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

Initial Study Checklist
(form updated January 2019)

1. **Project Title**: Harcross Winery and Vineyard, Use Permit #P23-00105-UP, Viewshed Protection Program #P25-00031-VIEW, and Agricultural Erosion Control Plan #P23-00325-ECPA

2. **Property Owner:** Basil & Robin Enan. 1765 Poppy Avenue, Menlo Park, CA 94025**.** Phone: (650) 867-0865 or email: basilenan@gmail.com

3. **County Contact Person, Phone Number and email:** Matt Ringel, Planner III. Planning, Building & Environmental Services, 1195 Third Street, Second Floor. Napa, CA 94559. Phone: 707-299-1351 or email: matthew.ringel@countyofnapa.org

4. **Project Location and Assessor's Parcel Number (APN):** The project is located on an approximately 51-acre parcel located on the north side of Dry Creek Road approximately 1.15 miles west of its intersection with Mount Veeder Road within the AW (Agricultural Watershed) zoning district at 6476 Dry Creek Road, Napa, CA 94574. APN 027-530-006-000. Section 31 Township 7 North Range 5 West, Mt. Diablo Base and Meridian Latitude 38° 24' 33.09" N / Longitude 122° 27' 31.45" W

5. **Project sponsor's name and address:** Marta Marques, Nobili Marques Arquitectura, PO Box 10398, Napa, CA 95581. Phone: (415) 218-6258 or email: marta@nobilimarques.com

6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)

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

8. **Description of Project:** Approval of a Use Permit to allow a new winery with an annual production capacity of 5,000 gallons per year with the following characteristics:
    a. Construction of a new 8,496 sq. ft. winery facility containing 6,477 sq. ft. of production space and 2,019 sq. ft. for accessory uses, including a commercial kitchen;
    b. Removal of 0.5 acres of woodland habitat, and the planting/preservation of 1.5 acres of woodland canopy on the project parcel in conformance with the Viewshed Protection Program and Conservation Regulations;
    c. Excavation of approximately 5,780 cubic yards of spoils associated with the construction of structural pads;
    d. Onsite parking for 4 vehicles;
    e. Up to four (4) full-time employees, one (1) part-time employee;
    f. On-site domestic and process wastewater treatment systems;
    g. Hours of operation seven days a week: production 7:00 AM to 6:00 p.m., visitation 10:00 a.m. to 4:00 p.m. and marketing events 10:00 a.m. to 10:00 p.m. (including cleanup);
    h. Tours and tastings by appointment only for a maximum of 14 visitors per day with a maximum of 98 visitors per week;
    i. Establishing a marketing program, which may include catered events, as follows;
        i. Ten (10) Wine Release/Wine Club Events annually for up to 24 guests;
        ii. One (1) Large Event annually for up to 50 guests (including bus/shuttle transportation for guests);
    j. On-premises consumption of wines produced on-site within the outdoor hospitality areas identified on Sheet UP2.2 and UP6.2 of the Site Plans, prepared by Nobili Marques Arquitectura, dated December 18, 2023, in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004); and
    k. Driveway expansion and construction to meet commercial standards, landscaping, and other improvements associated with wineries.
    l. Approval of an Agricultural Erosion Control Plan for the installation and maintenance of erosion and runoff control measures for the development and subsequent operation of approximately 3-acres of new vineyard (±2.5 net plated acres) with the following characteristics:
        i. Earthmoving and grading activities that include vegetation and tree removal, soil ripping (maximum depth of 48 inches), grading of approximately 500 cubic yards of cut and fill (balanced on-site) for land contouring, rock removal, disking, and the development or erosion control measures.
        ii. Temporary erosion control measures that include cover crop, straw wattles, erosion control blankets, and application

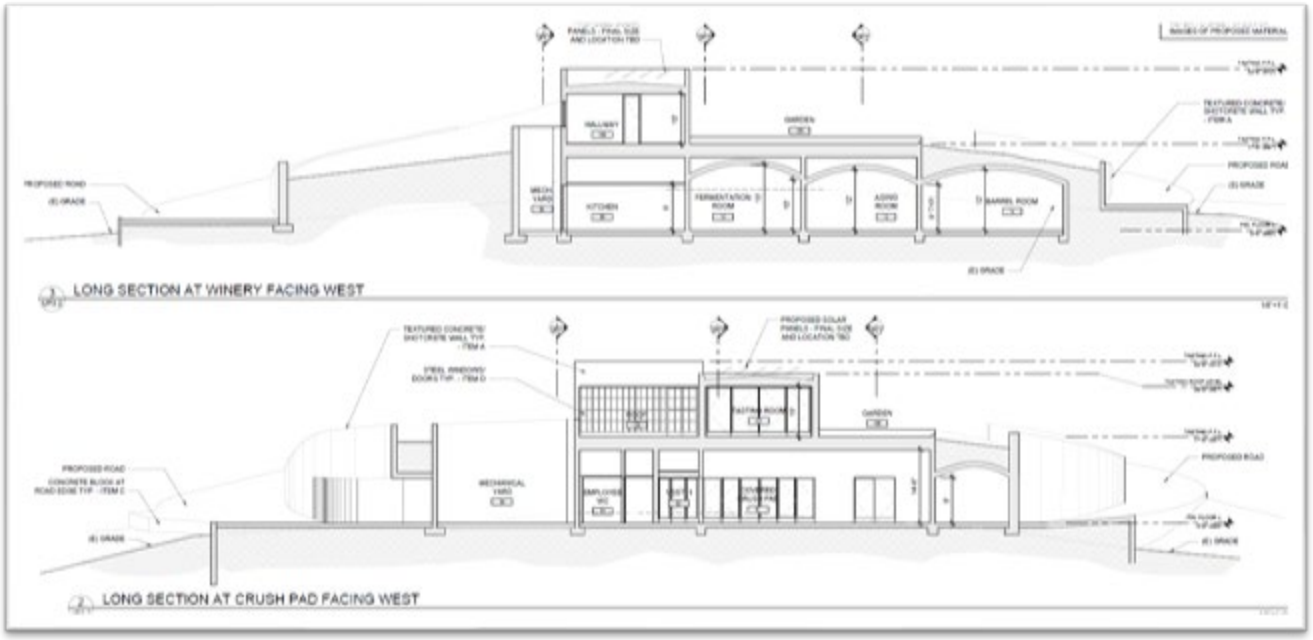
of straw mulch at a rate of 3,000 lbs. per acre.

iii. Permanent erosion and runoff control measures that include cross slope diversion ditches and subsurface drainlines to an existing level spreader, outsloped vineyard avenues, water bars and rolling dips, and establishment of a permanent no-till cover crop maintained at a minimum vegetation cover density of 80%: vineyard avenues will also maintain a minimum cover density of 80%.

iv. Installation of vineyard trellis and irrigation system, and planting rootstock on a 6-foot by 4-foot spacing pattern for a vine density of 1,815 vines per acre: the vineyard irrigation source would be from the existing onsite well.

v. Ongoing operation and maintenance of the vineyard, which includes vine management (pruning, fertilization, and pest and disease control), weed control, cover crop mowing, irrigation and trellis system maintenance, and fruit harvesting. The management regime of the no-till cover crop would consist of mowing and late winter or early springtime strip spraying in an 18-inch-wide strip by contact or systemic herbicides: no pre-emergent spraying would be utilized as part of cover crop management.

The proposed winery facility is stepped into a hillside and consists of one aggregated structure that includes wine production space located on the ground floor and an accessory/hospitality area located on the second floor. The facility includes a looped driveway that circles around the proposed development area. The proposed vineyard is located in the open, non-native grassland area between Dry Creek Road and the existing residence and proposed winery (see Exhibit G attached).



9. **Describe the environmental setting and surrounding land uses.**
Access to the project site is located off of Dry Creek Road, approximately 0.9 of a mile due east of the western boundary of the County of Napa, 1.25 miles west along Dry Creek Road from the intersection of Dry Creek Road and Mount Veeder Road. The project includes one (1) parcel, APN 027-530-006-000, approximately 51.0 acres in size and includes an existing driveway, single-family residence, and a residential workshop. The parcel has two access entry points from Dry Creek Road. The project site's access is shared with the parcel's existing single-family residence that is located on a flat portion of the property that is at approximately 920 feet above mean sea level (amsl). The site's second entry point is located off Dry Creek Fork Road, a road the stems from an earlier portion of Dry Creek Road and leads to the parcel's existing residential workshop that is approximately at 720 feet amsl. The proposed winery site is located on an undeveloped portion of a partially developed hillside with slopes between five (5) and thirty (30) percent slopes. Soil types include Sobrante loam, 5 to 30 percent slopes. According to the Project Biological Resource Survey Report (Kjeldsen Biological Consulting, September 2023) the property contains Semi-Natural annual grassland (or non-native grassland), mixed oak woodland, Doug-fir woodland, California Bay forest/woodlands and developed areas: the project area contains predominately non-native grasslands with oak woodland occurring along the eastern and southern margins of the project.

Land uses in the area are dominated by large lot residential properties, wineries, and vineyards. There are several off-site residences that measure between approximately 810-860 feet from the proposed winery. Land uses that surround the proposed parcel are predominantly large lot residential properties and vineyards.

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

The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms, and the California Department of Fish and Wildlife.

Responsible (R) and Trustee (T) Agencies
United States Fish and Wildlife Service & California Department of Fish and Wildlife

Other Agencies Contacted
None

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

    On December 18, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on January 26, 2024, and declined comment as the project site is not located within their aboriginal territories. On February 1, 2024, the County replied to the Yocha Dehe Wintun Nation and closed the consultation invitation because the Tribe did not request consultation. The County sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley on February 1, 2024, because no request for consultation was received and more than 30 days had elapsed since the County's consultation invitation was provided.

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

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with ECPA #P23-00325-ECPA as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or Current Projects Explorer | Napa County, CA (countyofnapa.org)

- Kjeldsen Biological Consulting, September 2023, Biological Resource Survey, Harcross Winery and Vineyards (**Exhibit A**)
- Kjeldsen Biological Consulting, December 18, 2023, Response Memo Biological Resource Information i, Harcross Winery and Vineyards (**Exhibit B**)
- Forest Ecosystem Management, December 13, 2023, Northern Spotted Owl Assessment for Harcross Winery Project (**Exhibit C)**
- RGH Consultants, December 31, 2019, Geotechnical Study Report, 6204 Dry Creek Road (**Exhibit D)**
- RGH Consultants, January 22, 2024, Addendum to Geotechnical Study Report, 6204 Dry Creek Road (**Exhibit E)**
- O'Conner Environmental Inc., March, 2025, Availability Analysis, 6402 Dry Creek Road (**Exhibit F)**
- Archeological Resource Service, December 8, 2023, Cultural Resource Inventory, 6402 Dry Creek Road (Contents Confidential).
- Applied Civil Engineering Inc., February 8, 2024, Vineyard Development Erosion Control Plan, Harcross Winery (**Exhibit G**).
- Applied Civil Engineering Inc., November 10, 2023, Vineyard Erosion Control Plan Narrative, Harcross Winery Vineyard (**Exhibit H)**
- Applied Civil Engineering Inc., April 14, 2023, Onsite Wastewater Disposal Feasibility Study (**Exhibit I**)
- Applied Civil Engineering Inc., March 2024, Vegetation Canopy Cover Exhibit – 2018 **(Exhibit J)**
- David Steiner, CPESC, CPSWQ, August 24, 2023, Soil Loss Analysis for New Vineyard Proposal (**Exhibit K)**
- David Steiner, CPESC, CPSWQ, June 7, 2023, Hydrologic Analysis for New Vineyard Proposal and January 10, 2024, Addendum to the Hydrologic Analysis (**Exhibit L)**

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a *(SUBSEQUENT)* NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A 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.

Matthew Ringel

Signature

4/02/2025

Date

Name: Matt Ringel
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?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

a/b/c Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the Environmental Setting and Surrounding Land Uses section above, this area is defined by a mix of vineyards and large lot rural residential uses. The project consists of the development of a new 8,496 sq. ft. winery facility and 3-acres of vineyard, and the development of winery and vineyard accessory infrastructure such as driveways, parking, a wastewater system, vineyard trellis system and planting of vines, and the establishment of winery and vineyard operations associated with wine growing, production and hospitality.

The project parcel is not within an area considered a scenic vista, nor would the proposed development preclude views of a scenic vista. The project does not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway. The project also does not substantially degrade the existing visual character or quality or public views of the site from Dry Creek Road. The project is the development of a new winery facility, associated winery infrastructure, and complementary vineyard compliant with the County General Plan and typical of land uses in the surrounding area, which consists of other scattered hillside vineyards and rural residences.

The proposed project is subject to the Napa County Viewshed Protection Program, which requires that 51% or more of the winery structure be screened from view from Dry Creek Road. The proposed project includes the preservation of existing screening vegetation and the planting of additional screening landscaping to achieve 51% screening of the structure from view from Dry Creek Road. As required by the Viewshed Protection Program, the use permit has been conditioned to require that the applicant record a deed restriction to protect existing and new screening vegetation for the perpetuity of the new improvements.

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

Earthmoving activities, erosion control plan installation and maintenance, and vineyard installation would not involve the use or introduction of lighting. Subsequent vineyard operation and maintenance may require seasonal operation of equipment using small downward directional lights during harvest and the application of sulfur for mildew control. The proposed project would include nighttime harvest (from 12:00 am to 6:00 am) occurring up to approximately 5 days per year, and sulfur applications (from 12:00 am to 6:00 am) occurring approximately four to 12 days per year. While some nighttime activities may occur for limited periods, the vineyard would not introduce a new source of substantial light or glare, and the type of nighttime lighting would be consistent with other surrounding vineyard uses. Therefore, the project with incorporation of standard conditions of approval (if approved) would result in a less than significant impacts associated with lighting.

6.3 LIGHTING – PLAN SUBMITTAL

a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed

on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.

b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

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

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

Mitigation Measures: None are required.

II.	**AGRICULTURE AND FOREST RESOURCES.**[1] Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public 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)?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a/b/e As shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, the project site is identified as 'Other Land'. The project proposes to plant approximately 3-acres of vineyard surrounding the proposed winery site,

[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.

which would result in an increase in agricultural land from previously undeveloped use onsite. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize the raising of crops, wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture.

The subject property does not have a Williamson Act contract associated with it. The proposed project does not include the construction of roadways or other infrastructure that would result in the conversion of existing farmland or forestland to non-agricultural or non-forestland uses, and installation of vineyard would result in the increase in farmland in the county. The proposed project would not conflict with existing zoning for agricultural uses. No impacts will occur.

c/d The project site is zoned Agricultural Watershed (AW), which allows wineries, upon the granting of a use permit, and agriculture (i.e. the raising of crops/planting of vines) by right. According to the Napa County Environmental resource maps the project site contains and is surrounded by California Bay, Madrone, Coast Live Oak, and Black Oak Big Leaf Maple woodlands; however, these areas were highly damaged by the 2017 Nuns fire. The project area does not contain forest land or coniferous forest (Kjeldsen Biological Consulting September 2023, and Napa County GIS).

Following the 2017 Nuns Fire, some of the oak trees are recovering while the health of others are declining. Dead fire damaged trees were removed in the vicinity of the project site. Napa County and CalFire has recently created shaded fuel breaks by clearing non-native species of trees and removing lower level canopy cover along Dry Creek Road. The proposed project includes the removal of twenty (20) oak trees, three (3) manzanita/madrone, one (1) fir, one (1) bay, and one (1) pine. Based on the property zoning of Agricultural Watershed (AW) the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code Section 18.108.020. This section requires 70% retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. The proposed project includes the planting of sixty three (63) oak trees, twelve (12) manzanita, and seventeen (17) redwood trees.

NCC Section 18.108.020(C) establishes that a minimum of 70% of vegetation canopy cover that existed on June 16, 2016, shall be maintained. Following the 2017 Nuns Fire, NCC 8.80.130 (Disaster Recovery Ordinance) updated the subject date to June 19, 2018, to account for fire-damaged properties. The vegetation canopy cover subject to the Vegetation Retention Requirements includes the oak woodland and coniferous forest vegetation communities. The applicant submitted a Canopy Retention Analysis, titled "Vegetation Canopy Cover Exhibit – 2018", prepared by Applied Civil Engineering, dated March 2024. As determined by Applied Civil Engineering, the total June 19, 2018, canopy cover was approximately 44 acres. The total acreage of canopy cover considered for removal and conversion to winery development area is calculated at 0.5 acres. As proposed, the project would plant/preserve approximately 1.5 acres, resulting in over 100% retention compared to the 2018 condition. This is in compliance with NCC Section 18.108.020(C). The proposed total canopy cover removal of 0.5-acre would require approximately 1.5-acre of planting or preservation area to comply with 3:1 preservation ratio found in NCC Section 18.108.020(D). "Vegetation Canopy Cover Exhibit – 2018" (Exhibit J) shows one preservation area that totals 1.5-acres (on the north western portion of the parcel), an area of proposed planting between the project site and Dry Creek Road, and two other planting areas. The location of the trees also achieves substantial screening, in conformance with the Viewshed Protection Program.

In addition to the vegetation canopy cover analysis, the oak woodland removal is subject to General Plan Policy CON-24, which requires preservation or replacement of lost oak woodlands at a 2:1 ratio on an acreage basis. Based on the Land Covers figure of the General Plan, the total of oak woodland proposed for removal is 0.5-acre, resulting in a requirement of an approximate 1-acre oak woodland preservation area to be consistent with County policy. The "Vegetation Canopy Cover Exhibit – 2018" exhibit demonstrates that the proposed oak woodland preservation areas with an area greater than 1.5-acre being preserved, and therefore is consistent with Policy CON-24.

Thus, the proposed project does not conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g) nor will the project conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts will occur.

Mitigation Measures: None are required

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

Discussion:

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.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

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

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately 6,477 square feet of floor area dedicated to production uses with 2,019 square feet of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 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 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.

Specific to vineyard development and operations, a review was completed of the emissions analysis associated with vineyard development and operations performed for three certified Environmental Impact Reports (EIR) in Napa County: Suscol Mountain Vineyards for an approximately 560-acre vineyard development, Walt Ranch Vineyard for an approximately 507-acre vineyard development, and Circle-S Ranch Vineyards for an approximately 400-acre vineyard development.

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

Table 3 shows the approximate anticipated construction emissions associated with the development of vineyards of the sizes described above. Also shown in **Table 3** are the BAAQMD CEQA Guidelines draft thresholds of significance for emission of the following criteria pollutants: ROG, NOx, PM10, and PM2.5.

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

Table 3 – Emissions from Vineyard Development and Operation

Emissions and Thresholds	Criteria Pollutants – Constituents			
	ROG	NO_x	$PM_{2.5}$	PM_{10}
	Construction Emissions			
Pounds per day: 150-acre vineyard development[1]	8.43 to 11.39	34.39 to 52.16	3.93 to 4.47	13.93 to14.53
Pounds per day: 150- to 250-acre vineyard development[2]	9.43 to11.03	43.85 to 53.16	3.91 to 4.62	12.87 to 17.22
Pounds per day: 127-acre vineyard development[3, 4]	4.6	42.3	5.21[4]	24.21[4]

Construction threshold	54	54	54	82
	Operational Emissions			
Pounds per day: 400-acre vineyard operation[1]	7.78	2.85	0.80	4.22
Pounds per day: 560-acre vineyard operation[2]	6.58	1.84	0.75	3.91
Pounds per day: 507-acre vineyard operation[3]	4.3	22.3	1.4	2.3
Operational threshold (lbs./day)	54	54	54	82
Tons per year (Metric)[1,5]	0.78	0.35	0.11	0.58
Operational threshold (tons per year)	10	10	10	15

[1] As identified in Circle-S EIR; [2] As identified in Suscol Mountain EIR; [3] As identified in Walt Ranch EIR; [4] Includes dust and exhaust emissions; [5] Calculation based on 365 days of operation. Project emissions are anticipated to be less than identified as vineyard operations are seasonal in nature.
Sources: Circle-S Ranch Vineyard EIR 2011; Suscol Mountain Vineyard EIR 2013; Walt Ranch Vineyard EIR 2016; BAAQMD CEQA Guidelines May 2017.

Since this project's proposed approximate 3-acre vineyard is significantly smaller than any of the projects presented above, construction and operational emissions from the proposed vineyard development project that could negatively affect air quality are expected to be less that those identified in **Table 3,** and therefore below identified thresholds. Additionally, project approval, if granted, would be subject to the standard Air Quality condition (7.1 Site Improvements, Section C. Air Quality) described below, which includes standard air quality and construction best management practices (BMPs) consistent with BAAQMD measures identified in Table 8-1 of the CEQA Guidelines that would further reduce potential air quality impacts associated with construction and ongoing operation of the proposed project. These BMPs would be incorporated into the proposed project, should the proposed project be approved. Therefore, implementation and operation of the proposed vineyard project would result in less than significant air quality impacts, and it would not conflict with or obstruct implementation of an air quality plan or result in cumulatively considerable effects.

c/d. Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project parcel include rural residential and agriculture (primarily vineyard). The closest schools (Dunbar Elementary School and Woodland Star Charter School) are located approximately 3.9 linear miles to the west of the project site in Glen Ellen (Google Earth). The closest residences are located over 800 feet to the east and west the project area. The closest residential area (the Town Yountville) is over 4 miles east of the project area.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. These sources would generally be temporary and/or seasonal in nature and would occur at least 5 miles from the closest school and 4 miles from the nearest residential community, providing dilution of pollutants and odors. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant: Additionally, for the reasons identified above, the proposed project will not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less than significant impact.

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*

8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website http://www.arb.ca.gov/portable/portable.htm.

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

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

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The nearest residence to the proposed new winery building is approximately 810 feet to the northeast. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are required.

IV.	**BIOLOGICAL RESOURCES.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

a/b. The project consists of the development of a new 8,496 sq. ft. winery facility containing 6,477 sq. ft. of production space and 2,019 sq. ft. for accessory uses, the expansion of existing private driveway to commercial standards, construction of a looped driveway around the proposed winery site, development of 3.0 acres of vineyard ±2.5 planted acres), development of 4 parking spots, the removal of approximately 3-acres of non-native grassland, the removal of ±0.5 acres of woodland habitat, and the preservation of 1.5 acres of woodland canopy. As described in the Environmental Setting description, the proposed winery and vineyard site is predominately located on an undeveloped portion of a partially developed hillside parcel containing non-native grassland with slopes between five (5) and thirty (30) percent slopes. According to the project Biological Resources Survey Report (Kjeldsen Biological Consulting, September 2023) the property contains Semi-Natural annual grassland (or non-native grassland), mixed oak woodland Doug-fir woodland, California Bay forest/woodlands and developed areas: the project area contains predominately non-native grasslands with oak woodland occurring along the eastern and southern margins of the project area.

In the early spring of 2023, CalFire conducted a fire mitigation project on Dry Creek Road and created a shaded fuel break along the length of the project parcel's frontage to Dry Creek Road. The shaded fuel break removed non-native plant species and trimmed existing vegetation to an approximate height of 6-feet.

Based upon a review of the resources databases listed in the project's Biological Resource Survey (Kjeldsen Biological Consulting September 2023), 35 special-status plant species have been documented in the vicinity of the project site. Seasonal protocol-level surveys were conducted for special status plants March through July 2020, April through July 2021, April through July 2022, and May, June and August 2023. Of these species none were identified as having the potential to occur within the project area, with the Project Biologists concluding that, the absence of serpentinite, wetlands including vernal pools and historic use of the property all contribute to the absence of special-status species of plants within or associated within the project area. The project biologist did acknowledge one special-status plant species recorded by the CDFW CNDDB near the property (Napa False Indigo) located approximately 0.5-miles west of the project site; however, finding no evidence for the presence of this species during their surveys on the project site and property. Furthermore, none of the special-status plant species were observed during the three years of plant surveys conducted on the property and project site, as such these species were determined not to be present in the study or project area. For these reasons potential impacts to special-status plant species would be less than significant.

The GIS CNDDB Owl Habitat layer, shows the potential for owl habitat to occur on the subject parcel. The general attributes of Northern Spotted Owl (NSO) habitat include dense, multi-layered canopy of several tree species of varying size and ages with open spaces among the lower branches to allow flight under the canopy. NSO habitat also tends to include abundant logs, snags/cavity trees with broken tops or platform-like substrates. Forest Ecosystem Management prepared Northern Spotted Owl Assessments for Harcross Winery Project dated April 17, 2022 (Appendix C of the project's Biological Resource Survey, Kjeldsen Biological Consulting September 2023), and December 13, 2023 Exhibit B). The NOS Assessments included six surveys a year from 2020 through 2023 for a total of 24 separate surveys. To meet the objectives for a protocol level surveys, 2-year surveys with 6 complete visits per year are required to determine the presence or absence of spotted owls [U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012]. The Forest Ecosystem Management assessment concluded that the project area does not have suitable Northern Spotted Owl habitat due to topography and vegetation type, grassy opening with a lack of trees, citing that in the interior region of the NSO range (as seen in Napa County) there appears to be a preference for well-shaded habitat in narrow, steep-sided canyons with north or east-facing slopes to assist in thermoregulatory needs, which the project site does not exhibit. In addition, the surrounding landscape was impacted by the 2017 Nuns Wildfire, and the impacts from the recent large-scale wildfires (2017 Napa Fire Complex, 2018 Steele Fire, 2020 LNU Lighting Complex, and 2020 Glass Fires, and etc.) on Northern Spotted Owl nesting and movement are not known. While the project site does not support suitable nesting or foraging habitat, there is suitable Northern Spotted Owl habitat within ¼ mile of the project site and two known Northern Spotted Owl territories occur within ½ mile of the Parcel, and the project NSO Assessment has shown potential presence of NSO in the area.

Since a portion of the project would remove trees along the forest edge located at the southern and eastern project margins, activities that do not modify spotted owl habitat but will result in potential disturbance to spotted owls represent a potentially significant indirect impact to NSO. Forest Ecosystem Management recommends that disturbance-only Northern Spotted Owl protocol surveys are met before tree removal for this project and seasonal restrictions be applied to prevent disturbance to nesting owls to protect NSO. Mitigation measure **BIO-1** requires preconstruction NSO survey, to occur prior to the removal of trees.

Specific to migratory birds and raptors, while the Biological Resource Survey did not identify suitable habitat for special-status bird species in the project area, they have the potential to nest within the woodlands adjacent to the project area. Tree removal along the southern and eastern periphery of the project site and the temporary and intermittent increases in noise levels due to project construction may cause nest abandonment and death of young or loss of reproductive potential at active nests located near project activities, resulting in potentially significant indirect and cumulative impacts to special-status bird species. Implementation of Mitigation measure **BIO-2** will require preconstruction surveys for nesting birds to reduce this impact to less than significant level.

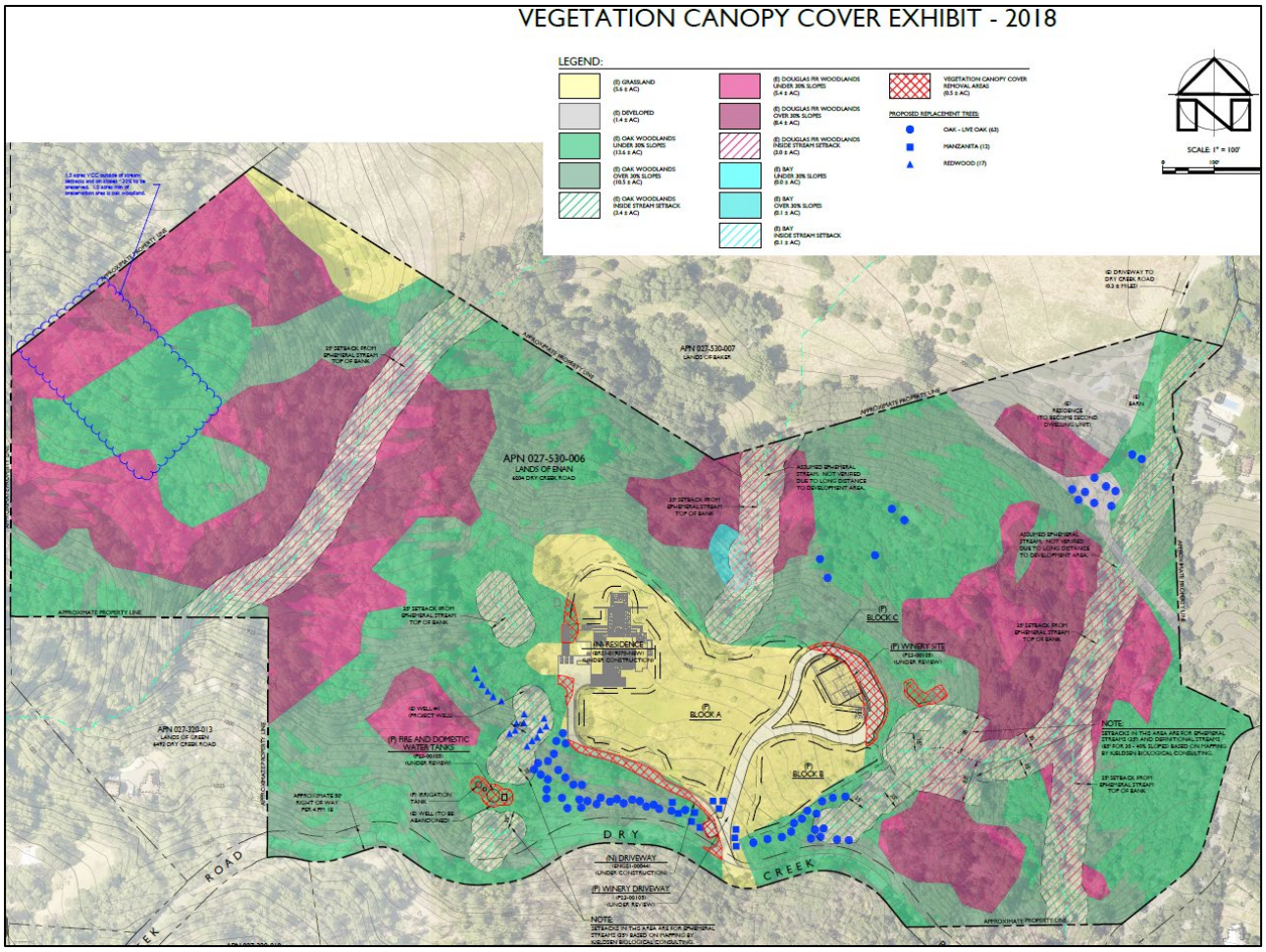
Kjeldsen Biological Consulting's Biological Resource Survey disclosed that the Foothill Yellow-legged Frog (Rana boylii), a species of Special Concern (SSC) have been known to occur in the area approximately a mile to the east and west of the project site. The analysis found that habitat for this species is not present on the property or within the project site. Therefore, there would be no impacts on Foothill Yellow-legged Frog or its habitat.

c. The National Wetlands Inventory identifies Dry Creek as a Riverine Wetland and is located approximately 0.19-miles away from the proposed project site at its closest point. There are no other identified state or federally protected wetlands located within or adjacent to the project. The project would not have a substantial adverse effect on Dry Creek. No development is proposed adjacent to Dry Creek which would potentially remove, fill, or interrupt the river hydrologically. The proposed project includes stormwater and sediment control measures to deter sediment from exiting the parcel and subsequently into Dry Creek.

Coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm water Pollution Prevention Plan (SWPPP) may be required. Adherence to the design criteria of these policies and Napa County's Grading Regulations will ensure all work in will include extensive erosion control measures in order to avoid erosion and the potential for transport of sediments to Dry Creek.

d. The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. Kjeldsen Biological Consulting's Biological Resource Survey analyzed the proposed project's potential impact to wildlife corridors and habitat fragmentation. The report concluded that there is no identifiable wildlife corridors associated the project stie, concluding that the proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Further, proposed wildlife exclusion fending is generally limited to the periphery of the project area and previously developed areas of the property. Therefore, the proposed project would result in a less than significant impact on wildlife movement.

e. Based on the property zoning of Agricultural Watershed (AW) the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code Section 18.108.020. This section requires 70% retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. Due to impacts from the fires in 2017, the vegetation canopy cover analysis shall be as configured on the parcel existing on June 19, 2018, pursuant to NCC Chapter 8.80.130, Conservation Regulations for Fire Damaged Properties.



(Vegetation Canopy Cover Exhibit - 2018, Applied Civil Engineering, March 2024)

The vegetation canopy cover subject to NCC 18.108.020 includes the oak woodland and coniferous forest vegetation communities. The applicant submitted a Canopy Retention Analysis, prepared by Applied Civil Engineering, dated March 2024. As determined by Applied Civil Engineering, the total June 19, 2018, canopy cover was approximately 44 acres. The total acreage of canopy cover considered for removal and conversion to winery development area is calculated at 0.5 acres. As proposed, the project would plant/preserve approximately 1.5 acres, resulting in over 100% retention compared to the 2018 condition. This is compliant with NCC Section 18.108.020(C). The proposed total canopy cover removal of 0.5-acre would require approximately 1.5-acre of planting or preservation area to comply with 3:1 preservation ratio found in NCC Section 18.108.020(D). Civil improvement plans show one preservation area that totals 1.5-acres (on the north western portion of the parcel), an area of proposed planting between the project site and Dry Creek Road, and two other planting areas. The location of the trees also achieves substantial screening, in conformance with the Viewshed Protection Program.

In addition to the vegetation canopy cover analysis, the oak woodland removal is subject to General Plan Policy CON-24, which requires preservation or replacement of lost oak woodlands at a 2:1 ratio on an acreage basis. Based on the Land Covers figure of the General Plan, the total of oak woodland proposed for removal is 0.5-acre, resulting in a requirement of an approximate 1-acre oak woodland preservation area to be consistent with County policy. The "Vegetation Canopy Cover Exhibit – 2018" exhibit demonstrates that the proposed oak woodland preservation areas with an area of 1.5-acre being preserved, and therefore is consistent with Policy CON-24.

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

6.15 VEGETATION CANOPY COVER PRESERVATION

1. A Vegetation Canopy Cover Preservation Area totaling 1.5 acres of vegetation canopy cover consistent with Sheet C1.1, Harcross Winery Vegetation Canopy Cover Exhibit - 2018, shall be designated as such in a deed restriction or open space easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise

restricted by the existing goals and policies of Napa County. The Owner/Permittee shall record the deed restriction or open space easement prior to earthmoving or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the oak woodland and Douglas fir forest being impacted as a result of the proposed project, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project property and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation of forest within the project property, protects special-status species; and the preservation area should not include portions of the property already subject to development restrictions (i.e., within creek setbacks or on slopes over 50%). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.

2. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the project site (typically within approximately 50-feet of the project site). The precise locations of said fences shall be shown on grading and/or building permit plans and approved and inspected by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of project construction.
3. The Owner/Permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the project area.
4. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P23-00105, P23-00325, or P25-00031 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before final inspection of the building permit. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to final inspection of the building permit. Grading will be subject to the County's "Winter Shutdown Period", consistent with Napa County Code Section 18.108.070 and standard grading deadlines. The proposed project is not located within a sensitive domestic watershed.

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

Mitigation Measures:

Mitigation measure **BIO-1:** Minimize potential indirect impacts to Northern Spotted Owls

a. Prior to the commencement of vegetation removal and earth-moving activities associated with the project the owner/permittee shall conduct a pre-construction survey for Norther Spotted Owls. The survey shall be prepared by a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur in the vicinity of the project site) within suitable habitat located within 0.25-miles of project activities. The preconstruction survey shall follow the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, in accordance with Section 9 (Surveys for Disturbance-Only Projects) of the survey protocol.

b. The preconstruction survey shall be conducted no earlier than 14 days prior to when vegetation removal and ground disturbing activities are to commence and shall be provided to the Napa County Planning, Building, and Environmental Services (PBES) Department's Planning Division and the CDFW for review prior to commencement of work. Any recommendations provided by CDFW, including but not limited to establishment of no disturbance buffers, seasonal restrictions on heavy equipment use and operations, or subsequent surveys shall be implemented in accordance with CDFW recommendations.

Mitigation measure **BIO-2:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.

d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits and the ECPA with survey recommendations be implemented in conjunction with all construction activities.

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?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Discussion:

a/b. On December 18, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on January 26, 2024, and declined comment as the project site is not located within their aboriginal territories. On February 1, 2024, the County replied to the Yocha Dehe Wintun Nation and closed the consultation invitation because the Tribe did not request consultation. The County sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley on February 1, 2024, because no request for consultation was received and more than 30 days had elapsed since the County's consultation invitation was provided.

Archaeological Resource Service was contracted by the applicant to provide a Cultural Resource Study for project parcel. A cultural resource study of the property was completed in March of 2023. The study was conducted to determine the presence or absence of historical or archaeological resources, and potential impacts, if any, as a result of the proposed project. According to the study, no historical resources were observed on the site and the property contains no archaeological remains. The report concluded that no further study or specific recommendations are required. However, if any previous undiscovered resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project:

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.

c. No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply. Impacts would be less than significant.

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

Discussion:

a. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers' commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar agricultural construction sites within Napa County.

The proposed project would comply with Title 24 energy use requirements, and once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant

b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

VII.	**GEOLOGY AND SOILS.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☒	☐

b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil 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.	☐	☐	☒	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion:

a. i) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map, and the Project's Engineering Geologist and Geotechnical Engineer did not identify or observe landforms within the area that would indicate the presence of active faults and the site is not within a current Alquist-Priolo Earthquake Fault Zone (RGH Consultants, December 2019 – Exhibit D). As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.

ii) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level. The vineyard development would not include the construction of enclosed areas where people could congregate, which would also result in a less than significant impact.

iii) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The project site is identified as having a very low liquefaction potential according to the Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts. As noted above the vineyard development would not include enclosed areas that would be affected by ground failure resulting in a less than significant impact.

iv) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) and the Project Geotechnical Study Report the site is located with an ancient landslide deposit; however, there is no evidence of active landslides on the subject site with the Project's Engineering Geologist and Geotechnical Engineer concluding based on their observations of the landslide deposits, site bedrock, and subsurface moisture conditions, that the landslide event responsible for the deposit is ancient and no longer active (RGH Consultants, December 2019 – Exhibit D).

b. The total proposed grading for creation of the site's driveway and building pads is estimated at approximately 5,780 cubic yards. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards (RSS), Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.

Specific to the vineyard, soil loss calculations were prepared by David Steiner (CPESC/CPSWQ) for Applied Civil Engineering (Exhibit K) using the Universal Soil Loss Equation (USLE) in order to evaluate potential effects of erosion as a result of the vineyard conversion as compared to existing conditions[2]. Based on the USLE modeling calculations, the proposed vineyard conversion is anticipated to reduce soil loss, or surface erosion, within the project site as compared to existing conditions. Under existing conditions, the annual soil loss is anticipated to average 24.82 tons per year across the development area depending on soil type, slope length, and gradient, under proposed project conditions, annual soil loss is anticipated to average 6.44 tons per year, or a reduction of approximately 18.4 tons per year (or ±74%) as compared to existing conditions. Grading associated with vineyard development consists of approximately 500 cubic

[2] The project USLE Analysis was determined to be technically adequate by the County Engineering Division March 10, 2025.

yards of cut and fill (balanced on-site) for land contouring, smoothing and rock removal which would not affect the soil loss calculations.

Other proposed erosion control features that are anticipated to further reduce potential soil loss as a result of vineyard development, including soil loss experienced during vineyard and cover crop development and establishment, consist of installation of sediment barriers (i.e. fiber rolls, straw wattles), erosion control blankets, water bars/rolling dips, and straw mulching. For these reasons the proposed vineyard conversion, with incorporation of specified erosion control measures would not increase soil erosion and the loss of topsoil as compared to existing conditions, maximizing the potential for containment of detached soil particles to the project site, resulting in no impact with regard to soil erosion, soil loss, and sedimentation associated with the vineyard.

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

Erosion and Runoff Control (i.e., Hydromodification) Installation and Operation – ECPA Conditions of Approval:
The following conditions shall be incorporated by referenced into Erosion Control Plan #P23-00325-ECPA pursuant to NCC Chapter 18.108 (Conservation Regulations):

- Permanent Erosion and Runoff Control Measures: Pursuant to NCC Section 18.108.070(L) installation of runoff and sediment attenuation devices and hydromodification facilities including, but not limited to, cross slope diversion ditches and subsurface drainlines, outsloped vineyard avenues, and establishment of a permanent no-till cover crop maintained at a minimum vegetation cover density of 80%, shall be installed no later than October 15th during the same year that initial vineyard development occurs. This requirement shall be clearly stated on the final Erosion Control Plan. Additionally, pursuant to NCC Section 18.108.135 "Oversight and Operation" the qualified professional that has prepared this erosion control plan (#P23-00325-ECPA) shall oversee its implementation throughout the duration of the proposed project, and that installation of erosion control measures, sediment retention devices, and hydromodification facilities specified for the vineyard have been installed and are functioning correctly. Prior to the first winter rains after construction begins, and each year thereafter until the proposed project has received a final inspection from the county or its agent and been found complete, the qualified professional shall inspect the site and certify in writing to the planning director, through an inspection report or formal letter of completion verifying that all of the erosion control measures, sediment retention devices, and hydromodification facilities required at that stage of development have been installed in conformance with the plan and related specifications, and are functioning correctly.
- Cover Crop Management/Practice: The permanent vineyard cover crop shall not be tilled (i.e., shall be managed as a no-till cover crop) for the life of the vineyard and the owner/permittee shall maintain a plant residue density of 80%, including vineyard avenues. The cover crop may be strip sprayed, with a strip no wider than 18 inches wide at the base of vines with post-emergent herbicides: no pre-emergent sprays shall be used. Should the permanent no till cover crop need to be replanted/renewed during the life of the vineyard, cover crop renewal efforts shall follow the County "Protocol for Replanting/Renewal of Approved Non-Tilled Vineyard Cover Crops" July 19, 2004, or as amended.

c/d. According to the Napa County Environmental Resource Maps (based on the following layers – Geology, Surficial deposits, Soil Types, Geologic Units), the project site includes Sobrante loam, (5 to 30 percent slopes). No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Building improvements will be constructed in compliance with the latest edition of the California Building Code. Regarding the proposed vineyard the ECPA identifies the soil types in the area and addresses any potential soil instability, and expansive soils pose little risk to vineyards and related infrastructure, furthermore the project geologist has reviewed the ECPA and indicated that the proposed vineyard would not reduce the stability of the slopes within the vineyard (RGH Consultants, January 22, 2024 – Exhibit E) The project is not proposed on any unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.

e. A Wastewater Feasibility Study, dated April 14, 2023, was prepared by Applied Civil Engineering, which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The proposed vineyard does not require the development of septic tanks or alternative wastewater disposal systems.

The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged, resulting in a less than significant impact.

f. No paleontological resources or unique geological features have been identified on the property in the project area. Structural and site development is comprised of Sobrante loam (5 to 30 percent slopes) deposits a common geology in Napa. The project is unlikely to encounter paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are required.

VIII.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	☐	☐	☒	☐
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)[3]. 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

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

provide the most generous estimate of potential emissions. As such, the County considers that the anticipated potential emissions resulting from the proposed project that are disclosed in this Initial Study reasonably reflect proposed conditions and therefore are considered appropriate and adequate for project impact assessment.

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact. The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

a/b. Overall increases in 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 the 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 (CO_2), methane, ozone, and the fluorocarbons, which contribute to climate change. CO_2 is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include the construction of approximately 6,477 sq. ft. winery production space, 2,019 sq. ft. of accessory space, water tanks, driveways, landscaping, 3 acres of vineyard and other winery related improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

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

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

Specifically for buildings, the project must not:

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

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

Specifically for transportation, the project must:

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

The project will be required to comply with the recently adopted version of CALGreen Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code.

As discussed above and in section XVII. Transportation, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study or VMT analysis.

The applicant proposes implementing some GHG reduction strategies through a VMT reduction plan which includes bus/shuttle transportation for large marketing events. The applicant intends to implement further GHG reduction strategies. These include exceeding Title 24 energy efficiency standards with new construction, the installation of water efficient fixtures; designing new construction to achieve low-impact development; use of efficient lighting; installation of water efficient landscaping; re-use of water for irrigation; passive solar site selection/orientation; and installation of a green living roof.

The proposed tree removal is subject to GHG analysis, as the proposed total tree removal would result in loss of carbon sequestration. Tree removal associated with the project includes 0.5 acre at the proposed winery access driveway. Emissions resulting from the tree removal is offset by the permanent preservation of minimum 1:1 by acreage ratio of similar woodland on developable land (i.e., <30% slopes, outside of setbacks). To be consistent with the State's long-term climate goals of being carbon neutral by 2045, the project includes a permanent preservation area of 1.5-acres of oak woodland and coniferous forest on otherwise developable land, preserving carbon sequestering trees through deed restriction or other means of permanent protection. As discussed in Section IV. Biological Resources, a condition of approval has been added to ensure compliance with these preservation ratios. Based on the proposed design and required conditions of approval, the loss in carbon sequestration from the proposed removal of trees would be offset by permanently protecting the equivalent amount or more of carbon sequestering trees on developable land from future development as would be removed by the project.

With respect to the vineyard conversion, almost the entirety of the vineyard site is composed of non-native or ruderal grassland (Kjeldsen Biological Consulting September and December 2023): one tree is identified to be removed for vineyard development. Based on data within the Regional Carbon Stock Inventory Report for Napa County (August 2023), grasslands (in particular non-native or ruderal grasslands) may have a negative sequestration value, while cultivated lands (such as vineyard) may have a positive sequestration value. Given that the potential loss in sequestration of non-native grassland would be at a minimum offset by the vineyard, that includes a cover crop component, impacts associated with the loss of sequestration would be less than significant. Further, as described above the permanent preservation of 1.5-acres of oak woodland, coniferous forest, and associated vegetation cover canopy would further offset potential GHG impacts to a less than significant level.

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

Mitigation Measures: None are required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	☐	☐	☒	☐

Discussion:

a/b. During construction of the proposed winery and vineyard a variety of equipment and vehicles that use fuel and other petroleum-based products such as oil and transmission fluids, and other materials such as paints and stains, which are considered hazardous materials, would be used on-site. Ongoing winery and vineyard operations would also involve the transport and use of chemicals such as herbicides, mildewcides, pesticides and fertilizers to the site that are considered hazardous materials The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery and vineyard development and operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. Specific to vineyard operations a listing of fertilizers and other agricultural chemicals, application methods, application amounts, number of annual applications, and annual amounts of chemicals that are anticipated to be utilized for ongoing vineyard maintenance and operation of the proposed vineyard is provided within Supplemental Project Information forms on file at the Planning Department. There is no on-site chemical storage facility proposed for the vineyard: chemical will be brought to the site as need by the vineyard manager.

In the event that the proposed uses or future uses involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less than significant impact.

c. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the operations of a new winery and complementary vineyard (±3-acres) that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.

d. There are no schools located within one-quarter mile from the proposed winery buildings. The closest schools (Dunbar Elementary School and Woodland Star Charter School) are located approximately 3.9 linear miles to the west of the project site in Glen Ellen (Google Earth). No impacts would occur.

e. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA

National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

f. No impact would occur as the project site is not located within an airport land use plan: the closest airport to the subject parcel is the Angwin Airport located over 10-miles to the north.

g. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, or obstruct emergency vehicle access and impacts would be less than significant.

h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed driveway improvements would provide adequate access to Dry Creek Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. The risk of fire in vineyards is low due to limited amount of fuel, combustibles, and ignition sources that are present. Vineyards are irrigated and cover crops are typically mowed in May and August, thereby reducing the fuel loads within the vineyard. The removal of vegetation and the management of vineyard results in an overall reduction of fuel loads within the project site as compared with existing conditions. Impacts would be less than significant.

Mitigation Measures: None are required.

X. **HYDROLOGY AND WATER QUALITY.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
i) result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion:

The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to

document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. 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. The project well is located outside GSA Subbasin.

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's Water Availability Analysis Guidance Document- May 2015 (WAA) requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams."[4]

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. As discussed in Section VII. Geology and Soils an Onsite Wastewater Disposal Feasibility Study, dated April 14, 2023, was prepared by Applied Civil Engineering, details the proposed wastewater system to accommodate the proposed wine production, number of employees, and visitation program. Applied Civil Engineering's study details that up to two acres of the proposed vineyards will be irrigated using treated winery process wastewater. All application of treated winery process wastewater must comply with the requirements of the Napa County Process Wastewater Guidelines for Surface Drip Irrigation. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditions that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Impacts would be less than significant. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

b. A Water Availability Analysis was prepared by O'Connor Environmental, Inc. (OEI), dated March, 2025 was prepared by OEI. As directed by the County's Water Availability Analysis Guidance Document of May 2015 (WAA), the report includes a Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis, a Tier 2 well interference analysis, and a Tier 3 surface water interference analysis.

   Tier 1: The Tier 1 analysis considered existing use onsite to include the existing single-family residence, residential pool, and vineyard irrigation. The existing groundwater usage is estimated at 1.85 af/yr. The proposed new project would increase groundwater use by 1.72 af/yr resulting in an overall water usage of 3.57 af/yr (totaled using unrounded numbers).

Source of Demand	Existing (acre-ft.)	Proposed (acre-ft.)	Difference (acre-ft.)
Primary Residence	1	1	0
Potential Future Accessory	0.75	0.75	0

[4] 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.

Dwelling Unit			
Residential Pool	0.1	0.1	0
Vineyard	0	1.5	1.5
Process Water	0	0.11	0.11
Domestic & Landscaping	0	0	0
Employees	0	0.06	0.06
Tasting Room Visitation	0	0.05	0.05
Events and Marketing, with onsite catering	0	0.01	0.01
Total	**1.85**	**3.57 (Totaled using unrounded values)**	**+1.72 (Totaled using unrounded values)**

Due to the parcel location outside of the GSA boundary, a parcel specific recharge calculation was prepared. The groundwater recharge was estimated by reviewing the soil properties and geological materials present and their ability to percolate groundwater to the saturated zone of the aquifer. Calculation of evapotranspiration using local climate data along with soil moisture storage and precipitation is believed to provide a more accurate representation of local conditions; evapotranspiration is the largest component of the water balance. The analysis used the PRISM data aggregated from a 10-year average for precipitation in Napa County between water year 2011-12 and water year 2020-21. The project WAA provided a "Maximum Estimate" and a "Conservative Estimate" for the parcel size reflecting the potential range of average annual groundwater recharge considering site specific hydrogeologic factors. According to the analysis, considering the uncertainty associated with subsurface conditions, two parcel specific recharge values have been calculated, the Maximum (25.4 acre-feet per year) and the Conservative (11.4 acre-feet per year) estimates for parcel recharge. Total proposed groundwater demand is 3.57 acre-feet per year, equivalent to 14% of the maximum and 31% of the conservative estimated annual groundwater recharge values adjusted for parcel area. The proposed water use would not impact groundwater availability.

Tier 2: Pursuant to County's WAA, a Tier 2 analysis is required when a neighboring off-site well is located within 500 feet of the project well or the well is located within 1,500 feet from a spring. The project well is located at a greater distance than either requirement; therefore, meets the County's Tier 2 requirements.

Tier 3: A Tier 3 review is the County's adopted method for complying with its duties under the Doctrine. As discussed herein, the existing project will comply with the WAA guidance document. Per the County's WAA, a Tier 3 analysis was performed to evaluate potential groundwater to surface water interaction. The project well is approximately 1,300 feet from Dry Creek, which traverses the north of the subject property. Dry Creek is a designated Significant Stream. According to the O'Connor Report, the surface seal for the project well is 52 feet deep and the uppermost perforations are at a depth of 78 feet. Napa County's Tier 3 guidelines reference that the minimum depth of the well surface seal should be 50 feet and the depth of the uppermost well perforations should be 100 feet. O'Connor analyzes this difference and concludes that the deviation from the guidelines for depth of the uppermost perforations (78 feet versus 100 feet) has no significance with respect to groundwater-surface water interaction and potential streamflow depletion because the well is situated on a hillside above Dry Creek and the entire depth of the completed well lies approximately 100 feet above the channel bed of Dry Creek. O'Connor draws their conclusion due to site specific characteristics: "Though the depth of perforations is shallower than recommended, the entirety of the perforated interval of the well lies below a surficial landslide deposit that likely comprises an aquitard interfacing with Dry Creek." Furthermore, O'Connor states that Figure 2 within the WAA "indicates that a strip of Quaternary alluvial deposits (map unit Qal) lies on the narrow valley floor of Dry Creek suggesting that Dry Creek would likely interact with alluvial deposits of Dry Creek. The landslide deposit appears to underlie the Qal based on the geologic log of Well 18, the only well record available within the Qal deposit (Figure 2 and Appendix A [of the WAA]). The Well Completion Report documents that the upper 40ft of the Qal is Clay and that the perforations begin at a depth of 82ft. This information indicates that the project well aquifer underlying Dry Creek is vertically separated from the stream bed of Dry Creek by the clay-rich landslide deposits that are expected to behave as an aquitard that would have very limited potential to exchange groundwater with surface water in Dry Creek." Additionally, the effective pumping rate and actual pumping rate of the project well is consistent with the "Very low capacity pumping rate" category of wells (defined by Napa County to be less than 10 gallons per minute), and because the project well is more than 500 feet from the stream of concern. To verify that the proposed project continues to meet the "Very low capacity pumping rate", condition of approval 4.20(c) has been implemented to require a flow restrictor be installed on the well head, before the winery building obtains final occupancy. The proposed project conforms to Napa County's WAA Tier 3 guidelines. Due to these factors, the project well presumptively meets Napa County's Tier 3 WAA guidelines for groundwater-surface water interaction. County has satisfied its duty to consider impacts to trust resources and no further analysis is required.

c/d. The project site is not located within a Federal Emergency Management Agency (FEMA) 100-year flood zone, in a dam or levee failure inundation area, or in an area subject to seiche or tsunami (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan - Safety Element. pg. 10-20. All proposed work would take place on relatively flat areas of prior disturbance or in areas that are predominately grassland. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy

CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. Specific to the vineyard conversion component a Hydrologic Analysis was prepared by David Steiner for Applied Civil Engineering (Exhibit G)[5]. The Hydrologic Analysis utilized the TR-55 model and concluded that that there would be a minor reduction in runoff as compared to existing conditions as follows: 2-year, 24-hour storm, Pre-project peak flow 1.09 cfs[6], Post-project 0.95 cfs; 10-year, 24-hour storm, Pre-project peak flow 1.97 cfs, Post-project 1.81 cfs; 50-year, 24-hour storm, Pre-project peak flow 2.87 cfs, Post-project 2.52 cfs; 100-year, 24-hour storm, Pre-project peak flow 3.26 cfs, Post-project 3.09 cfs. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

e. As discussed above, the parcel specific groundwater recharge analysis estimated a Maximum (25.4 acre-feet per year) and Conservative (11.4 acre-feet per year) estimates for parcel recharge potential. Both values exceed the estimated groundwater use of 3.57 af/yr. Although the operational changes would increase water use, the levels are below the expected recharge rate. The project would not result in an impact to water use and would therefore comply with the GSP.

Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. As discussed above and in Section VII (Geology and Soils), the proposed vineyard ECP has been designed with site-specific temporary and permanent erosion and runoff control measures and features to prevent sediment, runoff, and pollutants from leaving the project area. As such, the vineyard development is anticipated to reduce soil loss and sedimentation, slightly reduce runoff rates, and maintain project site drainage characteristics as compared to existing conditions. The winery SWPPP and vineyard ECP include BMPs that are consistent with NCC Section 18.108.080(c), as well as with Regional Water Board guidance from the Storm Water Best Management Practice Handbooks for Construction and for New Development and Redevelopment, and the Erosion and Sediment Control Field Manual. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

a/b. The project would not occur within an established community, nor would it result in the division of an established community: the closest residential area is the Town Yountville located over 4 miles east of the project area. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa

[5] The project Hydrologic Analysis was determined to be technically adequate by the County Engineering Division April 12, 2024.
[6] Cubic feet per second.

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.

Other goals and policies the project would be consistent with (including the installation of vineyard and associated ECPA) include: Policy CON-13, which requires discretionary projects to consider and avoid impacts to fisheries, wildlife habitat, and special-status species; Policy CON-16, which requires discretionary projects prepare an evaluation of biological resources. A Biological Resources Reconnaissance Survey Report was prepared for the proposed project; and Policy AG/LU-20 in that the project is consistent with the site's General Plan land use designation of AWOS.

Mitigation Measures: None are required

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

Discussion:

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

Mitigation Measures: None are required.

XIII.	**NOISE.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

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?	☐	☐	☐	☒

Discussion:

a/b. The project would result in a temporary increase in noise levels during grading and construction activities for the proposed winery tasting room and production space, and ECPA/Vineyard installation. Several different types of equipment would be necessary for implementation and operation of the proposed project, including a bulldozer, excavator, dump truck, trencher, backhoe, and small trucks. **Table 10** characterizes typical equipment noise levels at a reference distance of 50 feet. As identified in **Table 10**, equipment used for agricultural development could produce a maximum of 89 (A-weighted decibels) dBA at a distance of 50 feet.

Table 10 – Construction Equipment Noise Emission Levels

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

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

Table 11 characterizes the typical reduction in construction equipment noise levels as the distance increases from the source, based on a source noise level of 90 dBA.

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

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

[1] Based on a source noise level of 90 dBA
Source: Napa County Baseline Date Report, Noise Section Table 6-13, Version 1, November 2005

Based on distances to existing residences, noise associated with project construction would be approximately 55 to 60 dBA at these nearest existing offsite residences: The closest residences are located over 800 feet to the east and west the project area.

Noise related to agricultural activities and equipment typically ranges from 75 dBA to 95 dBA, with an average of approximately 84 dBA (Toth 1979 and Napa County Baseline Date Report, Version 1, November 2005). These noise levels should be reasonably representative of noise levels from wheeled and tracked agricultural equipment. Noise sources associated with ongoing winery/vineyard operation and maintenance include a variety of vehicles and equipment, such as ATV's, tractors, grape haul trucks, passenger cars, and light trucks, which would occur on a temporary and seasonal basis. **Table 12** characterizes the typical reduction of farming/agricultural activity noise levels as the distance increases from the source using a noise source level of 84 dBA.

Table 12 – Estimated Distance to dBA Contours from Farming Activities [1]

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

[1] Based on a source noise level of 84 dBA
Source: Napa County Baseline Date Report, Noise Section Table 6-14, Version 1, November 2005.

Based on distances to existing residences it is anticipated that noise due to operation and maintenance agricultural activities would be 50 to 55 dBA at these existing offsite residences.

Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the proposed winery lot is approximately 810 feet to the north east and the nearest residence to the eastern winery structure is approximately 860 feet to the east, separated by dense Oak woodland and Douglass-fir forest. Due to this distance, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

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

The project proposes to establish daily visitation, at 14 visitors per day and with a maximum of 98 visitors per week for By Appointment Tours and Tastings. The project also proposes to establish a marketing program as described under Project Description (I). The applicant also proposes to allow for activities in conformity with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004)) on the landscaped patio.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed parcel are predominantly large lot residential properties and vineyards; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.) within which the applicant proposes to conduct events. Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

The nearest off-site residence to the proposed winery is approximately 810 feet to the northeast. Under the proposed project, the largest outdoor event that would occur on the parcel would have an attendance of no more than 50 guests, and all events would end by 10:00 p.m., including clean-up. Winery operations would occur between 7:00 a.m. and 6:00 p.m. (production, excluding harvest) and 7:00 am to 4:00 pm (hospitality). The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery structure itself, with the exception of the patio and garden areas.

Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including clean-up are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

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

c. The project site in not located within the influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan: the closest airport to the subject parcel is the Angwin Airport located over 10-miles to the north. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

a. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing.

The Association of Bay Area Governments' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% 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%. The four additional employees which are part of this project could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

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

Four (4) full-time employees and one (1) part-time employee are requested as part of the project for a total maximum of five (5) employees. 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. Regarding vineyard construction and installation activities they are anticipated to generate a minimal number of employees to the project site on a temporary basis, and ongoing vineyard operation and maintenance would generate a minimal number of employees to the project site on an ongoing basis. It is anticipated that a majority of the vineyard employees would come from the existing labor pool in the region and would not result in an increase in population over existing conditions.

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 any existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None are required

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

Discussion:

Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. It is anticipated that a majority of the vineyard employees would come from the existing labor pool in the region and would not result in an increase in population over existing conditions. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None are required

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

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

Discussion:

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

b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed project would not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. The proposed project would have no impact.

Mitigation Measures: None are required.

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

Discussion:

a/b/c.

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

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

The new CEQA Guidelines and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or

attract 110-124 trips per 10,000 square feet". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

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

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

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

Based on maximum winery employee and visitor/guest data for the harvest/crush season, the proposed project would be expected to generate 26 daily trips on a weekday and 25 daily trips on a Saturday. The proposed vineyard will likely take a number of years to establish and to begin producing quality grapes; therefore, this count includes vehicle trips required for 31.3 tones of grape haul. Vineyard operational trips on peak days include but are not limited to pruning (typically occurring between March and April), weed control (occurring between March and June) and harvest (occurring in September and October) are anticipated to generate approximately 8 to 10 trips per day on the days these activities occur. Vineyard operational trips on an average day is anticipated to generate zero (0) to four (4) trips a day. Based on these trip generation assumptions the maximum daily operational trips for the winery and vineyard are anticipated to be 36 trips per day.

Since operational and visitor trips associated with the project is below the 110-trip threshold in the Office of Planning and Research guidelines and the County's TIS Guidelines and VMT screening criteria the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

d/e. The winery project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest conditions. The project site, as proposed, would have a total of four (4) parking spaces (with one designated for ADA drivers). Visitors to the Winery will be by appointment only. On a busy day, the 14 visitors (10 to 11 daily vehicles) will arrive in a staggered arrangement so that there should never be more than two to three guest vehicles at the site at anytime. Occasionally, visitors will arrive in a higher-occupancy vehicle such as an SUV, minivan or smaller shuttle bus. The four (4) to five (5) employees per day would then occupy the remaining spaces. The project is designed to meet the Napa County Road and Street standards, to conform to the latest emergency access requirements, and the existing road system would continue to provide adequate emergency access to the project site. When larger marketing events are held, guests will be brought to the site via bus; furthermore, reducing the proposed project's need for additional parking.

The vineyard project's largest demand for parking is anticipated to be approximately eight (8) to 10 vehicles. Current county ordinances do not require formal parking for vineyard projects. Vineyard operational parking would typically occur within the vineyard avenues, which would satisfy parking demands of ongoing vineyard operation.

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	☐	☐	☒	☐

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. On August 18, 2024, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on January 26, 2024, and declined comment as the project site is not located within their aboriginal territories. On February 1, 2024, the County replied to the Yocha Dehe Wintun Nation and closed the consultation invitation because the Tribe did not request consultation. The County sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley on February 1, 2024, because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided.

As indicated in the project's cultural resources study (Archeological Resource Service, December 8, 2023), no cultural resources were identified or anticipated within the development area. Furthermore, no resources that may be significant pursuant to Public Resources Code Section 5024.1(c) have been identified in the development area. The Cultural Resources conditions of approval discussed in Section V (Cultural Resources), would further avoid and reduce potential impacts to unknown resources.

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

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Mitigation Measures: Refer to Section V. Cultural Resources for proposed mitigation.

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?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the 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?	☐	☐	☐	☒
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

a. As discussed in detail in Section VII. Geology and Soils, a Wastewater Feasibility Study, dated April 14, 2023, was prepared by Applied

Civil Engineering which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The Water Feasibility Study reviews a sanitary wastewater subsurface drip disposal field and process wastewater treatment for irrigation. The sanitary wastewater would be disposed of in a subsurface drip type septic system and the winery process wastewater would be collected separately, pretreated, stored and dispersed via a surface irrigation system. The subsurface drip type septic system would require 800 square feet of surface area, 1,600 square feet of additional reserve area, and is proposed within the Oak woodland, approximately 250 feet north of the proposed winery. Two acres of proposed vineyard will be used to dispose of the treated winery process wastewater via irrigation.

In order to accommodate differences in the timing of wastewater generation, irrigation demand and prohibitions on applying water to the land during rainy periods, a storage tank will be required. The Wastewater Feasibility Study concludes that water generated by winery production operations in most months can be effectively managed after treatment by applying it to the vineyard without the need for extensive storage.

The process waste system will be designed per RWQCB and PBES requirements. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required.

Based on the proposed uses, the onsite public water system will be not be classified as a transient noncommunity (TNC) public water system per the State of California Drinking Water Requirements.

Regarding vineyard development it would not result in the construction or expansion of a water or wastewater treatment facility; the proposed project would not generate wastewater. Vineyard development would include the installation of on-site storm water drainage features such as cross slope diversion ditches and subsurface drainlines to an existing level spread, outsloped vineyard avenues, water bars and rolling dips, and establishment of a permanent no-till cover crop maintained at a minimum vegetation cover density of 80%:, which have been designed to meet project-related storm water drainage needs. The effect of the proposed vineyard storm water drainage system is described in Sections IV (Biological Resources), VII (Geology and Soils), and X (Hydrology and Water Quality). As discussed in the referenced sections, the environmental impacts of construction of these features, with incorporation of standard conditions identified in Sections III (Air Quality), IV (Biological Resources), V (Cultural Resources) and IX (Hazards and Hazardous Materials), would result in a less than significant impact.

b. As discussed in Section X. A Water Availability Analysis was prepared by O'Connor Environmental Inc. (OEI), dated March 2025. The report includes calculations for the existing and proposed water uses (including vineyard irrigation) and a groundwater recharge analysis. An onsite water audit of existing uses was completed, and the existing water use associated with the single-family residence and a future accessory dwelling unit is estimated to be 1.85 af/yr. Due to the proposed winery and vineyard, total water usage would increase to 3.57 af/yr[7]. Overall, the project would result in an increased water usage of 1.72 af/yr. The preparation of a groundwater recharge analysis utilized the 10-year PRISM data set between water year 2011-12 and water year 2020-21. The project WAA provided a "Maximum Estimate" and a "Conservative Estimate" for the parcel size reflecting the potential range of average annual groundwater recharge considering site specific hydrogeologic factors. According to the analysis, considering the uncertainty associated with subsurface conditions, two parcel specific recharge values have been calculated, the Maximum (25.4 acre-feet per year) and the Conservative (11.4 acre-feet per year) estimates for parcel recharge. Total proposed groundwater demand is 3.57 acre-feet per year, equivalent to 14% of the maximum and 31% of the conservative estimated annual groundwater recharge values adjusted for parcel area. The proposed water use would not impact groundwater availability.

c. Wastewater would be treated on-site and would not require a wastewater treatment provider, and vineyard would generate no wastewater that would require treatment; therefore, no impact would occur.

d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation The project would comply with federal, state, and local statutes and regulations related to solid waste. Rock generated during vineyard preparation would be utilized onsite for the construction of energy dissipators, utilized on vineyard avenues or being buried back into the vineyard. Solid waste generated during construction activities (e.g., broken pipe, fittings, trellis, end posts, etc.) would be negligible. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

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[7] The proposed vineyard is anticipated to use 1.5 af/yr which equates to 0.6 af/yr per acre of planted vineyard: 1.5 af ÷ 2.5 net planted acres equals 0.6 af/yr.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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:

a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing driveway and proposed project will be designed and improved to meet commercial standards as defined in the Napa County Road and Street Standards (RSS) and California Board of Forestry and Fire Protection State Minimum Fire Safe Regulations (FSR). Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. The new building would be equipped with sprinklers and fire suppression equipment as required by the CA building Code. No impacts would occur.

b. The proposed project is located within a very high fire hazard severity zone and in the State Responsibility (SRA) district. The proposed project's driveway runs across the site and through the proposed vineyard, which is situated on slopes ranging from 0-25%. The driveway gains access from Dry Creek Road. The flat vineyard section quickly drops elevation with slopes greater than 30%. The majority of the proposed winery will be tucked into a hillside and the vineyard is located in an area that predominately contains non-native grassland. The proposed improvements would not result in a physical modification to the slope of the site, changes prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts of the project would be less than significant.

c. The existing driveway will be improved and the proposed winery driveway will be constructed to meet County RSS and State FSR. Proposed utility improvements will be undergrounded, and the winery will contain fire suppression infrastructure, including water suppression tanks and fire sprinklers. During construction, the risk of igniting a fire would be low because vegetation would be cleared prior to development, and the risk would be temporary due to the limited duration of construction. Operation and maintenance activities would be similar to activities already occurring on properties in the area. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.

d. The physical improvements include a vineyard and winery within an existing cleared landscape. The installation of the improvements and vineyard include the implementation of erosion control measures and stormwater runoff design features. The proposed project includes work to restore the surrounding area, including the establishment of native vegetation that will work to stabilize fire damaged hillsides and reduce potential erosion. The proposed project including vineyard installation would not physically alter the site in a way, which would expose people or structure to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
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 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 or substantially reduce the number or restrict the range of a rare or endangered plant or animal species. Mitigation Measure **BIO-1** and **BIO-2** requires the applicant to obtain preconstruction surveys for Norther Spotted Owl and nesting birds/raptors to minimize impacts associated with construction related activities to NSO and Raptor species. Development and ground disturbance activities associated with the proposed project are primarily in non-native grassland areas and areas where previous disturbance has taken place.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic 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, and VMT reduction strategies. The applicant intends to implement a number of greenhouse gas reduction strategies including exceeding Title 24 energy efficiency standards, installation of water efficient fixtures, employing low-impact development practices, installation water efficient landscaping, and installing a green living roof above the tasting room. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in an increase of 1.72 af/yr over the existing levels. Potential cumulative impacts would be less than significant.

c. All potential impacts identified in this Negative Declaration are less than significant with the exception of Biological Resources, for which Mitigation measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.

Harcross Winery and Vineyard, Use Permit (P23-00105-UP), Viewshed Protection Program (P25-00031-VIEW), and Agricultural Erosion Control Plan (P23-00325-ECPA)
Mitigation Monitoring and Reporting Program

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
MM BIO-1: Minimize potential indirect impacts to Northern Spotted Owls	**BIO-1:** Minimize potential indirect impacts to Northern Spotted Owls a. Prior to the commencement of vegetation removal and earth-moving activities associated with the project the owner/permittee shall conduct a pre-construction survey for Norther Spotted Owls. The survey shall be prepared by a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur in the vicinity of the project site) within suitable habitat located within 0.25-miles of project activities. The preconstruction survey shall follow the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, in accordance with Section 9 (Surveys for Disturbance-Only Projects) of the survey protocol. b. The preconstruction survey shall be conducted no earlier than 14 days prior to when vegetation removal and ground disturbing activities are to commence and shall be provided to the Napa County Planning, Building, and Environmental Services (PBES) Department's Planning Division and the CDFW for review prior to commencement of work. Any recommendations provided by CDFW, including but not limited to establishment of no disturbance buffers, seasonal restrictions on heavy equipment use and operations, or subsequent surveys shall be implemented in accordance with CDFW recommendations.	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits and the ECPA with survey recommendations be implemented in conjunction with all construction activities.	P	PD	PC __/__/__
MM BIO-2: Minimize Potential Impacts to Burrowing Owl:	**BIO-2:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5: a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits and the ECPA with survey recommendations be implemented in conjunction with all construction activities.	P	PD	PC __/__/__

Notes: P = Permittee, PD = Planning Division, BD = Building Division, E = Engineering Division, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist
PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing

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

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