and visitors that could be on-site at any given time.

Mitigation Measures: None required.

XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion:

a.-b. The existing winery development is not 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). There are no historic resources on the Winery Parcel that are known to have been uncovered during prior ground disturbance associated with the winery building's construction. Although it is noted that the winery building is fewer than 20 years old, no changes to it or any other existing structure are proposed as part of this use permit modification. There are records of resources uncovered on properties in the vicinity of the site, though the County has no record of other known cultural resources on either site, and the property has a history of disturbance related to agricultural (vineyard) and residential development. There is no new structural development proposed on the Well Parcel. No impact would occur.

On May 1, 2018, county staff sent invitations to consult on the proposed project to the three 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. On May 30, 2018, members of the Yocha Dehe Wintun Nation sent a response letter requesting additional information about the project. Staff responded to the Yocha Dehe Wintun Nation request on June 27, 2018. After replying to the information request, county staff concluded consultation proceedings by letter of August 15, 2018, following 45 days of no additional correspondence or requests from tribal representatives for additional project information.

On October 24, 2024, staff sent another invitation to consult, with the updated project description, specifically noting the inclusion of the Well Parcel. On October 31, 2024, staff received a letter from Middletown Rancheria stating that they determined the project is outside of Middletown Rancheria's Area of Concern (AOC) and declined to comment. On November 9, 2024, staff received an email from the Mishewal Wappo Tribe requesting additional information on the project. On November 12, 2024, staff sent a response email and provided information and maps with more detail on the extent of the ground disturbing activity, with the offer to set up a call to answer any questions or discuss the project further. Staff sent a follow up email on November 18th, offering the opportunity to discuss. Additionally, staff noted that we will include our standard condition of approval regarding the discovery of archeological artifacts or human remains, as listed in Section V. Cultural Resources. As of November 25, 2024, staff has not heard back from the tribe. On January 16, 2025, staff received a response from the Yocha Dehe Wintun Nation stating that the project is not within the aboriginal territories of the tribe. The tribe declined to comment on this project.

Mitigation Measures: None 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"/>

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| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a. The existing winery is served by an on-site wastewater disposal system. The proposed improvements to the wastewater system are discussed in detail in Sections X and VII, which note that potential impacts were determined to be less than significant. If approved, the winery would be entitled to operate a daily visitation level at or in excess of that which would trigger the need for a Public Water System (25 people or more per day for 60 days or more per year). Based on the levels, the project will require a Transient Non-Community water system. The water source will be the new well on the Well Parcel. The well will meet the requirements for use in this type of water system. A Preliminary Water System Technical Report and a Water System Feasibility Report were prepared by CMP Civil Engineering & Land Surveying, both dated October 30, 2024. The reports demonstrated the need for and ability of the Well Parcel to support a Transient Non-Community water system. Stormwater is managed on site and no improvements are required. The project does not involve the installation of or modification to existing electric power, natural gas or telecommunications facilities. Impacts would be less than significant.
- b. As discussed in Section X, a Water Availability Analysis (WAA) was prepared by CMP Civil Engineering & Land Surveying, dated June 24, 2024. The proposed estimate of groundwater uses on the Winery Parcel, including the winery and vineyard irrigation, was calculated to be 6.42 acre-feet per year. Because the winery will be served by the new well on the Well Parcel, the groundwater recharge estimate was prepared for that parcel. The calculations resulted in an estimate of 20.99 acre-feet for the Well Parcel. Comparing the proposed total groundwater use of 6.42 acre-feet per year to the calculated parcel groundwater recharge rate of 20.99 acre-feet per year, it is clear that the well parcel has adequate groundwater available to serve the proposed use.
- c. As discussed in Section VII, Geology and Soils, wastewater is managed onsite with an existing system. The Wastewater Feasibility Report was prepared by CMP Civil Engineering & Land Surveying, Revised dated January 5, 2023, was submitted to evaluate the proposed project. The report concludes that the proposed operational changes will require and expansion to the existing leachline. 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.
- 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 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
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| 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"/> |
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- b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion:

The Well Parcel is located within the State Responsibility Area (SRA) and is designated as a High Fire Hazard Severity Zone. There is no development on the parcel that would impact wildfire safety. The Winery Parcel is located in the Local Responsibility Area (LRA). Properties within the LRA are not given a Fire Hazard Severity designation.

- a) There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. There are no proposed changes to the existing driveway or internal circulation beyond what was previously approved, therefore, the project would not increase hazards or impair emergency responses. The Fire Marshal’s office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. No impacts would occur.
- b/c/d. There is no structural development proposed as part of the project. The increase in employees and visitors would permit a larger number of people to be onsite, however this does not impact physical changes physical modification to the site that may exacerbate wildfire risks. The project would not change the slope of the site, changes prevailing winds, or alter other factors that would expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The project does not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities). The Winery Parcel is relatively flat with slopes generally less than five (5) percent. The project would not result in downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No impacts would occur.

Mitigation Measures: None 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?

Discussion:

- a. The project does not have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section IV. Biological Resources, the project would not impact the riparian habitat along Redwood Creek or any potential associated vegetation or species, as the physical improvements of the project are located more than 100 feet from the creek, at the closest, in an already developed area, and the new well is located more than 500 feet from the creek and separated by Redwood Road. There are no physical changes that would impact biological resources.

The existing winery development is not 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). There are no historic resources on the Winery Parcel that are known to have been uncovered during prior ground disturbance associated with the winery building's construction. The project would not eliminate important examples of the major periods of California history or prehistory.

- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to 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 10, 2017. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed water usage would be less than the estimated groundwater recharge rate.
- c. All impacts identified in this Negative Declaration have been found to be less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None required.
