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Final Environmental Impact Report

Inn at the Abbey Use Permit Major Modification (P19-00038-MOD) and
Development Agreement
Planning Commission Hearing Date March 4, 2026

INN AT THE ABBEY

Response to Comments/Final Environmental Impact Report

Prepared for
Napa County

February 2026



INN AT THE ABBEY

Response to Comments/Final Environmental Impact Report

Prepared for
Napa County
Planning, Building, and Environmental Services Department

February 2026

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- A. Mitigation Monitoring and Reporting Program

Acronyms and Other Abbreviations

Abbreviation	Definition
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
MMRP	Mitigation Monitoring and Reporting Program
NOA	Notice of Availability
NOP	Notice of Preparation
PRC	Public Resources Code
Project	Inn at the Abbey Project

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CHAPTER 1

Introduction

This Final Environmental Impact Report (EIR) has been prepared by the County of Napa (County) (Lead Agency) pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to present the environmental analysis of the proposed Inn at the Abbey Project (Project) to the public for review and for agency decision-makers to use in their consideration of the Project.¹ This chapter summarizes the CEQA process for the Project, explains the CEQA context for this Final EIR and new information provided herein, and describes the organization of this document.

1.1 CEQA Process

1.1.1 Notice of Preparation

Pursuant to the requirements of CEQA for the initiation of environmental review, on July 23, 2020, the County sent a Notice of Preparation (NOP) to the State Clearinghouse, responsible and trustee government agencies, organizations, and individuals potentially interested in the Project. The NOP requested that agencies with regulatory authority over any aspect of the Project describe that authority and identify relevant environmental issues that should be addressed in the EIR. Interested members of the public were also invited to comment. The comment period for the NOP extended from July 23, 2020, to August 24, 2020, during which time, the County accepted written comments on the scope of the EIR. A scoping meeting was held by the Napa County Planning Commission on August 5, 2020, to accept oral comments.

The NOP and the comments received on the NOP are included in Appendix A of the Draft EIR. As discussed in the NOP, the County prepared an Initial Study prior to the preparation of the EIR which identified the potential for significant environmental effects in certain resource areas; therefore, the County prepared an EIR for the Project to satisfy the requirements of CEQA (Public Resources Code [PRC] Section 21000 et seq.).

1.1.2 Notice and Public Review of the Draft EIR

The County issued a Notice of Availability (NOA) of the Draft EIR on April 10, 2025, announcing the availability of the Draft EIR for public review and comment. The NOA noticed a 47-day public review and comment period on the Draft EIR, starting Thursday April 10, 2025, ending on Tuesday May 27,

¹ The *California Environmental Quality Act* can be found in the California Public Resources Code, Section 21000 et seq. The State CEQA Guidelines, formally known as the *Guidelines for California Environmental Quality Act*, can be found in the California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.

2025. During the public review and comment period on the Draft EIR, a public hearing at the Napa County Planning Commission was held on Wednesday, May 7, 2025.

The County encouraged agencies and interested parties to submit written comments on the Draft EIR to the Napa County Planning, Building, and Environmental Services Department by email, first class mail, facsimile, or in person. By the end of the comment period, the County received eight comment letters. A list of the commenters is provided in Chapter 2, Section 2.1, *List of Commenters*, of this Final EIR.

1.1.3 Response to Comments / Final EIR

The County has prepared written responses to comments received during the public review and comment period for the Draft EIR. These comments and the “Response to Comments” are provided in Chapter 3 of this Final EIR. Chapter 3 provides all written comments (submitted by email) together with a summary of oral comments received at the hearing conducted before the Napa County Planning Commission.

In addition to providing the comments and responses to comments on the Draft EIR, this document includes necessary updates and other modifications and clarifications to the text and exhibits in the Draft EIR in Chapter 4, *Errata to the Draft EIR*. The Draft EIR, together with the comments, responses to comments, and other information included in this Response to Comments document constitutes the Final EIR, consistent with State CEQA Guidelines Section 15132, *Contents of Final Environmental Impact Report*. Due to the large volume of text contained in the Draft EIR and its appendices, this Response to Comments / Final EIR does not contain the full text of the Draft EIR, which remains available in a separate volume and is included here by reference.

The Draft EIR, this Response to Comments / Final EIR, and all supporting technical documents can be found on the County’s website at: <https://www.countyofnapa.org/2876/Current-Projects-Explorer> and on the State Clearinghouse Website at: <https://ceqanet.lci.ca.gov/Project/2020079021>.

1.2 Intended Use of the Final EIR

The County of Napa, as Lead Agency, will make the decision whether to certify the Final EIR in accordance with Section 15090 of the State CEQA Guidelines. Before the County may approve the Project, it must independently review and consider the information contained in the Final EIR, certifying that the Final EIR adequately discloses the environmental effects of the Project, that the Final EIR has been completed in conformance with CEQA, and that the decision-making body of the Lead Agency independently reviewed and considered the information contained in the Final EIR. Certification of the Final EIR would indicate the County’s determination that the Final EIR adequately evaluated the environmental impacts that could be associated with the Project.

Once complete and certified, the Final EIR will provide the CEQA compliance documentation upon which Napa County’s consideration of, and action on, all applicable land use permits and other approvals (collectively, “approvals”) for the Project may be based.

The Final EIR will also provide the CEQA compliance to be relied upon by Responsible Agencies and Trustee Agencies in considering and acting upon other project approvals under their jurisdiction.

1.3 Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6 and State CEQA Guidelines Section 15097 (*Mitigation Monitoring or Reporting*) require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of specified environmental findings related to an EIR (also mitigated negative declarations). Accordingly, as Lead Agency, the County has prepared an MMRP for the Project; the MMRP is included as **Appendix A** to this document.

The intent of the MMRP is to track and successfully implement the mitigation measures identified within the Final EIR and adopted as part of the Project to avoid or mitigate significant effects on the environment. The MMRP is designed to ensure compliance with the mitigation measures during and after Project implementation. If the County decides to approve the Project, it will adopt the MMRP at the time of Project approval and would be responsible for conducting the monitoring included in the MMRP for the life of the Project. An introduction describing the components of the MMRP and terms used therein is included as part of Appendix A.

1.4 New Information in the Final EIR

Responses to comments received on the Draft EIR focus on comments that pertain to the adequacy of the analysis in the Draft EIR or to other aspects pertinent to the potential effects of the Project on the environment pursuant to CEQA. Comments that address topics beyond the purview of the EIR or CEQA are noted as such for the public record. Where comments have triggered changes to text or exhibits in the Draft EIR, these changes appear as part of the specific response and are consolidated in Chapter 4, *Errata to the Draft EIR*.

If “significant new information” is added to an EIR after a notice of public review for the Draft EIR document has been given (in this case, April 10, 2025, for the Draft EIR), but before final certification of the EIR, the Lead Agency must issue a new notice and recirculate the Draft EIR for further comment and consultation. State CEQA Guidelines Section 15088.5 (*Recirculation of an EIR Prior to Certification*), specifies the following:

“Significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it; or
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

None of the changes to the Draft EIR identified in this document meet any of the above conditions. Therefore, recirculation of any part of this Final EIR is not required. The information presented in the Draft EIR and this document support this determination by the County.

1.5 Organization of This Final EIR

Following this **Chapter 1, *Introduction***, this Response to Comments / Final EIR is organized as described below:

- **Chapter 2, *Roster of Commenters*** – This chapter presents a roster showing each public agency, organization, or individual that provided comments on the Draft EIR generally during the public review and comment period for the Draft EIR.
- **Chapter 3, *Comments and Responses*** – This chapter presents copies of the written comments received by email during the public review and comment period on the Draft EIR. Specific responses to the individual comments in each correspondence are provided after each letter. Additionally, this chapter includes responses to verbal comments received on the Draft EIR at the Napa County Planning Commission meeting held on Wednesday, May 7, 2025. Verbal comments, are summarized and grouped by topic.
- **Chapter 4, *Errata to the Draft EIR*** – This chapter presents all updates made to provide clarification, amplification, and corrections to the text and exhibits in the Draft EIR - changes are either initiated by County staff or responses to comments received during the public review and comment period on the Draft EIR. Changes that respond to specific comments are also stated or referenced in the corresponding response provided in Chapter 3, *Comments and Responses*.
- **Appendix** –Appendix A includes the MMRP for the Project.

CHAPTER 2

Roster of Commenters

2.1 Introduction

This chapter lists each public agency, organization, and individual that provided comments on the Draft EIR generally during the public review and comment period for the Draft EIR, which began on April 10, 2025, and ended on May 27, 2025. The comments addressed in this Final EIR are presented in the order of the commenters listed in **Table 2-1** below. Commenters have an alphabetic designation that corresponds to the category of commenter, such as “A” for public agencies. A number follows the alphabetic designation to indicate the sequence of the comment submissions. For example, “A-1” is the first public agency comment submission identified, as shown below. Specific comments within each correspondence also are identified by a numeric designator that reflects the numeric sequence of the specific comment within the correspondence (e.g., “A-3-3” for the third comment in Comment Letter A-3). Section 3.3, which follows in the next Chapter 3, reproduces each letter with the numeric comment brackets indicated, followed by the responses to each comment.

2.1 List of Commenters

TABLE 2-1
COMMENT LETTERS RECEIVED CONCERNING THE DRAFT EIR

Designator	Name/Entity	Author(s) of Comment Letter/e-mail	Date Received
Agencies			
A-1	California Department of Transportation (Caltrans)	Yunsheng Luo, Branch Chief, Local Development Review	May 22, 2025
A-2	State Water Resources Control Board (SWRCB)	Lori Schmitz, Special Project Review Unit	April 23, 2025
A-3	City of St. Helena	Maya DeRosa, Community Development Department	May 23, 2025
Organizations			
O-1	Jackson Family Investments III, LLC	Geoff Scott	May 23, 2025
O-2	Preserve Lodi Lane	John D, Murphy	May 23, 2025
Individuals			
I-1	Barbara Monnette		May 5, 2025
I-2	Lulii Lyman		May 24, 2025
I-3	David G. Ramos		May 26, 2025

A public hearing to receive verbal comments on the Draft EIR was held by the Napa County Planning Commission on Wednesday, May 7, 2025. **Table 2-2** below lists people who provided verbal comments at the public hearing on the Draft EIR. Four members of the public and the Planning Commission provided comments on the Draft EIR during the meeting. A summary of comments raised by the public and by members of the PC during the public hearing and responses to comments are provided in Section 3.4 of Chapter 3, *Comments and Responses*.

**TABLE 2-2
PLANNING COMMISSION PUBLIC SPEAKERS AND COMMISSIONERS**

Planning Commission Public Hearing – May 7, 2025	
Public Speakers	
<ul style="list-style-type: none"> • Rob Anglin • John Murphy 	<ul style="list-style-type: none"> • David Ramos • Antonia Allegra
Planning Commissioners	
<ul style="list-style-type: none"> • Commissioner Brooks • Commissioner Brunzell 	<ul style="list-style-type: none"> • Commissioner Richmond

CHAPTER 3

Comments and Responses

3.1 Introduction

This section contains the comment letters, emails, and oral comments received on the Draft EIR. Following each comment letter is a response by the County intended to supplement, clarify, or amend information provided in the Draft EIR or refer the reader to the appropriate place in the document where the requested information can be found. Where comments have triggered changes to the Draft EIR, these changes appear as part of the specific response in this chapter and are consolidated in Chapter 4, *Errata to the Draft EIR*, where they are listed in the order that the revision would appear in the Draft EIR document.

3.2 Responses to Individual Comment Letters

This section includes copies of the written comments received by email during the public review and comment period on the Draft EIR. Specific responses to the individual comments in each correspondence are provided after each letter.

As described in Section 2.0, each correspondence is identified by an alphabetic designation that corresponds to the category of commenter, such as “O” for organizations, and a number follows the alphabetic designation to designate the sequence of the comment submissions (e.g., “O-2” for the second organization comment letter). Specific comments within each correspondence also are identified by a numeric designator that reflects the numeric sequence of the specific comment within the correspondence (e.g., “O-2-3” for the third comment in Comment Letter O-2).

Responses focus on comments that pertain to the adequacy of the analysis in the EIR or to other aspects pertinent to the potential effects of the Project on the environment pursuant to CEQA. Comments that address topics beyond the purview of the EIR or CEQA are noted as such for the public record. Where comments have triggered changes to the Draft EIR, these changes appear as part of the specific response and are consolidated in Chapter 4, *Errata to the Draft EIR*, where they are listed in the order that the revision would appear in the Draft EIR document.

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



May 22, 2025

SCH #: 2020079021
GTS #: 04-NAP-2019-00508
GTS ID: 14811
Co/Rt/Pm: Napa/29/30.649

Trevor Hawkes, Project Planner
County of Napa
1195 Third Street, 2nd Floor, Suite 210
Napa, CA 94559

Re: Inn at the Abbey Project – Draft Environmental Impact Report (DEIR)

Dear Trevor Hawkes:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Inn at the Abbey Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the April 2025 DEIR.

Please note this correspondence does not indicate an official position or approval by Caltrans on this project and is for informational purposes only.

Project Understanding

The proposed project would demolish an existing restaurant, specialty retail building, and 5-room motel on the project site to develop a 79-room hotel across two parcels with affordable housing for employees. The project also includes proposed improvements of an at-grade street crossing enhancement to the existing Vine Trail crossing at State Route (SR) 29 and Lodi Lane, including restriping of the turn lanes at the Lodi Lane approach. Other proposed modifications within State right-of-way (ROW) include the construction of a mini pork-chop island and installation of traffic signage to delineate that only right turns are allowed into the main driveway from SR 29. This main driveway is one of two existing driveways to the project site on SR 29 and both parcels of the proposed project site are directly adjacent to SR 29.

A-1-1

Trevor Hawkes, Project Planner
May 22, 2025
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Travel Demand Analysis

The project vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the *2022 Napa County Traffic Impact Study (TIS) Guidelines*. Per the DEIR, the proposed project is found to have a less than significant VMT impact as the hotel development is not anticipated to generate any net new trips from the existing uses that would be demolished. The proposed project also includes a Transportation Demand Management (TDM) Program with measures to reduce employee and guest VMT, therefore working towards meeting the State's VMT reduction goals.

A-1-2

Encroachment Permit

Please be advised that any temporary or permanent work including traffic control that encroaches in, under, or over any portion of the State highway ROW requires a Caltrans-issued encroachment permit.

Any proposed improvements within the state ROW must be designed per Caltrans Standard Plans and Specifications. Please check the Caltrans website for the latest revised Standard Plans ([link](#)). As the Lodi Lane Crossing Improvement, described on page 4.13-24 of the DEIR, appears to be within State ROW, we recommend updating the narrative to indicate that final design of the crossing improvement will meet State Highway Design standards as well as the County's standards.

Please also be advised that any work related to Driveways 1 and 2 on SR 29, shown on Figure 4.13-3, Project, Driveway Locations, shall confirm to Caltrans Design Guidelines in the Encroachment Permits Manual, Appendix J for Typical Rural Driveways in State ROW ([link](#)). Additionally, project plans for work within State ROW must clearly show the State ROW line for the whole plan limits along with all existing roadway features (lane lines, edge of pavement, curbs, existing signage, trees and utility poles, etc.) in the dropout with appropriate callout.

A-1-3

The Office of Encroachment Permits requires 100% complete design plans and supporting documents to review and circulate the permit application package. The review and approval of encroachment projects is managed through the Encroachment Permits Office Process (EPOP) or the Project Delivery Quality Management Assessment Process (QMAP), depending on project scope, complexity, and completeness of the application. Please use the following resources to determine the appropriate review process:

- TR-0416 Applicant's Checklist ([link](#))
- Caltrans Encroachment Projects Processes – Information Video ([link](#))

Trevor Hawkes, Project Planner
May 22, 2025
Page 3

- Flowchart, Figure 1.2 in Section 108, Overview of the Encroachment Review Process, of Chapter 100 – The Permit Function, Caltrans Encroachment Permit Manual ([link](#))



A-1-3
cont.

The permit approval typically takes less than 60 days, but may take longer depending on the project scope, size, complexity, completeness, compliance with applicable laws, standards, policies, and quality of the permit package submitted. Projects requiring exceptions to design standards, exceptions to encroachment policies, or external agency approvals may need more time to process.

To obtain more information and download the permit application, please visit Caltrans Encroachment Permits ([link](#)).

Highway Operations

In addition to the proposed Inn at the Abbey Project, please note there are additional proposed developments on Lodi Lane that will add substantial traffic on the State Highway. Please provide an updated TIS that includes analysis of how the proposed developments on Lodi Lane would cumulatively impact SR 29.



A-1-4

Caltrans Highway Operations would like to ensure that any improvements or modifications to the driveways within State ROW are in place before the new development is open to the public. Please specify the stage of construction during which the installation of the mini pork chop island for Driveway 2 is planned to take place.



A-1-5

Additionally, during the public comment period for the Notice of Preparation (NOP) between July and August 2020, Caltrans Highway Operations requested an explanation for why the right-in/right-out restriction at Driveway 2 does not apply to Driveway 1. It appears this comment has not been addressed in the DEIR or its appendices. Please clarify why Driveway 1 will not have the right-in/right-out restriction and why this was not studied in the TIS.



A-1-6

Hydrology

Please ensure that any increase in storm water runoff to State Drainage Systems or Facilities be treated, contained on project site, and metered to preconstruction levels. Any floodplain impacts must be documented and mitigated.



A-1-7

If the project involves drainage work that flows into the State Drainage System, please provide a drainage design memo with plans that show pre- and post-project flows to the existing drainage system to demonstrate how the proposed drainage system flows. Drainage Plan and Profile Sheets should include lengths, size, and types of new and existing pipes, as well as inlets, outlets, and systems showing any utility conflicts. Please

Trevor Hawkes, Project Planner
May 22, 2025
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ensure that assumptions and calculations used in designing the drainage system are shown.

↑ A-1-7
cont.

Biological Resources

Per the DEIR, the proposed removal of on-site oak trees for the project would require mitigation to reduce the potentially significant construction-related impact. Please clarify whether the proposed oak tree replanting/mitigation to meet the 2:1 ratio under Mitigate Measure BIO-4, Mitigate for Oak Tree Removal, would take place on-site or off-site.

↑ A-1-8

Additionally, please be advised that the preconstruction survey for special-status bat species under Mitigation Measure BIO-3, Roosting Bat Surveys, should occur at least ten (10) days before the state date of any proposed construction-related activities.

↑ A-1-9

Please also note that the first paragraph under Impacts and Recommended Measures on page 4-12 under Chapter 4, Appendix D, includes a reference that yields an error stating "Error! Reference source not found."

↑ A-1-10

Cultural Resources

Due to the sensitivity of the area, the Caltrans Office of Cultural Resource Studies (OCRS) may require documentation from the project proponent to support compliance with Public Resources Code, Section 5024 (PRC 5024, *link*). For any construction activities within Caltrans' ROW that take place in relation to this project, these mitigation measures shall be implemented if there is an archaeological discovery. If there is an inadvertent archaeological or burial discovery within Caltrans' ROW, please immediately contact the OCRS at (510) 847-1977. A staff archaeologist will evaluate the finds within one business day after contact. Caltrans requires review of any potential data recovery plans within Caltrans' ROW.

↑ A-1-11

Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits (*link*).

↑ A-1-12

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

↑ A-1-12

Lead Agency

As the Lead Agency, the County is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

↑ A-1-13

"Provide a safe and reliable transportation network that serves all people and respects the environment."

Trevor Hawkes, Project Planner
May 22, 2025
Page 5

Equitable Access

For the Lodi Lane Crossing Improvement, please make the ramps directional and ensure they are compliant with the Americans with Disabilities Act (ADA) standards. Please also consider incorporating curb extensions to make the crossing shorter.

If any Caltrans facilities are impacted by the project, those facilities must meet ADA Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

A-1-14

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Luana Chen, Transportation Planner, via LDR-D4@dot.ca.gov. For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDR-D4@dot.ca.gov.

Sincerely,



YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

Letter A-1 Response: Caltrans, May 22, 2025

- A-1-1 This is a general comment that includes introductory remarks and serves to introduce more specific comments. The comment includes a description of the Project, focusing on components within Caltrans right-of-way, that is generally consistent with the Project as described in the Draft EIR.
- A-1-2 The comment concurs with the Project's analysis and impact determination in the Draft EIR related to vehicle miles traveled (VMT). The County appreciates the acknowledgement and concurrence. As noted in the comment, Mitigation Measure TRA-1: Transportation Demand Management Program, includes an employee transportation demand management (TDM) program and visitor trip reduction measures, that aim to reduce the Project's VMT.
- A-1-3 The comment addresses pre-construction actions for portions of the Project within Caltrans right-of-way and the permits and coordination that would be required. The County will ensure that the Project Applicant coordinates with Caltrans to ensure that all necessary encroachment permits and traffic control plans are consistent with Caltrans' policies and secured prior to construction of the Project.

In response to the comment, the last two sentences on Draft EIR Section 4.13, *Transportation*, p. 4.13-24, are revised as follows:

Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety

Improvements, would ensure that that the final design of the crossing improvement is reviewed by County and Caltrans staff and constructed in accordance with the Napa County Road and Street Standards and State Highway Design standards. As such, the Lodi Lane crossing improvement would improve safety along Lodi Lane and the Vine Trail and would not introduce a hazardous design feature.

- A-1-4 The comment requests analysis of cumulative impacts to State Route (SR-29) considering the Project and development proposed on Lodi Lane. The Traffic Impact Study for the Project (Draft EIR Appendix L) provided an analysis of current (pre-COVID) operating conditions as well as anticipated future conditions under projected 2030 volumes. These future volumes reflect a substantial increase in traffic on SR-29, with the Napa-Solano Transportation Demand Model-derived future volumes more than doubling. These volumes can reasonably be expected to capture any development that occurs on Lodi Lane as well as throughout the Napa Valley.

While delays would increase on the Lodi Lane approach under these future volumes, operation of SR-29/Lodi Lane would remain at level of service (LOS) A, as described in the Traffic Impact Study (Draft EIR Appendix L). However, it is noted that LOS is no longer a CEQA issue.

- A-1-5 The comment requests the timing for the implementation of the proposed mini pork chop island for Driveway 2. This improvement was made as part of the construction of the Vine Trail and is already in place.

A-1-6 The comment requests an explanation for why the right-in/right-out restriction at Driveway 2 does not apply to Driveway 1, as previously asked in Caltrans' comments on the Notice of Preparation (NOP) of the EIR. Comments received in response to the NOP were considered during preparation of the Draft EIR and are included as an appendix to the Draft EIR (Draft EIR Appendix A). Driveway 2 would be the primary access point to the proposed Project's hotel building. Driveway 1 serves the existing winery and restaurant and is already being used in the manner that would occur during Project operations. This driveway was not evaluated in the EIR because it would not be affected by the Project.

It is noted that neither driveway warrants left-turn lanes under existing volumes. The need for a turn lane (or, alternatively, turn restrictions) would only arise if the volume on SR-29 were to increase, as projected by the County's travel demand model. Considering the model volumes used for the analysis and cumulative projects reviewed for the Draft EIR, it does not appear reasonable that volumes could increase beyond what was considered in the Traffic Impact Study or more than double between 2019 and 2030 based on the potential for future development in the area. While the turn restriction has been implemented at the Project Driveway 2, it appears likely that the volumes will not reach the level warranting this restriction for some time.

A-1-7 The comment expresses concern regarding stormwater runoff into Caltrans drainage systems and facilities and floodplain impacts.

Regarding stormwater runoff, as discussed in Draft EIR Section 4.8, *Hydrology and Water Quality*, a preliminary Stormwater Control Plan has been prepared for the Project, which includes a description of the stormwater treatment facilities that have been integrated into the planning, design, construction, operation, and maintenance of the Project (Draft EIR Appendix G, *Preliminary Stormwater Control Plan*). The Project would include LID design strategies including bioretention facilities and self-retaining areas as stormwater control measures and stormwater runoff would be managed on-site and directed to landscaped areas to the maximum extent practicable. Treated stormwater from the North Parcel would discharge to on-site storm drains, and treated stormwater from the South Parcel would discharge to natural vegetated areas. All stormwater management facilities would be required to be maintained and inspected according to the approved Stormwater Facilities Operation and Maintenance Plan (Draft EIR p. 4.8-22).

Regarding floodplain impacts, the Project site is not located in or adjacent to a floodway and is in an area of minimal flood hazard where the risk of large-scale flooding is low. As such, the Project would not impede or redirect flood flows. However, the Project site could result in inundation due to localized flooding and stormwater runoff could be released if site drainage is not managed properly during construction and operation. Regulatory requirements related to runoff and stormwater management would ensure that the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site during construction and operation (Draft EIR p. 4.8-27).

- A-1-8 The comment requests clarification whether oak tree mitigation included in Mitigation Measure BIO-4, Mitigate for Oak Tree Removal, would occur on- or off-site. The Project Applicant has committed to replacing oak trees on the Project site, as noted in Comment Letter O-1.
- A-1-9 The comment notes that a pre-construction survey for special-status bat species under Mitigation Measure BIO-3, Roosting Bat Surveys, should occur at least 10 days before the stated date of any proposed construction-related activities. However, the California Department of Fish and Wildlife (CDFW) noted in their comment letter on the Notice of Preparation (see Draft EIR Appendix A) that pre-construction surveys for bats should occur at least 30 days prior to Project implementation. To add more specificity to the measure, the first sentence of Mitigation Measure BIO-3: Roosting Bat Surveys, on Draft EIR Section 4.4, Biological Resources, pp. 4.4-18-19, is revised as follows:

Mitigation Measure BIO-3: Roosting Bat Surveys.

~~In advance of~~ At least 30 days prior to but no more than 2 years before tree removal and building demolition, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the Project site.

- A-1-10 There is a typographical error in Draft EIR Appendix D, Biological Resources Technical Report, on page 4-12. The first paragraph on page 4-12 is revised as follows:

Impacts on biological resources are identified and evaluated based on relevant CEQA and local standards, policies, and guidelines; on the likelihood that these resources may be present within the study area; and on the likely effects that project development may have on these resources. The thresholds used to determine the significance of impacts related to biological resources are based on Appendix G of the *CEQA Guidelines*. Special-status species that have no or low potential to occur in the study area (as presented in ~~Error! Reference source not found.~~ Appendix D) are not considered in the impact analysis. The below-outlined measures would be implemented to avoid and minimize potential Project impacts on special-status wildlife, plants, and protected trees.

- A-1-11 The comment expresses concern regarding the cultural resources sensitivity of the Project area and requests Caltrans involvement if resources are found within Caltrans right-of-way. In response to the comment, Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials, in Draft EIR Section 4.5, *Cultural Resources*, pp. 4.5-21-22, is revised as follows:

Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.

If pre-contact or historic-era cultural materials are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a Secretary of the Interior-qualified archaeologist can assess the significance of the find. If found within Caltrans right-of-way, the Caltrans Office of Cultural Resource Studies

(OCRS) shall be contacted, and a Caltrans staff archaeologist will evaluate the find. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

If it is determined, based on recommendations from a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American related), that the resource may qualify as a historical resource or unique archaeological resource, the resource shall be avoided, if feasible.

If avoidance is not feasible, the Project Applicant and Napa County shall work with a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American-related) to determine treatment measures to avoid, minimize, or mitigate any potential adverse effects to the resource. This shall include documentation of the resource and may include data recovery, if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource. Within Caltrans right-of-way, Caltrans shall review any potential data recovery plans.

A-1-12 The comment provides information related to Caltrans transportation permits for oversized and excessive load construction vehicles. The comment is noted. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the Draft EIR that would require a response pursuant to State CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

Regarding traffic management during construction, the County requires the preparation of construction traffic management plans that minimize temporary obstruction of traffic during site construction. As discussed on Draft EIR page 4.13-30, specifically, Napa County Section 12.04.100, *Traffic Control*, would require that the encroachment permit for any work that would encroach on any public street include traffic control measures to manage the movement of vehicles. Infrastructure improvements that would occur on Caltrans rights-of-way would require encroachment permits and the necessary supporting studies as directed by Caltrans through the encroachment permit process.

A-1-13 As required by State CEQA Guidelines Section 15126.4(a)(2), mitigation measures must be “fully enforceable through permit conditions, agreements, or other legally binding instruments.” The mitigation measures included in the Draft EIR are proposed for adoption by the County as conditions of Project approval. CEQA Guidelines Section 15097 requires the lead agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) that establishes how the agency would monitor implementation of the adopted mitigation measures. Mitigation measures

presented in the Draft EIR, as amended in the Final EIR, identify the Project Applicant, its agents (including in some instances, qualified biologists and contractors), or successors as the parties responsible for implementing the mitigation measure, and indicate when the measure is to be implemented. The MMRP (see Appendix A) is the mechanism for ensuring that mitigation measures are carried out as required, and the County will ensure that adopted mitigation measures are implemented.

A-1-14 The comment requests that the Lodi Lane Crossing Improvement be compliant with Americans with Disabilities Act (ADA) standards. The County incorporates ADA requirements into all new and modified street and intersection improvements. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the Draft EIR that would require response pursuant to State CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the proposed Project. Refer to Response to Comment A-1-12 regarding required construction traffic management plans. The construction traffic management plan would address bicycle and pedestrian access during construction.

From: Schmitz, Lori@Waterboards <Lori.Schmitz@waterboards.ca.gov>
Sent: Wednesday, April 23, 2025 9:06 AM
To: Harrington, Stacey <stacey.harrington@countyofnapa.org>
Cc: Rounds, Zachary@Waterboards <Zachary.Rounds@waterboards.ca.gov>
Subject: Napa County, Inn at the Abbey, Number of People that Will be Served?

Stacey,

A project came through our Division of Drinking Water's State Clearinghouse list. Napa County is circulating an Inn at the Abby Project (<https://ceqanet.opr.ca.gov/2020079021/3>). This one appears like it is currently one or two local primacy agency existing systems -Freemark Abbey Winery may be one- but it is somewhat unclear how many people will be served by the new consolidated system that will be created from the project. My estimate is around 150/per day given the information in the document. (This estimate doesn't include people that are not staying at the hotels that would: come to events at the event space, shop, or eat at the restaurants and the 5 workers that live offsite.)

A-2-1

Will the system still stay under the 200 or more-threshold of people served to remain an LPA regulated system ?

Thanks for your help with this information!

Lori Schmitz

Lori Schmitz
State Water Resources Control Board
Division of Financial Assistance
Special Project Review Unit
Lori.Schmitz@waterboards.ca.gov

Letter A-2 Response: SWRCB, April 23, 2025

A-2-1 The comment requests the service population of the Project to determine if the Project water system should remain a Local Primary Agency (LPA) regulated system. Napa County has a contract with the SWRCB to oversee water systems in the County with fewer than 200 service connections. As discussed in Draft EIR Section 4.11, *Population and Housing*, current uses at the Project site utilize 55 employees, and the Project is expected to add 48 new employees for the new hotel use which would total 103 employees at the Project site. A Water System Feasibility Study is included as Draft EIR Appendix I. The Napa County Environmental Health Division would retain oversight over the proposed public water system.



May 23, 2025

Trevor Hawkes, Project Planner
Napa County Planning Department
1195 Third Street, 2nd floor, Ste. 210
Napa, CA 94559

Re: Inn at the Abbey Hotel proposal

Dear Mr. Hawkes,

Thank you for providing the City with the Notice of Availability/Notice of Completion for the Draft EIR for the Inn at the Abbey project (P19-00038-UP). The City of St. Helena submits the following comments on the Draft EIR for your consideration:

1. **Section 4.8 – Site Hydrology and Water Quality:** Freemark Abbey proposes to use potable water supplied by the City of St. Helena for hotel and spa operations. Freemark Abbey cites the Agreement approved by Resolution 2000-36 (the Agreement) to support this assertion. The City concurs that the Agreement is valid and allows for Freemark Abbey to procure up to 2.7 million gallons of water annually²³ However, the Agreement applies only to specific property, and it is our understanding that the proposed project extends beyond that specific property that is the subject of the Agreement. To the extent that Freemark Abbey seeks to use City water to serve property beyond those boundaries, the parties must amend the agreement to reflect additional parcels to be served (Exhibit A to the Agreement) and to account for the additional permitted uses on the new property while not exceeding the allotment of 2.7 million gallons per year.
2. **Section 3.5.2 – Actions by Other Agencies:** The City of St. Helena has been omitted from the list of *Potential Approvals and Permits Required*. Section 4 of the Agreement approved by Resolution 2000-36 (the Agreement) requires Freemark Abbey to meet the applicable ordinances of the City of St. Helena for any new water service connections requested. The northern parcel is currently served with potable water via a 5/8" water meter. The applicant should determine the adequacy of this meter to serve the proposed 79-room hotel and whether a larger meter is needed or an additional service connection is warranted. The City requests that the St. Helena Public Works Department and Building Department be included in the list of *Potential Approvals and Permits Required*.

A-3-1

A-3-2

3. **Section 6.3.1 Extension of Urban Services or Infrastructure:** the discussion includes the following narrative:

Development of the Project would only require a connection to existing services. Although infrastructure improvements would occur as part of the Project, they would not indirectly induce substantial population growth in the County or broader area because the Project site is located within a developed area. Additionally, most of the required infrastructure improvements would be limited in extent such that they would only support Project development (e.g., on-site greywater reuse and wastewater treatment systems), and would not facilitate the development or redevelopment of other properties within the vicinity of the Project site.

A-3-3

The City of St. Helena finds that this narrative should be corrected to indicate that, based on the above comments, it mention the necessity to amend the water agreement with the City of St. Helena and that the water service infrastructure be appropriately sized (e.g. existing water meter may need to be replaced with a larger meter) or supplemented with additional connections to the City’s utility (and pay the applicable connection fees).

4. **Section 4.11.5 Housing Impact:** the DEIR includes the following statement:

*Additionally, as part of the Development Agreement for the Project, the Project Applicant would commit to provide five new off-site residential dwelling units for employee housing in the County.*³

A-3-4

The City of St. Helena supports the expectation that the hotel development mitigate its workforce housing impacts. In the above statement in the DEIR and development agreement it is not clear the location of this housing but our understanding is that it would be within Napa County and not the City of St. Helena.

We look forward to continued communication with Napa County regarding the processing of this project . Regarding the coordination of a revised water agreement, we recommend your staff coordinate with Assistant Public Works Director, Eric Janzen, who can be reached at ejanzen@cityofsthelena.gov.

If you have any questions, please do not hesitate to contact me at mderosa@cityofsthelena.gov or our Director of Public Works, Joe Leach, at jleach@cityofsthelena.gov .

Sincerely,



Maya DeRosa, AICP
Community Development Department
City of St. Helena

cc: St. Helena City Council
Anil Comelo, City Manager
Joseph Leach, Director of Public Works

Attachments:

1. August 24, 2020 St. Helena NOP comment letter
2. City of St Helena Resolution 2000-36 authorizing execution of Water Agreement with Freemark Abbey
3. Official Records Document No. 2000-0009039 Water Agreement between City of St Helena and Freemark Abbey Winery

A-3-5



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

1572 Railroad Ave.
St. Helena, CA 94574
Phone: (707) 968-2658
www.cityofsthelema.org

*Sent by email
Confirmation of Receipt Requested*

ATTACHMENT 1

August 24, 2020

Attn: Mr. David Morrison, Director
County of Napa
Planning, Building, and Environmental Services Department
Conservation Division
1195 Third Street, Second Floor
Napa, CA 94599-3092
David.Morrison@countyofnapa.org

Re: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Inn at the Abbey Project (Use Permit Major Modification Application No. P19-00038-MOD)

Dear Mr. Morrison:

The City of St Helena is in receipt of the Notice of Preparation ("NOP") of a Draft Environmental Impact Report for the Proposed Inn at the Abbey Project (Use Permit Major Modification Application No. P19-00038-MOD) (the "Project"). The City has reviewed the NOP and offers its comments in this letter.

The Project applicant currently operates a restaurant, winery, and retail uses. The Project entails expanding the existing uses to include a 79-room hotel, which would include a spa, fitness center, outdoor spaces, and employee housing, among other new uses. 50 hotel rooms would be located on what the County has termed the "North Parcel," consisting of four separate parcels north of Lodi Lane, and 29 hotel rooms would be located on the "South Parcel," consisting of two parcels south of Lodi Lane. The Project would be located approximately a half mile north of the City's boundaries in unincorporated Napa County.

The City respectfully requests that the County fully and adequately study, analyze, and provide to the public detailed and accurate information concerning the water demand, supply, and availability for the Project, particularly as the Project applicant and the County appear to assume that the North Parcel will continue receiving and using water supplied by the City. The City, like much of the State of California, experienced extremely low rainfall this year and anticipates a multi-year drought. The City Council recently adopted a resolution enacting Phase 1 water emergency regulations, meaning that water customers must follow specified conservation measures. Thus, it

is of utmost importance to the City that the City has adequate water and that water customers outside of the City use the City's water strictly in compliance with the City's policies and agreements.

The City provides water to the North Parcel pursuant to a water agreement executed by the City and the owner of the Freemark Abbey Winery ("Owner") in March of 2000 ("Agreement"). The Agreement provides that the City will supply to the Owner up to 2,790,000 gallons per year for specified parcels and for specified uses.

Specifically, the Agreement provides that the Owner may use the City's water on four parcels (labeled A, B, C, and D in the Agreement) north of Lodi Lane, or what the County terms the "North Parcel." The City does not have a water agreement with the Owner for provision of City water on the South Parcel, which as proposed would include 29 hotel rooms and the fitness center.

Further, the Agreement provides that the Owner may use the City's water for the following uses: (1) "any and all uses which Owner has historically made of City water," including: agricultural (limited to the vegetable and herb garden); (2) areas on which City water was historically used for agricultural purposes during the six months prior to August 9, 1994, in accordance with Section 18.10 of the City's Code; (3) winery; (4) commercial (including but not limited to the making of beeswax candles); (5) retail (including but not limited to restaurants, bars, delis, catering, and stores); (6) residential; (7) landscaping; and (8) fire protection. The Agreement provides that water use may be used for other purposes on the property provided that the amount of water used does not exceed the annual allocation. But such uses are limited to the specific properties covered by the Agreement and does not include any property south of Lodi Lane.

The City respectfully requests that the County analyze the water supply to the Project in light of the fact that (a) the City and the Project applicant do not have an agreement for the City's provision of water to the South Parcel and (b) that the water supplied to the North Parcel is subject to the maximum annual limitation specified in the Agreement. Based on the City's historical water usage records for the North Parcel, it is the City's opinion that any new water demand will almost certainly be required to be from a source other than the City. The City's records indicate the City provided 2,089,164 gallons to the North Parcel in 2019.

Furthermore, if the County's water analysis indicates that the Project will not have sufficient water without an upward adjustment to the Agreement, the City expects that the County will require adequate mitigation measures for such water impact and that such mitigation measure(s) will not include an upward adjustment to the Agreement. The City currently is not issuing any new will-serve letters for properties located outside of City limits, and the Project applicant as of this date has not asked for either an amendment to the Agreement or a will-serve letter. Thus, any water supplied to the South Parcel must be from a source other than the City, and any water supplied by the City will be limited to the maximum annual allocation specified in the Agreement.

In addition to water, the City is concerned about intersection safety and turning movements at Highway 29 and Silverado Trail from Lodi Lane post project and requests that the County review the potential for additional safety improvements and adequate mitigation measures to address them.

Finally, the City appreciates being informed of the Project by the County. The Agreement requires the Owner to inform the City of any future request or application for a use permit modification which the Owner did in spring 2019. However, the Owner did not update the City when they actually moved forward with the Project submittal or the major modification requested to its existing use permit.

Please feel free to contact me at 707-312-1471 if you have any questions or wish to discuss this further.

Sincerely,

Erica Ahmann Smithies, PE
Director of Public Works/City Engineer
esmithies@cityofsthelena.org
(707) 312-1471

cc: Geoff Ellsworth, Mayor, gellsworth@cityofsthelena.org
Paul Dohring, Vice Mayor, pdohring@cityofsthelena.org
Mary Koberstein, Councilmember, mkoberstein@cityofsthelena.org
Anna Chouteau, Councilmember, achouteau@cityofsthelena.org
David Knudsen, Councilmember, dknudsen@cityofsthelena.org
Mark Prestwich, City Manager, mprestwich@cityofsthelena.org
Maya DeRosa, Planning & Building Director, mderosa@cityofsthelena.org
Trevor Hawkes, Planner III, trevor.hawkes@countyofnapa.org

CITY OF ST. HELENA

ATTACHMENT 2

RESOLUTION NO. 2000-36

APPROVING A WATER AGREEMENT
WITH FREEMARK ABBEY WINERY
AT 3022 N. ST. HELENA HIGHWAY

RECITALS

Freemark Abbey Winery has received a use permit from the County of Napa for a brewery-pub restaurant located at 3022 N. St. Helena Highway. The City of St. Helena has supplied water to this location for many years. The maximum historic water use of 2.7 million gallons was used in 1991 for the entire complex. Freemark Abbey Winery has requested that the City continue to provide water to this location beginning with 1.9 million gallons for the first year and annual use levels increasing to a maximum of 2.7 million gallons by 2005.

A water agreement is attached for approval. The City Attorney and Public Works Director have reviewed the agreement.

RESOLUTION

The water agreement (attached) between Freemark Abbey Winery and City of St. Helena is hereby approved.

Approved at a Regular Meeting of the St. Helena City Council on March 14, 2000, by the following vote:

AYES: Councilmembers Bowers, Toller, Potter, Savidge, Mayor Slavens

NOES: None

ABSENT: None

ABSTAIN: None



APPROVED:

Ken Slavens
Mayor

ATTEST:

Delia Guijosa
City Clerk

MEMORANDUM

APPROVED FOR
CITY COUNCIL AGENDA

DATE: 3/10/10

CITY ADM: SP



DATE: March 10, 2000

TO: City Council, City Administrator

FROM: Martin S. Oldford, Director of Public Works *M/S/O*

RE: Freemark Abbey Winery Water Agreement

Copy: File

When the Use Permit modification for Freemark Abbey was approved by the County to allow a brew-pub style restaurant, one of the conditions was a water agreement with the City. The owner of the property has requested an agreement for all uses on the property which have been historically served by City water.

Staff has determined that the maximum historic use of 2.7 million gallons (MG) was used in 1991 for the entire complex (APN 09-130-015, 016, 020, & 021). The brewery claims their use will be about 99,200 gallons per year. Staff suggests a phased program with annual use levels increasing to 2.7 MG by 2005.

Recommendation

Staff recommends that the attached water agreement with Freemark Abbey Winery be accepted, executed by the City Administrator and recorded at the County Recorder's office.



2000-0009039

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of St. Helena
1480 Main Street
St. Helena, CA 94574

Recorded
Official Records
County of
NAPA
JOHN TUTEUR
Recorder

REC FEE .00
CCN1-NO .00
11:40AM 13-Apr-2000 VB
Page 1 of 11

EXEMPT FROM RECORDING FEES --
GOVERNMENT CODE SECTION 6103

ATTACHMENT 3

WATER AGREEMENT

THIS AGREEMENT, entered into on March 10, 2000, between the CITY OF ST. HELENA (City), a municipal corporation, and FREEMARK ABBEY WINERY (Owner), a California limited partnership, provides as follows:

RECITALS

A. Owner is the owner of several adjoining parcels of real property located outside the city limits of City in an unincorporated area of the County of Napa, California, , as more particularly described in Exhibit "A" attached hereto (collectively, the "Property"). The Property is not only the site of Owner's winery but also a commercial complex with retail stores and two restaurants.

B. City, through the St. Helena Water Enterprise (Water Enterprise), has provided unlimited water service to the Property for all of the uses thereon since at least the 1930s and possibly before. Since 1978, calendar-year water usage has at times reached some 2,700,000 gallons per year.

C. In May 1999, Monzio, Inc., which at that time was the lessee of one of the two restaurants, filed an application for a minor modification to Use Permit #U-306970 with the County of Napa Conservation, Development and Planning Department (Use Permit Request #98547-MOD), seeking to expand that use permit to allow the brewing of beer as part of a transition to a brew-pub style restaurant. Since that time Monzio, Inc. has assigned its leasehold interest to Silverado Brewing Company, LLC, a California limited liability company ("Silverado Brewing").

D. Monzio, Inc.'s application, which estimated that increased water use from the restaurant's beer-brewing activities would not exceed an average of 271.78 gallons per day, was approved by the County on July 23, 1999, subject to, among other things, a condition that Owner execute a water use agreement with City. Although such an agreement was not

required to apply to any water use other than that used by the restaurant alone, Owner is willing to enter into a broader water use agreement covering all City water used on the Property.

E. A list of the use permits and use permit modifications for the Property from 1965 through the date of this Agreement is set forth in Exhibit "B" attached hereto.

F. The parties hereto wish to clarify their rights and obligations with respect to City water service to the Property.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. City agrees to and shall provide water to the Property at commercial user rates, without penalty surcharge, up to an annual level (the Annual Limitation) which shall increase each year between calendar year 2000 and calendar year 2005 until an Annual Limitation of two million seven hundred thousand gallons (2,700,000) is reached in calendar year 2005, upon the terms and conditions set forth herein. The increasing annual levels are as follows:

<u>Calendar Year</u>	<u>Annual Limitation</u>
2000	1,900,000 gallons
2001	2,000,000 gallons
2002	2,100,000 gallons
2003	2,300,000 gallons
2004	2,500,000 gallons
2005	2,700,000 gallons
Each subsequent year	2,700,000 gallons

2. Owner may use the water provided by City pursuant to this Agreement for any and all uses which Owner has historically made of City water, which uses include, without limitation, agricultural (limited to (i) the area occupied by the Brava Terrace vegetable and herb garden, and (ii) those areas on which City water was used for an agricultural purpose during the six months preceding August 9, 1994, in accordance with St. Helena City Code Section 18.10, which areas are labeled as "vegetable and herb garden" and "vineyard" and depicted in cross-hatching on the plot plan of the Property attached hereto as Exhibit "C-1"), winery (including, but not limited to, the use of water in the making of wine, the washing of winery equipment and materials, and all related accessory uses), commercial (including, but not limited, to the making of beeswax candles), retail (including, but not limited, to restaurants, bars, delicatessens, catering, and gift and gourmet stores), residential, landscaping (subject to the terms of Paragraph 3), and fire protection. The water provided

by City pursuant to this Agreement may also be used for the brewing of beer pursuant to the terms, conditions, and restrictions of Use Permit Request #98547-MOD and for such uses as may be permitted by use permits or use permit modifications approved in the future for the Property, so long as the amount of City water does not exceed the Annual Limitation. For purposes of this Agreement, the Property shall be deemed to be one "premises," as that term is defined in St. Helena City Code Section 18.1.

3. Owner shall install, at no expense to City, on all new construction that includes bathrooms, only low-volume flush toilets and urinals and shower heads and bathroom faucets with flow restrictors. In addition, all existing toilets and urinals that are not low-volume flush toilets and urinals shall be replaced with low-volume flush toilets and urinals, and all existing shower heads and bathroom faucets shall be equipped with flow restrictors. Only the areas depicted in Exhibits "C-1" (agricultural) and "C-2" (landscaping) may be irrigated with City water for agriculture and landscaping, respectively. The bold line in Exhibit "C-2" represents the perimeter of that portion of the Property within which City water has been and continues to be used to irrigate landscaping (the "Perimeter"). Should any landscaping (other than landscaping which is to be installed outside the western and southern walls of the premises leased by Silverado Brewing, which may be irrigated with City water) be added after the date of this Agreement in areas within the Perimeter which are not currently being irrigated with City water, Owner shall not use City water to irrigate the landscaping in said additional areas. All replacement trees and shrubs which use City water shall feature drought-resistant species indigenous to California or similar climates. Owner shall make reasonable, good-faith efforts to evaluate alternative water sources, including on-site wells, to supplement City water. The retrofitting of existing bathroom facilities with low-volume flush toilets and urinals and shower heads and faucets with flow restrictors shall be completed by no later than one (1) year after the date of this Agreement. Security of Five Hundred Dollars (\$500) per each toilet and urinal shall be deposited with City upon execution of this Agreement, which sum City shall keep in an interest-bearing account and which sum, along with all accrued interest, City shall return to Owner upon proof of completion of the required retrofitting.

4. All applications for any water service connections in addition to those which exist at the Property as of the date of this Agreement shall be made pursuant to applicable ordinances of City as they exist at the time application is made. Owner acknowledges that City does not permit new connections outside City limits as of the date of this Agreement. As to water furnished to Owner pursuant to this Agreement, Owner shall be bound by and subject to such lawful resolutions, rules, regulations, directives, ordinances, and orders of City pertaining to water service as may be enacted from time to time for commercial users of City water, including, without limitation, provisions related to rate charges and water shortage emergencies.

5. Owner shall monitor its water usage on a bi-monthly basis and shall employ measures reasonably designed to prevent the Annual Limitation from being exceeded. In the

event the City Director of Public Works reasonably determines that the Annual Limitation inevitably will be exceeded or that the Annual Limitation has been exceeded, City may require Owner to undertake reasonable additional conservation measures and may require Owner, upon ten (10) days' prior written notice, to terminate water service for nonessential uses. For purposes of this Agreement, the term "nonessential uses" shall mean the use of water for landscape irrigation and other uses where non-potable water will suffice.

6. In the event Owner exceeds its Annual Limitation, it shall pay to City a penalty surcharge equal to sixty percent (60%) of the water rate charge for each hundred cubic feet, or portion thereof, used in excess of the Annual Limitation. Such penalty surcharge shall be due and payable within 30 days after calculation and demand by City. In addition to the 60% surcharge, City may avail itself of all rights and remedies set forth in paragraph 8.

7. Owner agrees that if any future request or application for approval of amendments or modifications to any of the use permits for the Property is submitted to the Napa County Planning Commission (the Planning Commission) or Board of Supervisors (the Board), City shall be informed on or before the date on which any such request or application is submitted. In addition, Owner agrees to provide City with copies of all supporting documents or other information submitted in connection with such requests or applications on or before the date such materials are submitted to the Planning Commission or the Board.

8. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default of this Agreement; to enforce any covenants or agreements herein or to enjoin any threatened or attempted violation thereof; to recover damages for any default; or to obtain any other remedy consistent with the purpose of this Agreement.

9. If at some time in the future City determines that its water supply exceeds the amount reasonably necessary to supply City's then-existing users and that it will make some or all of said excess water available to users located outside the City limits, City shall treat Owner no less well than other outside commercial users who seek to purchase excess water from City.

10. This Agreement shall be construed and enforced in accordance with the laws of the State of California. Should any legal action be brought by either party because of breach of this Agreement or to enforce any provisions of this Agreement, the prevailing party in such action shall be entitled to all reasonable attorney's fees, court costs and necessary disbursements in connection with such litigation.

11. The parties hereto agree that the provisions of this Agreement are severable. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected and shall remain in full force and effect unless amended or modified by mutual consent of the parties in writing.

12. The provisions of this Agreement shall be binding on all assigns and successors in interest to the parties hereto and shall be a covenant that runs with the land.

13. The plot plans depicted on page 2 of Exhibit "A" and in Exhibits "C-1" and "C-2" are meant to be conceptual only and are not drawn to scale.

OWNER

FREEMARK ABBEY WINERY,
a California Limited Partnership

DATED: 3/10/00

By: Theodore L. Edwards
Theodore L. Edwards
Its: Managing General Partner

CITY

CITY OF ST. HELENA,
a Municipal Corporation

DATED: 3/28/2000

By: Bonnie Long
Bonnie Long
Its: City Administrator

ATTEST:

Delia Guijosa
Delia Guijosa
City Clerk



APPROVED AS TO FORM:

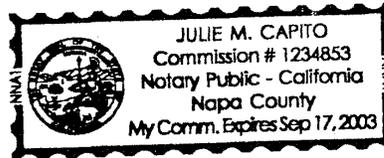
Diane Price
Diane Price
City Attorney

STATE OF CALIFORNIA)
) ss.
COUNTY OF NAPA)

On MARCH 10, 2000, before me JULIE M. CAPITO personally appeared ~~THEODORE L. EDWARDS~~ personally known to me (or proved to me upon the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Julie M. Capito
Notary Public



STATE OF CALIFORNIA)
) ss.
COUNTY OF NAPA)

On 3/28, 2000, before me, the undersigned, City Clerk of the City of St. Helena, personally appeared BONNIE LONG, personally known to me (or proved to me upon the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Delia Guijosa
Delia Guijosa, City Clerk



EXHIBIT "A"
Description of the Property.

The following four parcels, situated in an unincorporated area of the County of Napa, State of California, compose the Property referred to in the Water Use Agreement to which this exhibit is attached:

Parcel A:

APN 022-130-015

5.46 acres +/-

Zoned AW

Parcel B:

APN 022-130-016

3.11 acres +/-

Zoned AW

Parcel C:

APN 022-130-020 (Note that there are three parcels [APN 022-130-017, APN 022-130-018, and APN 022-130-019; air-space parcels only] located within APN 022-130-020.)

1.3 acres +/-

Zoned CL

Parcel D:

APN 022-130-021

0.52 acres +/-

Zoned CL

[See attached plot plan on page 2 of 2]

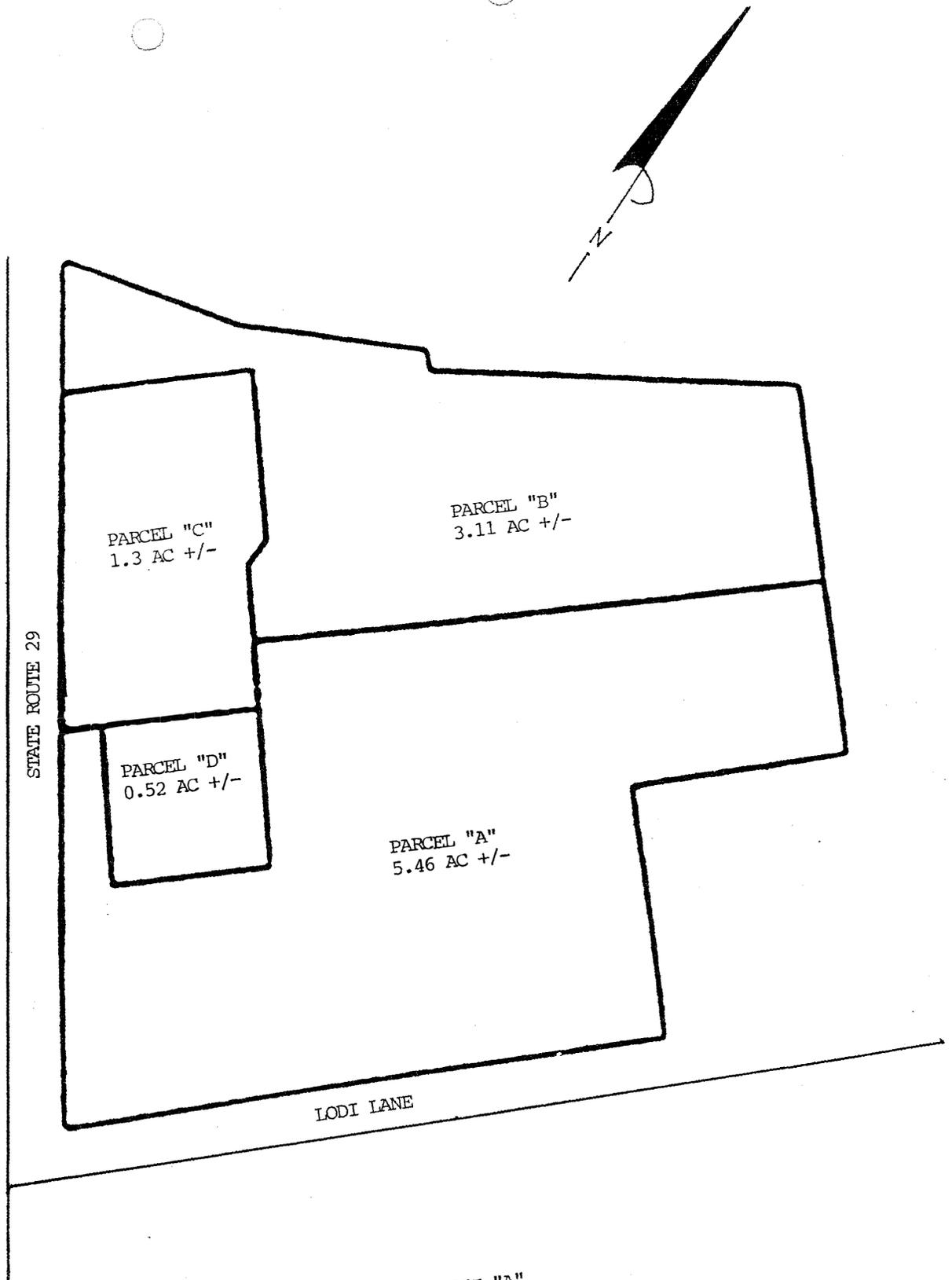


EXHIBIT "B"
Freemark Abbey Properties Permit History

7/7/65	UP 76-65	Re-establish winery, candle manufacturing & retail
5/19/66	UP 62-66	Gift Shop, gourmet shop, antique sales, wine tasting
5/4/70	U-306970	4,000 sq. ft. restaurant in existing building
9/2/72	U-187273	Master Plan approved
10/2/72	U-37273	3,700 sq. ft. wine tasting facility
10/2/72	U-87273	20,000 sq. ft. winery storage building
6/19/74	U-587374	800 sq. ft. cocktail lounge addition
5/5/76	U-607576	1,000 sq. ft. expansion to The Abbey Restaurant
7/7/76	U-747576	Relocate wine tasting & deli; establish bakery & ice cream shop
5/3/78	U-227778	4,000 sq. ft. health food store
9/3/80	U-567980	Sewer line from Freemark & Wine Country Inn to Markham
3/18/81	U-278081	8,820 sq. ft. addition to winery
7/14/88		Master sign program
9/3/93	93090-VAR	Variance to allow sign in setback
9/3/93	92481-S	59 sq. ft. illuminated sign
6/18/99	98489-MOD	2,232 sq. ft. loading dock
7/23/99	98547-MOD	Brew pub

(NOTE: This exhibit is intended only as a brief summary of the uses permitted by the various permits and modifications thereof listed above. The actual permits and modifications should be consulted for a complete understanding of their terms and conditions. If any permits or modifications have been omitted from this summary, their omission is inadvertent and they shall not be deemed to have been excluded as a result of their non-inclusion.)

EXHIBIT C-1 AGRICULTURAL AREA

KEY
VEGETABLE &
HERB GARDEN
VINEYARD

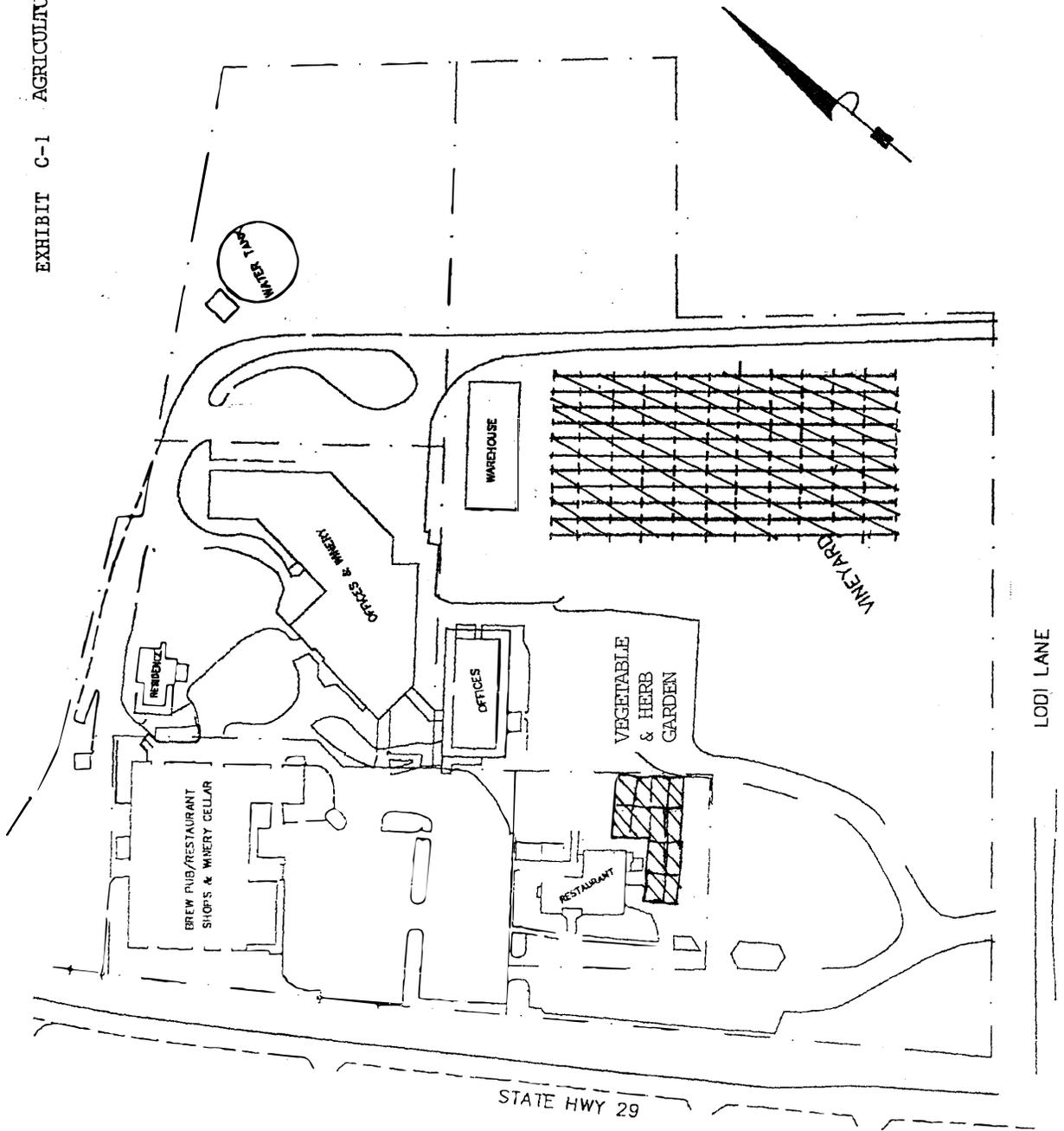


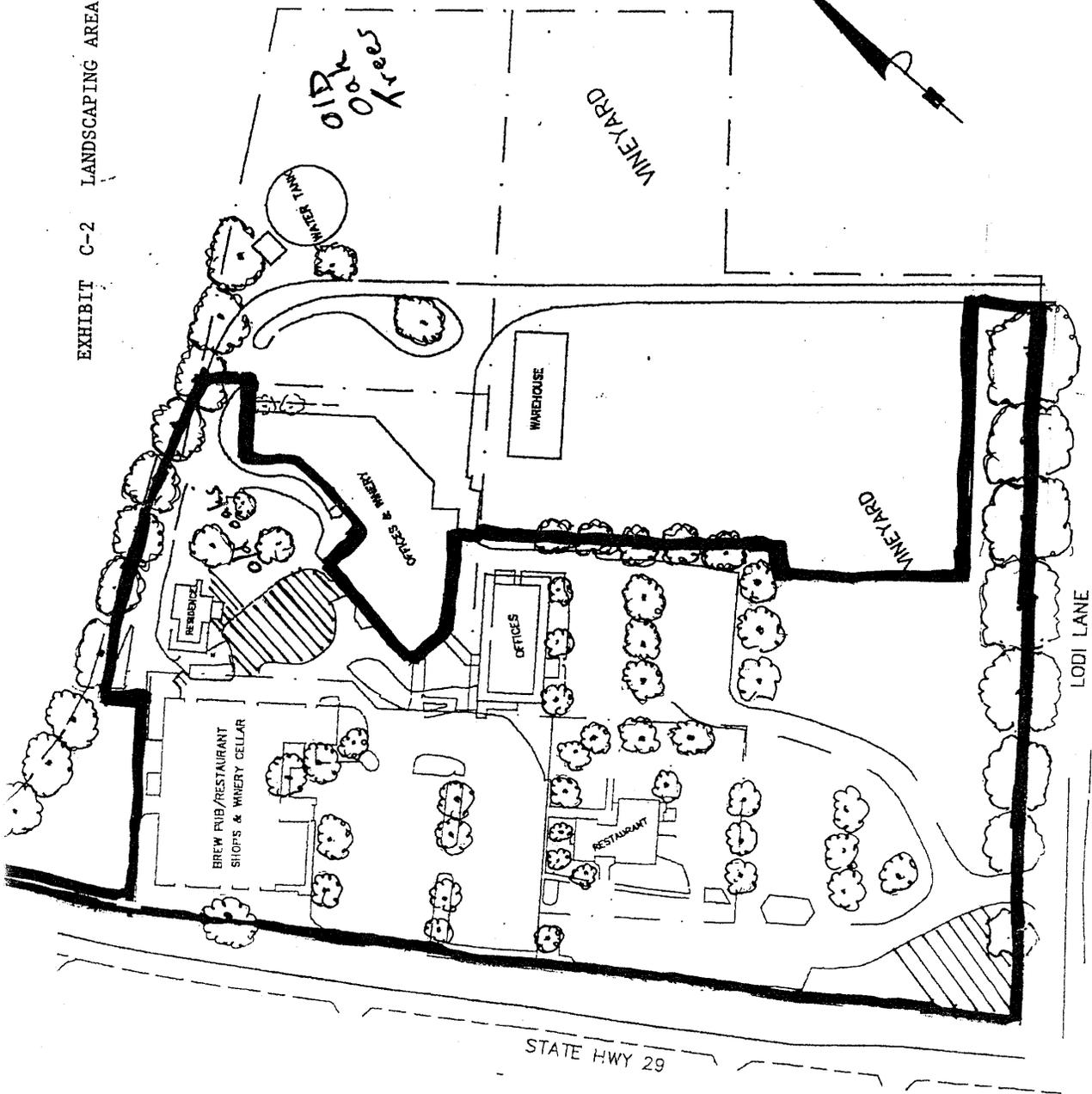
EXHIBIT C-2 LANDSCAPING AREA

KEY

LAWN

PERIMETER OF LANDSCAPING AREA

TREES



END OF DOCUMENT

Letter A-3 Response: City of St. Helena, May 23, 2025

A-3-1 The comment expresses concern over the use of City of St. Helena water beyond the parcels in the existing agreement and notes that an amendment must be made to serve additional parcels. As discussed in Draft EIR Chapter 3, *Project Description*, the Project Applicant proposes to integrate the proposed hotel development and existing residential dwelling units on the South Parcel with the North Parcel public water system. The proposed integration would include connecting the Alumbaugh Well on the South Parcel as a new water source for the North Parcel public water system, re-using the existing North Parcel treatment and blending system, and connecting the North and South parcel distribution systems. To avoid the transfer of City of St. Helena water from the North Parcel to the South Parcel, the municipal City water service would be disconnected from the existing blending system and would instead serve the North Parcel buildings directly. The North Parcel buildings would maintain an auxiliary connection to the on-site public water system for backup use if the City water allotment is depleted. Reduced pressure backflow preventors would be installed as required to prevent cross-connection of on-site and City public water systems (Draft EIR p. 3-30).

Based on the County's review of the proposed water system, the connection to the City of St. Helena water system would remain on the North Parcel only, consistent with the existing water agreement. However, to ensure that the final design of the system meets the objective of keeping the municipal City water service separate from the South Parcel, the County will add a condition of approval for clear identification of water service separation during building plan check and an additional planning final prior to the issuance of any building permits for the site and will forward the documentation to the City of St. Helena.

A-3-2 The comment requests that the City of St. Helena's potential actions be added to the list of potential approvals and permits required in Draft EIR Chapter 3, *Project Description*. It is the County's understanding that the existing water connection meter would be adequate to serve the Project. However, in response to the comment to account for the potential for a larger meter and connection of the new North Parcel hotel building to the water system, the City of St. Helena's potential action has been added on Draft EIR Chapter 3, Section 3.5.2, *Actions by Other Agencies*, p. 3-36, as follows:

- **City of St. Helena: Permit approval for the service connection for the new North Parcel hotel building and a potential updated water connection meter by the St. Helena Public Works Department and Building Department.**

A-3-3 The comment reiterates previous comments concerning an amended water agreement and potential actions needed from the City of St. Helena related to water infrastructure. See Response to Comment A-3-1 regarding the existing water agreement. In response to the comment, the text

on Draft EIR Chapter 6, Section 6.3.1, *Extension of Urban Services or Infrastructure*, p. 6-3, is revised as follows:

The Project site is currently developed and occupied and is adjacent to developed areas. Urban services and infrastructure like roadways, utilities, and public services police and fire protection are already established in the vicinity. Development of the Project would only require a connection to existing services, including connection of the new hotel building to the City of St. Helena water system and potential upsizing of the water meter. Although infrastructure improvements would occur as part of the Project, they would not indirectly induce substantial population growth in the County or broader area because the Project site is located within a developed area. Additionally, most of the required infrastructure improvements would be limited in extent such that they would only support Project development (e.g., on-site greywater reuse and wastewater treatment systems), and would not facilitate the development or redevelopment of other properties within the vicinity of the Project site.

- A-3-4 The comment notes support for employee housing and assumes that it would be provided in Unincorporated Napa County and not the City of St. Helena. As discussed in Draft EIR Chapter 3, *Project Description*, prior to occupancy of the hotel, the Project Applicant would cause to construct and/or commit to deliver five new residential dwelling units in Napa County to be occupied by employees who work for Project Applicant or Project Applicant's affiliates. The new residential dwelling units may be funded by the Project Applicant, funded/constructed in partnership with housing developers, non-profit organizations, and/or constructed by Project Applicant on its properties. It is anticipated that these units would be constructed in unincorporated Napa County, subject to the terms of the Development Agreement between the County and the Project Applicant.
- A-3-5 The attachments to this letter are acknowledged. Attachment 1 contains the City of St. Helena's comment letter on the NOP of an EIR for the Project. Comments received in response to the NOP were considered during preparation of the Draft EIR and are included as an appendix to the Draft EIR (Draft EIR Appendix A).

Attachments 2 and 3 contain documentation related to the existing water agreement between the City of St. Helena and the Freemark Abbey Winery. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the Draft EIR that would require response pursuant to State CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

May 23, 2025

Trevor Hawkes
Napa County PBES
1195 Third St
Napa, CA 94559
Delivery via email to Trevor.Hawkes@countyofnapa.org

RE: P19-00038-MOD Inn at the Abbey - Applicant’s Comments on the DEIR

Dear Mr. Hawkes:

On behalf of Jackson Family Investments III, LLC (the “Applicant”), we respectfully submit the following comments on the April 2025 Draft Environmental Impact Report (“DEIR”) for the Inn at the Abbey Project.

|

O-1-1

We first would like to thank Napa County staff and its consultant, ESA, for the very thorough and clear environmental review provided by the DEIR. As with any effort of this size, there are some clarifications, corrections, and amplifications that we feel are appropriate. In this letter, we have addressed four substantive topics. More minor corrections and clarifications are provided in the attached table included in Appendix A.

1. Alternatives Analysis

The DEIR includes a reasonable range of alternatives as required by CEQA. Where the no-project alternative is the environmentally superior alternative, an EIR must identify an “environmentally superior” alternative among the other alternatives.¹ Here, the DEIR identifies Alternative B as the environmentally superior alternative based on an assumed reduction in water use and VMT resulting from Alternative B’s 20% reduction in hotel rooms. Alternative B also assumes that all the Project’s voluntary green building design measures and development agreement terms would be included in the reduced resort. We would like to make a couple of comments regarding the Project and Alternative B.

|

O-1-2

First, because the Project already reduces all potential impacts to the less than significant level, Alternative B is not needed to reduce a significant impact. Impacts are less than significant with the Project and Alternative B, but Alternative B does not meet the Project Objectives to the same extent as the proposed 79-room Project.²

¹ CEQA Guidelines §15126.6(e)(2).

² DEIR, page 5-18.

Second, we would like to note that CL zoning on the project site allows for proposal of a 100-room resort project across the CL parcels. While zoning would allow for a larger project, we designed the project to work best with the site and available infrastructure. Rather than proposing the maximum allowed use (i.e. a 100-room resort hotel) and then pursuing a reduced alternative of 80 rooms, our tailored project is consistent with zoning, sustainable and economically viable at the proposed Project level of 79 rooms.

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O-1-2
cont.
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2. Corrections regarding St. Helena Water Service

We appreciate that the DEIR makes clear that only the North Parcel portion of the Project will receive municipal water from the City of St. Helena pursuant to a recorded Water Agreement.³ As noted in the DEIR, water supplied by the City will not be used on the South Parcel.⁴ We also appreciate the clear manner in which the DEIR conveys that the Project will not exceed the Water Agreement’s contracted maximum amount of 2.7 million gallons per year⁵ and that separate treatment and use of municipal water ensures City water is used only on lands benefited by the Water Agreement.⁶ There are a couple of typos in the DEIR incorrectly stating that the Water Agreement provides for 2.79 million gallons per year.⁷ We ask that those typos be corrected to reflect the Water Agreement’s provisions allowing up to 2.7 million gallons per year. Lastly, we note that the Water Agreement expressly allows for City water to be used for “such uses as may be permitted by use permits or use permit modifications approved in the future” on the benefited portion of the project site.⁸

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O-1-3
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3. Corrections on Biological Resources analysis

The DEIR misquotes General Plan policy CON-24 and incorrectly indicates that a 2018 initiative was adopted by the voters of Napa County.⁹ While it did not amend CON-24, Napa County did adopt the Water Quality and Tree Protection Ordinance (“WQTPO”) in 2019.¹⁰ As a zoning ordinance, WQTPO amended the Conservations Regulations (Chapter 18.108 of Napa County Code), but did not amend the Napa County General Plan. The WQTPO includes tree canopy retention requirements and replanting requirements for AW zoned areas, but those tree canopy

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O-1-4
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³ The Water Agreement with the City of St. Helena was recorded on April 13, 2000 as document number 2000-0009039 in the Official Records of Napa County.

⁴ DEIR, page 4.15-12

⁵ DEIR, page 4.8-25.

⁶ DEIR, page 4.8-23.

⁷ DEIR, pages 4.15-1 and 4.8-3

⁸ Water Agreement §2.

⁹ DEIR, page 4.4-12. The Napa County Watershed and Woodland Protection Initiative of 2018 (“Measure C”) was not adopted by the voters of Napa County. The subsequent Water Quality and Tree Protection Ordinance of 2019 was adopted by the Board of Supervisors and included a reference to Measure C in its recitals.

¹⁰ Napa County Ordinance 1438 adopted April 19, 2019.

retention and replanting requirements do not apply to CL zoned areas and do not apply to individual trees.

The DEIR also states that CON-24 “lists trees and land cover types (primarily oak species and oak woodlands) that the County desires to retain.”¹¹ However, CON-24 addresses only oak woodlands as a habitat type and does not list individual tree species (oak or non-oak). Other habitat types of importance for conservation purposes are addressed by policy CON-17, but not in CON-24.

The Biological Resource analysis applies General Plan policy CON-24 to removal of individual oaks although the language of CON-24 applies to removal of oak woodlands as a habitat type. There are approximately five oaks proposed for removal from CL zoned areas of the Project site, and the DEIR confirms these trees do not constitute oak woodlands.¹² The Biological Resources Report further concludes that “habitat identified as oak woodland would not be impacted.”¹³ The DEIR states that the oaks near the Stone Building “may be remnant trees from historical oak woodlands.”¹⁴ Because the Stone Building’s development dates back to the late 1880’s, any historic oak woodland have been gone for approximately at least 140 years.

We ask that the quotation of CON-24 be corrected. We also do not interpret CON-24 to apply to the removal of individual oak trees in a CL zoned area. However, we are willing to replant on removed oaks at a 2:1 ratio as described in mitigation measure BIO-4. The replanting can be accomplished on the project site and could considered an added public benefit of the project.

O-1-4
cont.

4. Mitigation Measure GHG-1a: Request for Clarification and Flexibility

We support Napa County’s efforts to reduce greenhouse gas (GHG) emissions and is committed to implementing a sustainable and energy-efficient project. We acknowledge that Mitigation Measure GHG-1a calls for all-electric infrastructure for new development as a means of reducing operational GHG emissions. We also have voluntarily committed to achieving a minimum LEED Gold Certification, which encompasses a suite of energy, water, and sustainability enhancements that exceed baseline requirements.

Given the complexity and scale of the Project, we respectfully request that Mitigation Measure GHG-1a be clarified to allow for feasibility-based flexibility in its implementation. While the Project is being designed to minimize emissions and energy consumption, the availability, performance, and cost implications of all-electric systems (particularly for commercial-scale kitchens and backup energy systems) remain a challenge for certain hospitality operations.

O-1-5

¹¹ DEIR, page 4.4-19.

¹² DEIR, page 4.4-20.

¹³ Section 3.5 of the Biological Resources Report in DEIR Appendix D

¹⁴ DEIR, page 4.4-20.

Further, evolving California Energy Code and BAAQMD regulations may, within the Project's projected construction timeline, require electrification or offer updated compliance pathways.

To maintain alignment with CEQA's requirement that mitigation be feasible and effective, we request that GHG-1a be revised to allow compliance through either of the following:

1. Electrification of all new development, or
2. Demonstration that all-electric infrastructure is infeasible for specific functions, in which case functionally equivalent or superior GHG-reduction strategies (e.g., high-efficiency gas equipment, on-site renewables, offsets, or enhanced LEED performance) would be implemented.

O-1-5
cont.

As referenced above, a table of technical clarifications and factual corrections is enclosed as an appendix to this letter. We appreciate the County's thorough review and look forward to continued collaboration as the Inn at the Abbey Project proceeds to the Planning Commission and Board of Supervisors.

O-1-6

Respectfully,



GEOFF SCOTT

Senior Vice President, Planning & Design

Real Estate Department, Jackson Family Investments

949-400-5172

geoff.scott@jfwmail.com

Appendix A

IATA DEIR Summary Comments

Page	Comment
1-5	Fourth sentence under Section 1.2.5 states “[t]he Board of Supervisors is the decision-maker on because the Project includes a Development Agreement.” Recommend revisions to clarify that Board is decision-maker on this Project because the Project includes a Development Agreement.
2-1	Last paragraph states that site is predominantly flat. The Applicant notes that the site has significant topographic variation, with approximately 45 feet of elevation change from north to south. This site condition informed the tiered design of the main building on the North Parcel to better integrate with the natural slope. This paragraph also states that site’s uses date back to the 1960’s. Applicant notes that winery use is pre-Prohibition (Tychson Cellar built in 1886 according to Appendix E report.)
2-2	In the first paragraph, Applicant notes the neighboring “commercial inn” has 29 rooms. The second paragraph states that SR 29 is east of the Project site, but that road is to the west.
3-1	Last paragraph states that SR 29 is east of the Project site, but that road is to the west
3-4	First paragraph references generally flat site and onsite uses starting in the 1960’s. See comment above regarding page 2-1.
3-36	Section 3.5.2 references possible modifications to the Markham CWMS. While Applicant understands RWQCB will review the project, no modifications are proposed to the Markham CWMS. No modifications are necessary to accommodate wastewater flows from the North Parcel. South Parcel wastewater flows will be treated onsite.
4.1-8	Napa County General Plan policies CC-14 and CC-16 are duplicates of the same text. The text correctly quotes CC-16, and CC-14 may have been included in error.
4.1-12	The top of this page includes a statement that the “project would intensify development on project site”. The Applicant agrees that, from an aesthetic standpoint, the Project changes visual massing through

O-1-7

O-1-8

O-1-9

O-1-10

	replacement and expansion of existing structures. However, it is important to note that the operational intensity does not exceed the entitled levels, as described in the No Project Alternative.
4.1-20	Section 4.1.7 References lists the draft IS/MND prepared by Napa Valley Transportation Authority. That IS/MND was adopted August 2020 and is no longer a draft CEQA document. https://issuu.com/nvta19/docs/vine_trail_final_ismnd_compiled?fr=sMjRiZDE2NDQ5Mzk
4.2-7	The DEIR on this page correctly lists the minimum parcel size for AW zoned parcels as 160 acres. For the public, Applicant notes that AW zoned parcels less than 160 acres are legal developable parcels that lack any subdivision potential.
4.2-8	The last paragraph notes existing parking and roads on AW zoned lands as accessory to the existing winery. Applicant notes that said parking and roads are accessory to winery and the commercial uses approved on CL zoned areas. The Parking and roads were established under prior zoning (PD) that was difference than the current zoning, and the parking was documented in use permit P12-00359-VMM approved on December 21, 2012.
4.4-6	R – Text under Napa Bluecurls states that oak woodlands “provides habitat” for this species but also states that Napa Bluecurls not present during survey. Applicant believes that language should be clarified to state that oak woodlands provide <i>potential</i> habitat
4.4-19	Last paragraph describes General Plan policy CON-24 as protecting trees and land cover types, primarily oak woodlands). However, the language of CON-24 relates only to oak woodlands, not to other cover types or individual species of oaks. Last paragraph also states says trees are proposed for removal on the eastern side of parcel near SR 29, but that is western side of the project site. Applicant also notes that the tree removal is in a CL zoned area and trees being removed do not constitute oak woodland according to the biological survey contained in the DEIR appendix.
4.5-4	The second paragraph under History of Project Site states the most recent restaurant tenant vacated the site in 2001. This statement should be corrected. Two Birds, One Stone operated in the Stone Building from 2016 to 2019, followed by Roadhouse 29 from 2019 to 2020. The Brava Terrace

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O-1-10
cont.

O-1-11

O-1-12

O-1-13
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Comment Letter O-1

	restaurant, located in a separate structure, has remained vacant since 2001.
4.6-6	Language could be read to imply that Applicant does not use Marin Clean Energy. The Project site does use Marin Clean Energy.
4.6-16	First full paragraph on this page refers to the “future alignment of” the Vine Trail. Applicant notes the Vine Trail is now built and the section on the project site (from the Calistoga Depot to Pratt Avenue in St. Helena) opened August 2024.
4.7-32	The Vine Trail is referenced at the top of this page. Applicant notes that the Vien Trail is open since August 2024.
4.8-14	The citations to appellate court cases addressing the public trust doctrine are incomplete.
4.10-4	Second paragraph describes the existing mobile home park as being southwest of the project site and existing hotel as being northwest. Applicant believes the existing mobile home park is west or northwest of project site. Existing 29-room hotel is northeast.
4.10-23	First paragraph under Impact NOI-2 should match language on 4.10-14 stating that “no <u>impact</u> pile driving activities” are proposed.
4.10-23	Second paragraph under Impact NOI-2 states “[t]here are no historic structures located in the vicinity of the Project Construction site.” Applicant understands this statement to mean there are no off-site historic buildings. The Stone Building is historic. Noise & Vibration Assessment at Appendix K addresses potential for damage to off-site buildings.
4.12-4	Under Napa County General Plan, Goal SAF-3 is from 2008 Safety Element, but the Napa County General Plan Safety Element was updated in 2023. The DEIR references General Plan Safety Element policies using outdated numbering from the 2008 version. Napa County adopted an updated Safety Element in 2023. For example, former SAF-20 is now SAF-10.8, and former SAF-34 is now SAF-8.7. We recommend revising all citations for consistency with the currently adopted policy framework.
4.12-8	See comment above regarding updated Safety Element policy numbers. On this page, former SAF-34 became SAF-8.7, and former SAF-20 became SAF-10.8.

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cont.

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O-1-16

O-1-17

O-1-18
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Comment Letter O-1

4.12-9	See comment above regarding updated Safety Element policy numbers. On this page, former SAF-34 became SAF-8.7, and former SAF-20 became SAF-10.8.
4.13-1	Under 4.13.2, Silverado Trail is described as a collector, but the current Circulation Element classifies Silverado Trail as an arterial. Lodi Lane is a collector, not an arterial (See Napa County General Plan Circulation Element Figure CIR-1.)
4.13-2	Figure 4.13-1 describes Vine Trail as “planned”. The Vine Trail opened in August 2024.
4.16-8	Under the Napa County General Plan heading, Applicant notes that the text of policies is from the updated 2023 Safety Element, but the policies’ numbering is from the prior Safety Element.

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O-1-18
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O-1-19

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O-1-20

Letter O-1 Response: Jackson Family Investments, May 23, 2025

- O-1-1 This is a general comment that includes introductory remarks and serves to introduce more specific comments which are responded to in detail below. As a result, no specific response is provided here. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.
- O-1-2 The Project Applicant's comments related to the alternatives selected for analysis are noted. The comment reiterates that the Project is designed to fit within the site and available infrastructure, rather than to follow the maximum zoning allowed. However, it is noted that under CEQA, alternatives must be compared with the project as proposed, not a hypothetical maximum development scenario. As discussed in Draft EIR Chapter 5, *Alternatives*, in selecting alternatives for analysis, Napa County considered: the Project objectives and significant impacts identified in the Draft EIR; the potential feasibility of alternatives based on factors in CEQA Guidelines Section 15126.6(f)(1); and whether the alternative would substantially reduce or eliminate environmental impacts of the Project (Draft EIR p. 5-8).

The County has identified Alternative B (Reduced Development Alternative) as the environmentally superior alternative because it would reduce operational impacts related to VMT and vehicle trips and would result in the greatest potential for energy efficiency and incorporation of green building design features of the built alternatives through new construction, even though the impact conclusions would be the same as the Project. However, although the alternatives identified would reduce impacts, they would not substantially lessen or avoid significant environmental effects of the Project because the Project itself would not result in significant impacts (Draft EIR p. 5-21).

- O-1-3 The Project Applicant's comments on the water agreement with the City of St. Helena and the description of water service in the Draft EIR are noted. In response to the comment, the typographical error pertaining to the contracted maximum water amount has been corrected on Draft EIR p. 4.8-3 as follows:

The Project site is serviced by an existing water system on the North Parcel which includes two on-site wells and a connection to City of St. Helena water. The City of St. Helena provides water to the North Parcel pursuant to a water agreement executed by the City and the owner of the Freemark Abbey Winery in March 2000. The Agreement states that the City will supply the Owner with up to ~~2,790,000~~ 2,700,000 gallons per year for specified parcels and for specified uses. A separate public water system exists on the South Parcel, served by one well on the residential property (RSA+, 2020).

In response to the comment, the typographical error pertaining to the contracted maximum water amount has been corrected on Draft EIR p. 4.15-1 as follows:

The Project site is serviced by an existing water system on the North Parcel which includes two on-site wells and a connection to City of St. Helena water. The City of St.

Helena provides water to the North Parcel pursuant to a water agreement executed by the City and the owner of the Freemark Abbey Winery in March 2000. The Agreement states that the City will supply the Owner with up to ~~2,790,000~~ 2,700,000 gallons per year (GPY) for specified parcels and for specified uses. A separate public water system exists on the South Parcel, served by one well (RSA+, 2020a). Water supply, treatment, and distribution for on-site sources are described below.

O-1-4 The Project Applicant's comments on the application of General Plan Policy CON-24 are noted. However, it is the County's practice to avoid removal of oak species limited in distribution to the maximum extent feasible in accordance with General Plan Policy CON-24.

In response to the comment, the outdated policy language for General Plan Policy CON-24 has been corrected and policy language summarizing the Napa County Water Quality and Tree Protection Ordinance has been added as follows on Draft EIR p. 4.4-12:

~~**Policy CON-24²:** Pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018, require a permit for any oak removal within the Agricultural Watershed. Continue to m~~ Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:

- a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
- b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.
- c) Provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible. ~~Within the Agricultural Watershed zoning district, require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible, except where the Napa County Watershed and Oak Woodland Protection Initiative of 2018 provides for an exception to this requirement.~~
- d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
- e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.

- f) Encourage and support the County Agricultural Commission’s enforcement of State and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.

² ~~Shown as amended in Napa County Oak Watershed and Oak Woodland Protection Initiative of 2018, Ordinance No. 2018-01. Implemented by Action Item CON NR-7:~~

The County shall adopt a voluntary Oak Woodland Management Plan¹ to identify and mitigate significant direct and indirect impacts to oak woodlands. Mitigation may be accomplished through a combination of the following measures:

- a) Conservation easement and land dedication for habitat preservation;
- b) Payment of in-lieu fees; and/or
- c) Replacement planting of appropriate size, species, area, and ratio.

Napa County Water Quality and Tree Protection Ordinance

In April 2019, Napa County adopted Ordinance No. 1438, known as the “Water Quality and Tree Protection Ordinance,” to strengthen tree removal standards, enforce new canopy retention measures, and protect water quality through expanded vegetative buffers. The ordinance mandates increased preservation of existing trees, establishes mitigation ratios for removals, and applies strict setbacks around wetlands, reservoirs, ephemeral streams, and other sensitive water features. It amends County Code Chapter 18.108, requiring comparably scaled permanent preservation or replacement of canopy cover whenever trees are removed, particularly in the Agricultural–Watershed (AW) zone. These combined measures reflect Napa County’s intent to protect native oak woodlands and broader tree canopy, reduce sediment run-off, and maintain hydrologic integrity within critical watershed areas.

Additionally, in response to the comment, the analysis under Impact BIO-2 on Draft EIR pages 4.4-19 and 4.4-20 has been revised as follows:

General Plan Conservation Element Policy CON-24 describes measures to maintain and improve oak woodland habitat—lists trees and land cover types (primarily oak species and oak woodlands) that the County desires to retain. Napa County General Plan Policy CON-24 requires that projects provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution are also to be avoided to the maximum extent feasible. Within the Agricultural Watershed (AW) zoning district, the Napa County Conservation Regulations (Chapter 18.108) and 2019 Water Quality and Tree Protection Ordinance (Ordinance No. 1438) require replacement of lost oak

¹ <https://www.countyofnapa.org/DocumentCenter/View/953/Voluntary-Oak-Woodland-Management-Plan---October-26-2010-PDF>

woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible.

A tree removal plan and landscape plan have been prepared for the Project (Figure 3-21 and 3-22). The Project would retain many of the existing trees on the Project site but would require removal of approximately 97 trees, including 73 trees on the North Parcel and 24 trees on the South Parcel (Figure 3-22). The trees to be removed are mainly concentrated along the ~~eastern~~ western side of the North Parcel (along SR 29) where the new North Hotel Building would be constructed. The majority of trees proposed for removal are non-native ornamental trees. Several oak trees near the existing Stone Building are also proposed for removal. The Project would not remove oak trees within the AW zoning district. ~~While~~ These trees are also not identified as oak woodland habitat within the study area's identified as oak woodland habitat; however, the Project Applicant has agreed to mitigate removal of any oak trees at a 2:1 ratio that would compensate for the removal of the limited number of oak trees on the Project site, they may be remnant trees from historical oak woodlands.

~~The Napa County General Plan Policy CON 24 requires that projects provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution are also to be avoided to the maximum extent feasible. Within the Agricultural Watershed (AW) zoning district, the Napa County Conservation Regulations (Chapter 18.108) require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible. The Project would not remove oak trees within the AW zoning district. Therefore, the County's minimum 2:1 ratio would apply to any oak trees removed by the Project.~~

These additions do not alter the conclusions or mitigation measures contained in the Draft EIR.

O-1-5 The Project Applicant's request for flexibility in the implementation of Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure, is noted.

As discussed in Draft EIR Section 4.7, *Greenhouse Gas Emissions*, Napa County does not have an adopted qualified Climate Action Plan that can be used for evaluation under the CEQA Guidelines section 15183.5(b). Therefore, option (A) of the Bay Area Air Quality Management District's (BAAQMD's) project-level thresholds (inclusion of project design elements) is used as the significance threshold in the Draft EIR. According to BAAQMD, if a project is designed and built to incorporate these design elements, then it will contribute its portion of what is necessary to achieve California's long-term climate goals—its "fair share"— and an agency reviewing the project under CEQA can conclude that the project will not make a cumulatively considerable contribution to global climate change. If the project does not incorporate these design elements, then it should be found to make a significant climate impact because it will hinder California's

efforts to address climate change. As such, a significant GHG impact would be identified if the Project does not incorporate the following design elements set forth by BAAQMD:

1. No natural gas infrastructure is included in the Project;
2. The Project avoids wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines;
3. The Project complies with EV requirements in the 2022 CALGreen Tier 2; and
4. The Project is consistent with the SB 743 target of at least 15 percent reduction in VMT per capita below regional average (Draft EIR pp. 4.7-25-26).

The County does not currently have an adopted Ordinance or Reach Code that would exempt certain feasible infrastructure or pieces of commercial equipment from electrification requirements. Therefore, in order to be consistent with the BAAQMD thresholds and avoid a significant impact, the Project must implement Mitigation Measure GHG-1a as presented in the Draft EIR.

CEQA requires that an EIR identify ways in which significant environmental impacts can be lessened in severity or avoided, including by the adoption of feasible and effective mitigation measures (State CEQA Guidelines Section 15126.4). All Project Mitigation Measures would be adopted by the County as conditions of Project approval unless they are determined by the County to be infeasible based on “specific economic, legal, social, technological, or other considerations” supported by substantial evidence in the record at the time of Project approval (State CEQA Guidelines Sections 15091(a)(3) and 15091(b)). The comment does not provide evidence to support the infeasibility of electrification for the Project.

O-1-6 The Project Applicant’s attachment containing clarifications and corrections is acknowledged. Text changes are outlined in the following responses, grouped by Chapter/Section. The Project Applicant’s comments will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

O-1-7 In response to the comment, Draft EIR Chapter 1, Section 1.2.5, *Final EIR*, on p. 1-5 is revised as follows:

Following the public review and comment period on this Draft EIR, the County will prepare responses to comments received on the environmental analysis. The comments, responses, and any necessary revisions to the text of this Draft EIR will be prepared as a Responses to Comments document and provided to all those who provided comments. The Draft EIR and its appendices, together with the Responses to Comments document will constitute the Final EIR, which shall be considered for certification by the Napa County Board of Supervisors. The Board of Supervisors is the decision-maker on this Project because the Project includes a Development Agreement.

O-1-8 In response to the comment, the last paragraph on Draft EIR p. 2-1 is revised as follows:

The Project site ~~is predominantly flat and~~ is currently used as part of the Freemark Abbey Winery complex. The Project site has been used for a blend of agricultural, commercial, and residential uses since the 1960s. Winery use on the Project site dates back to 1886. The North Parcel contains the Freemark Abbey Winery which includes wine tasting, and retail sales, as well as the existing Stone Building and a restaurant. The South Parcel contains a commercial building, a five-room motel, and six residential dwelling units. The Project site is partially paved, and surface parking lots exist on both parcels. The Project site contains existing vineyards and is surrounded by trees.

In response to the comment, the first paragraph on Draft EIR p. 2-2 is revised as follows:

Existing uses in the Project vicinity are primarily agricultural (e.g., vineyards and wineries) and residential. Vineyards and wineries surround much of the Project site, with scattered residential units, including a small mobile home park located west of the Project site, across SR 29. Existing uses to the north include vineyards, the Trinchero Napa Valley Winery, and residential housing. Existing uses to the east include a 29-room commercial inn, vineyards, and residential housing. Existing uses to the south and west include various vineyards and residential housing.

In response to the comment, the second paragraph on Draft EIR p. 2-2 is revised as follows:

The Project site is accessible from SR 29, which is located adjacent to the ~~east~~ west of the Project site, and Lodi Lane, located in between the North and South Parcels. The Project site is also served by the Napa Valley Transportation Authority (NVTA) Route 10 which has a bus stop located just north of the Project site on SR 29.

O-1-9 In response to the comment, the last paragraph on Draft EIR p. 3-1 is revised as follows:

The North Parcel and South Parcel are collectively referred to as the “Project site” in this document. The Project site is accessible from SR 29, which is located adjacent to the ~~east~~ west of the Project site, and Lodi Lane, located in between the North and South Parcels. The Project site is also served by the Napa Valley Transportation Authority (NVTA) Route 10 which has a bus stop located just north of the Project site on SR 29.

In response to the comment, the first paragraph on Draft EIR p. 3-4 is revised as follows:

The Project site ~~is generally flat and~~ is currently used as part of the Freemark Abbey Winery complex. The Project site has been used for a blend of agricultural, commercial, and residential uses since the 1960s (winery use on the Project site dates back to 1886) and presently includes approximately 2.75 acres of vineyards, the Freemark Abbey Winery production and wine tasting facilities, retail sales, two restaurants, a café, a five-room motel, a commercial building, and six residential dwelling units (see Figure 3-2). The current uses on the 10.30-acre North Parcel include:

In response to the comment, the last bullet on Draft EIR p. 3-36 is revised as follows:

- **California Regional Water Quality Control Board (RWQCB):** National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharge during construction, NPDES Industrial General Permit for stormwater discharge associated with industrial uses, Winery General Order for discharge of treated winery process wastewater to land, and consolidation of the existing Public Water Systems, and modifications to the Markham CWMS.

O-1-10 In response to the comment, the policy language has been corrected on Draft EIR p. 4.1-8:

~~**Policy CC-14:** Adjacent to scenic roadways, utilities shall be placed underground where possible.~~

Policy CC-16: Adjacent to scenic roadways, utilities shall be placed underground where possible.

In response to the comment, the first paragraph on Draft EIR p. 4.1-12 has been revised as follows:

While the Project would intensify development on the Project site in terms of the building massing, existing views of the vineyard and Stone Building along SR 29 and Lodi Lane would be similar to those under existing conditions. Specifically, views of the vineyard from northbound SR 29 would be maintained, since surface parking would be maintained on the North Parcel at the corner of SR 29 and Lodi Lane, where the vineyard can be seen through breaks in the tree line.

In response to the comment, the reference on Draft EIR p. 4.1-20 has been revised as follows:

Napa Valley Transportation Authority, 2020. *Napa Valley Vine Trail: St. Helena to Calistoga Section Draft IS/MND*, June 2020. Adopted August 2020.

O-1-11 The Project Applicant's comments regarding AW zoned lands and parking and roads are noted. No text changes are necessary.

O-1-12 In response to the comment, the third paragraph on Draft EIR p. 4.4-8 has been revised as follows:

Napa bluecurls has a CRPR of 1B.2. Napa bluecurls is an annual herb found in chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, and vernal pools from 98 to 2,231 feet (30 to 680 meters). The blooming period for this species is from June through October. The oak woodland within the study area provides potential habitat for Napa bluecurls. While this species was not observed within the study area, this species could potentially be present within undisturbed or undeveloped portions of the study area and not have been detected, therefore this species has a moderate potential to occur within the such areas.

See Response to Comment O-1-4 regarding General Plan Policy CON-24 and the analysis on Draft EIR p. 4.4-19.

O-1-13 In response to the comment, the third paragraph on Draft EIR p. 4.5-4 has been revised as follows:

Within the North Parcel is a stone building, referred to as the “Stone Building” in this EIR, at 3022 SR 29 (P-28-001848). The Stone Building was constructed in phases between 1899 and ca. 1908. Originally built by owner Antonio Forni and stonemason Gaetano Rossi as a winery for Lombarda Cellar, it has served primarily as a winery and winetasting facility for Freemark Abbey Winery since it was established in 1940. The Two Birds, One Stone restaurant operated in the Stone Building from 2016 to 2019, followed by the Roadhouse 29 restaurant, which operated from 2019 to 2020. Also within the North Parcel is a vacant commercial building at 3010 SR 29. It was constructed in 1973 as a retail wine shop and delicatessen that was not associated with the adjacent Freemark Abbey Winery, and the most recent restaurant tenant, The Brava Terrace, vacated the building in 2001.

O-1-14 In response to the comment, the first paragraph on Draft EIR p. 4.6-6 has been revised as follows:

Residents and businesses in Napa County have the option to choose between PG&E or Marin Clean Energy (MCE) as a provider to supply their power. The Project site is served by PG&E infrastructure for both electricity and natural gas, and uses MCE supply for electricity.

O-1-15 In response to the comment, the first paragraph on Draft EIR p. 4.7-32 has been revised as follows:

There are existing Class II bike lanes on Silverado Trail in the Project vicinity and plans to provide a Class III bike route on SR 29 adjacent to the Project site. A segment of the Class I trail (the Vine Trail) parallel to SR 29 runs along the Project site frontage that opened in August 2024. Therefore, the Project would not conflict with or obstruct implementation of Plan Bay Area 2050.

O-1-16 In response to the comment, the fifth paragraph on Draft EIR p. 4.8-14 has been revised as follows:

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. 26 Cal.App.5th; San Francisco Baykeeper, Inc. v. State Lands Com. 242 Cal.App.4th) There is no “procedural matrix” governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com. 2011 Cal.App.) 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 SGMA.

O-1-17 In response to the comment, the second paragraph on Draft EIR p. 4.10-4 has been revised as follows:

Noise-sensitive land uses in the vicinity of the Project area include rural residences to the south, including a mobile home park to the ~~southwest~~ west/northwest, a small residential neighborhood on Lodi Lane to the north, and a hotel to the ~~northwest~~ northeast (see Figure 3-2 in Chapter 3, *Project Description*).

In response to the comment, the first paragraph on Draft EIR p. 4.10-23 has been revised as follows:

The types of construction-related activities associated with propagation of ground-borne vibration would primarily include the use of vibratory rollers for compacting. As discussed in Impact NOI-1 above, no impact pile driving activities are proposed during construction of the Project.

In response to the comment, the second paragraph on Draft EIR p. 4.10-23 has been revised as follows:

As discussed under Approach to Analysis, the Caltrans thresholds for potential architectural damage due to groundborne vibrations is 0.5 in/sec PPV for new residential structures and modern commercial buildings and 0.25 in/sec PPV for historic and older buildings. A matrix of typical vibration levels from various construction activities with distance is presented in **Table 4.10-12**. As can be seen from Table 4.10-12, use of a vibratory pile driver as close as 25 feet from a non-historic building would be above the threshold for structural damage. There are no off-site historic structures located within the vicinity of the Project construction site.

O-1-18 In response to the comment, the policy references on Draft EIR p. 4.12-4 have been revised as follows:

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Safety Element of the Napa County General Plan includes the following policies related to public services (Napa County, ~~2008~~ 2023).

Goal SAF-~~3~~10: It is the goal of Napa County to effectively manage forests and watersheds, and to protect homes and businesses from fire and wildfire and minimize potential losses of life and property.

Policy SAF-~~45~~10.3: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs, including identifying future water supply for fire suppression needs.

Policy SAF-~~20~~10.8: All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County Code that meet these minimum requirements. Fire protection plans shall be referred to the appropriate fire agency and other public agencies for comment as to:

1. Risk analysis
2. Location of expected water supply
3. Adequacy of water supply for new development (i.e., maintenance and long-term integrity)
4. Adequacy of fire flow (gallons per minute) to extinguish a fire at the proposed development
5. Fire response capabilities including site design for fire department access in and around structures
6. Ability for a safe and efficient fire department response
7. Traffic flow and ingress/egress for residents and emergency vehicles
8. Fire safety requirements including site-specific built-in fire protection, defensible space, infrastructure, building ignition resistance, and fuel modification
9. Mitigation measures and design considerations for non-conforming fuel modification (i.e., fuel modification out of compliance with the county's and CAL FIRE's Fire Safety Standards)
10. Potential impacts on emergency services and fire department response
11. Maintenance of vegetative clearance on public and private roads
12. Wildfire education maintenance and limitations
- ~~1) Adequacy of water supply.~~
- ~~2) Site design for fire department access in and around structures.~~
- ~~3) Ability for a safe and efficient fire department response.~~
- ~~4) Traffic flow and ingress/egress for residents and emergency vehicles.~~
- ~~5) Site specific built in fire protection.~~
- ~~6) Potential impacts to emergency services and fire department response.~~

Goal SAF-~~58~~: To protect residents and businesses from hazards caused by human activities.

Policy SAF-~~348.7~~: All new commercial and multi-family development shall be referred to the Sheriff's Department for review of public safety issues. If the proposed Project is adjacent to or within an incorporated city/town, consultation with their law enforcement agency shall also be required.

In response to the comment, the policy references on Draft EIR p. 4.12-8 have been revised as follows:

As described in Section 4.12.2, Environmental Setting, NCSO provides law enforcement services to the unincorporated portions of the County. While the demand for police protection services is generally associated with the number of new residents in an area, development of the hotel use may also generate additional need for police services due to an increase in population at the Project site from employees and hotel guests. As stated above in Impact PUB-1, the Project would add 48 new FTE employees in addition to the existing 55 FTE employees. This increase of employment onsite would not likely result in any physical impacts associated with the need for new or physically altered police facilities. As confirmed by the NCSO, the increase in employees and hotel guests at the Project site would not affect the ability of the NCSO to adequately respond to calls for service in the area, nor would staffing levels need to be increased (NCSO, 2023). Thus, there would be no need for new or physically altered police facilities that could result in substantial adverse physical environmental impacts. Additionally, the Project would be required to adhere to Napa County General Plan Policy SAF-~~348.7~~, which provides a framework for evaluating the potential impact of development on public safety issues by the NCSO. The impact would be **less than significant**.

In response to the comment, the policy references on Draft EIR p. 4.12-9 have been revised as follows:

Since there are existing fire protection and police service facilities nearby in the Project area, it is not anticipated that the Project when combined with cumulative development would result in the construction of new, or expansion of existing, fire and police facilities. Similar to the Project, cumulative projects would also be required to adhere to Napa County General Plan Policies SAF-~~2010.8~~ and SAF-~~348.7~~. Compliance with County requirements would ensure that adequate public services are available to serve the Project and cumulative development. Therefore, the cumulative impact regarding cumulative impacts to public services, specifically fire and police protection services, would be less than significant.

O-1-19 In response to the comment, the last paragraph on Draft EIR p. 4.13-1 has been revised as follows:

Silverado Trail. Silverado Trail is a two-lane ~~collector~~ arterial roadway that winds its way northwest-southwest mostly parallel to SR 29 throughout the Napa Valley. The segment between Bournemouth Road and Glass Mountain Road has a 12-foot travel lane and 5-foot bike lane in each direction, is approximately 34 feet wide, and has a posted speed limit of 50 mph, though the horizontal curves to the south of Lodi Lane have a

posted advisory speed of 40 mph and the curve to the north has a posted advisory speed of 35 mph.

O-1-20 In response to the comment, the policy references on Draft EIR pp. 4.16-8 through 4.16-10 have been revised to reflect the numbering in the updated 2023 Napa County General Plan Safety Element update as follows:

Goal SAF-1: Safety considerations will be part of the County's education, outreach, planning, and operations in order to reduce loss of life, injuries, damage to property, and economic and social dislocation resulting from fire, flood, geologic, and other hazards.

Policy SAF-~~1~~1: The County supports and will promote intergovernmental cooperation among local, State and federal public agencies to reduce known hazards and further define uncertain hazards. In particular, the County will work to develop cooperative working relationships with agencies having responsibility for flood and fire protection.

Policy SAF-~~1~~2: Individuals and businesses should have access to up-to-date information and be able to make informed decisions about potential safety hazards and the level of risk they are willing to accept.

Policy SAF-~~4~~5: Encourage intergovernmental and regional cooperation directed toward providing for a continuing high level of public services and coordination of services during a disaster.

Policy SAF-~~5~~6: The County shall cooperate with other local jurisdictions to develop intra-county evacuation routes to be used in the event of a disaster within Napa County.

Goal SAF-~~3~~10: It is the goal of Napa County to effectively manage forests and watersheds, and to protect homes and businesses from fire and wildfire and minimize potential losses of life and property.

Policy SAF-~~14~~10.1: The County shall work with other agencies and organizations to implement the Community Wildfire Protection Plan (2021) and Multi-Jurisdictional Hazard Mitigation Plan (2020).

~~The County will prepare a fire management plan and will continue, enhance, and implement programs seeking to reduce losses and costs associated with catastrophic fires.~~

Policy SAF-~~15~~10.3: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs, including identifying future water supply for fire suppression needs.

Policy SAF-~~20~~10.8: All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County Code that meet these minimum requirements. Fire

protection plans shall be referred to the appropriate fire agency and other public agencies for comment as to:

1. Risk analysis
2. Location of expected water supply
3. Adequacy of water supply for new development (i.e., maintenance and long-term integrity)
4. Adequacy of fire flow (gallons per minute) to extinguish a fire at the proposed development
5. Fire response capabilities including site design for fire department access in and around structures
6. Ability for a safe and efficient fire department response
7. Traffic flow and ingress/egress for residents and emergency vehicles
8. Fire safety requirements including site-specific built-in fire protection, defensible space, infrastructure, building ignition resistance, and fuel modification
9. Mitigation measures and design considerations for non-conforming fuel modification (i.e., fuel modification out of compliance with the county's and CAL FIRE's Fire Safety Standards)
10. Potential impacts on emergency services and fire department response
11. Maintenance of vegetative clearance on public and private roads
12. Wildfire education maintenance and limitations

~~All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:~~

- ~~1) Adequacy of water supply.~~
- ~~2) Site design for fire department access in and around structures.~~
- ~~3) Ability for a safe and efficient fire department response.~~
- ~~4) Traffic flow and ingress / egress for residents and emergency vehicles.~~
- ~~5) Site specific built in fire protection.~~
- ~~6) Potential impacts to emergency services and fire department response.~~

~~**Goal SAF-6:** The County will be able to respond in the event of a disaster to protect residents and businesses from further harm and begin reconstruction as soon as reasonable.~~

~~**Policy SAF-38:** The County will continue to implement the Napa Operational Area Hazard Mitigation Plan (NOAHMP), which is incorporated here by reference, in the~~

~~planning and operations of the County to achieve the goals, objectives, and actions of the NOAHIMP, including:~~

- ~~● Promoting a flood safer community.~~
- ~~● Promoting an earthquake safer community.~~
- ~~● Promoting a fire safer community.~~
- ~~● Promoting a technological and biological safer community.~~
- ~~● Reducing impacts from flooding.~~
- ~~● Reducing impacts of earthquakes.~~
- ~~● Minimizing the risk of wildfire at the urban interface.~~

~~Improving the County's ability to mitigate technological hazards and agricultural threats.~~

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May 23, 2025

Trevor Hawkes
Napa County Planning, Building, and Environmental Services
195 Third Street, Suite 210
Napa, CA 94559

RE: Inn at the Abbey Draft EIR (DEIR) analysis and commentary submitted on behalf of Preserve Lodi Lane in unincorporated St. Helena, California.

Dear Mr. Hawkes:

SUMMARY

The *Inn at the Abbey* Project (Project) Draft Environmental Impact Report (DEIR), is wholly reliant on “less than significant” findings for virtually all California Environmental Quality Act (CEQA) EIR subject matter categories. The blanket application of this finding by the County of Napa to Geometric Traffic Hazards constitutes the failure to comprehensively and objectively analyze, identify, provide mitigation, or conclude that traffic mitigation is not legal, physically achievable, nor affordable on California State Route 29 (SR29), as well as the diminutive, geographically and aesthetically unique, rural street—Lodi Lane—bisecting the Project. The Project, as described, characterized, and analyzed putatively validating the “less than significant” conclusions constitute an unacceptable health and safety threat to local residents, visitors, and workers, and must be the subject of objective review by the County of Napa to fulfill its governmental responsibilities.

O-2-1

Preserve Lodi Lane’s concerns include, but are not limited to:

1. The DEIR analysis does not comprehensively identify, analyze, offer mitigation, or conclude that mitigation is not possible on SR29 because of the failure to either include or evaluate both physical and cumulative CEQA Geometric Hazard categories.

O-2-2

OBJECTIVE FACTS MERITING CEQA ENVIRONMENTAL IMPACT REPORT (DEIR) GEOMETRIC HAZARD TRAFFIC STUDY.

The Notice of Preparation (NOP) delivered to the Napa County Board of Supervisors by the Inn at the Abbey's terminated EIR consultant in 2020, concluded that the traffic impact of the Project's proposed 79-room luxury boutique hotel with a restaurant, rooftop lounge, pool, outdoor gathering areas, spa and fitness center, conference center, tasting room, and retail outlets all open to the public would have "less than significant" impact, and therefore would not be studied further.

O-2-2
cont.

The Geometric Hazards that are geologically the result of the Project's physical occupation on SR29 are readily identifiable, but are not included in the DEIR, and therefore fail to identify dangers to human health and safety; propose mitigation; or conclude that mitigation is not possible on narrow two-lane SR29 regulated by the state crossing a tiny rural Lodi Lane. The failure of the DEIR to address Geometric Hazards is predicated primarily on 6-to-8-year-old traffic study conclusions that the traffic impact of the *Inn at the Abbey* is "less than significant."

The *Inn the Abbey* DEIR traffic findings requires the study of California Environmental Quality Act (CEQA) Geometric Hazards:

- Sharp curves or blind corners on roadways.
- Insufficient sight distances for drivers, cyclists, or pedestrians.
- Inadequate lane widths, shoulders, or turning radii.
- Poorly designed intersection and/or on/off ramps.
- Driveway locations that conflict with traffic flow or visibility.
- Pedestrian or bicycle facilities that are improperly integrated or unsafe.
- Road grades or streets that are too steep for navigation.

O-2-3

The DEIR released by Napa County in 2025 incorporated in its entirety, the NOP presented publicly by a EIR consultant whose contract was terminated in 2020. Traffic studies included in the 2020 NOP were conducted in 2017, 2018, and 2019, with a Vehicle Miles Traveled (VMT) analysis added in 2022. Not only are these studies outdated, therefore of demonstratively questionable applicability, but three of the 6-to-8-year-old traffic studies cited failed to fully incorporate the cumulative traffic impact of wineries within one mile of Lodi Lane that received or were seeking county approvals for increases in winery visitations, production, physical plants, parking, and employees either during or following those studies. CEQA mandates EIR's to assess both direct traffic and safety impacts of the Project, as well as its cumulative traffic impact when affected by other foreseeable projects in the same geographical area.

O-2-4

INCORRECT 2017, 2018, AND 2019 DEIR TRAFFIC COUNTS BECAUSE OF THE CLOSURE OF TWO BIRDS ONE STONE RESTAURANT AT FREEMARK ABBEY.

The 2017, 2018, and 2019 traffic counts on Freemark Abbey property incorporated substantial traffic generated by the then highly popular *Two Birds One Stone* restaurant opened next to its tasting room in 2016, but closed permanently in 2020. The inclusion of *Two Birds One Stone*-generated traffic in the Freemark Abbey traffic count overstated the *Inn at the Abbey* traffic data relied upon to justify the DEIR “less than significant” traffic finding must be acknowledged; traffic findings corrected; and factually restated for inclusion in the Project’s DEIR.

O-2-5

DEIR FAILS TO INCORPORATE THE CUMULATIVE TRAFFIC IMPACT OF DUCKHORN WINERY EXPANSION ON LODI LANE.

Of material impact on rural, two-lane, 20-30-foot-wide Lodi Lane and SR29 traffic, but not included in *Inn at the Abbey* traffic studies used to justify “less than significant” finding, is the 2024 county approval for Duckhorn Winery’s 52,000-square-foot wine factory in the Agricultural Preserve (AP) off Lodi Lane; the doubling of the size of its Lodi Lane wine tasting facility; and a nearly 60-percent increase in visitations to over 90,000 annually.

The Silverado/Lodi Lane Tee-intersection adjacent to the Duckhorn Winery, despite being framed physically by blind curves on both the north and south on Silverado Trail together with a 40-mph posted speed limit, no-left-hand-turn-lane was mandated even with the nearly 60 percent increase in public visitations, and despite the blind curve some 160 feet south on Silverado Trail with a commonly exceeded 40-mph posted speed limit; about 3 seconds to Lodi Lane.

Because of their sheer size and weight, both Duckhorn tanker and semi-trucks servicing the new wine factory will be restricted from utilizing the fragile, serially deteriorating, one-lane, pony-truss bridge constructed in 1930 now adjacent to the Duckhorn Winery providing access to Lodi Lane primarily from the Silverado Trail.

O-2-6

Restrictions on the use of the 1930’s bridge over the Napa River by tanker and semi-trucks will require Duckhorn trucks servicing the wine factory to solely enter and exit at the TEE-intersection of SR29 and Lodi Lane bookended by the *Inn at the Abbey*. The use of the striped left-and-right hand turn lanes at the TEE-intersection by trucks of this size will substantially impact passenger vehicles; driver sightlines both north and south; generate vehicle queues on both SR29 and Lodi Lane; and constitute physical obstacles to both pedestrians and cyclists.

Physically amplifying generic physical problems of tanker and semi-trucks sharing constricted geography with passenger vehicles; pedestrians, and cyclists, are two 12-foot-wide SR 29 traffic lanes crossing Lodi Lane TEE-intersection with a posted 50 mph speed limit framed by a blind curve 600-feet south, and a 4-percent grade drop-off 500-feet from the planned registration and valet parking entrance to the *Inn at the Abbey* to the north.

SR29 GEOMETRIC HAZARD CONSEQUENCES

Elements of vehicle and human congestion on SR29 at the TEE-intersection at Lodi Lane, include cyclists and pedestrians using the contiguous *Vine Trail* crossing Lodi Lane on the eastern boundary of SR29; a public transit stop next to the registration and valet parking entrance to the *Inn at the Abbey* compromising northbound sightlines; *Inn at the Abbey* guests occupying the 29 rooms planned for Lodi Lane physically compelled to use a proposed crosswalk on foot or by guest service carts to access hotel amenities; service and delivery trucks; patrons of the 19 wineries within one mile of Lodi Lane; and thousands of *Inn at the Abbey* guests occupying its 50 rooms constructed on the Freemark Abbey physical site.

O-2-7

Inn at the Abbey guests traveling south at 50 mph on SR29 from Calistoga, approaching the 4 percent incline with no sightline to the *Inn at the Abbey* registration and valet parking entrance 500 feet from the top of the incline, must suddenly stop to turn left into that entrance blocking all southbound traffic and establishing the blockcade for accidents due to two 12-foot-wide traffic lanes with virtually no usable shoulders on the south bound lane, and the *Vine Trail* along the northbound lane. *Inn* guests who miss the entrance will need to turn left onto Lodi Lane, negotiate a U-turn on a 20-to-30-foot rural road with virtually no shoulders, and either use its south *Inn* exit on Lodi Lane—likely blocked by vehicle queues—turn right on SR29 to access the main entrance to the *Inn at the Abbey*.

The DEIR must be revised to identify, analyze, mitigate, or determine that mitigation is not physically or legally possible on a California state highway.

- II. The DEIR Fails to Analyze and Mitigate the Cumulative Impacts of Local Winery Production and Facility Expansions and Utilized Both Outdated and Incomplete Traffic, Production, and Visitor Information.

WINERIES WITHIN ONE MILE OF LODI LANE

Virtually all of the 19 wineries physically located within one mile of the *Inn at the Abbey* applied for and were uniformly granted substantial increases in winery production and facility size; number of visitations; increases in employees; and increases in parking to accommodate the increased number of visitors and employees.

O-2-8

- TRINCHERO: 3070 St. Helena HWY
- FREEMARK ABBEY: 3022 St. Helena HWY
- TITUS VINEYARDS: 2871 Silverado Trail
- ELHERS ESTATE WINERY: 3200 Elhers Lane
- ALLORA WINERY: 3244 Elhers Lane
- MELKA WINERY: 2900 Silverado Trail
- GRACE FAMILY WINERY: 1210 Rocklin Dr.
- REVANA WINERY: 2910 St. Helena HWY

- BRASSWOOD NAPA VALLEY: 3125 St. Helena HWY
- BALLENTINE WINERY: 2820 St. Helena HWY
- VINEYARD 29: 2929 St. Helena HWY
- AXR WINERY: 3199 St. Helena HWY
- MARKHAM WINERY: 2812 St. Helena
- BOESCHEN WINERY: 3242 St, Helena HWY
- ST. CLEMENT VINEYARDS: 2867 St. Helena HWY
- WILLIAM COLE WINERY: 2849 St. Helena HWY
- METZGER VINEYARDS: 3243 St. Helena HWY
- MORLET FAMILY ESTATE: 2825 St. Helena HWY
- DUCKHORN: 1000 Lodi Lane
- FAUST: St. Helena: 2867 St. Helena HWY

O-2-8
cont.

III. The DEIR fails to disclose, analyze, identify mitigation, or conclude that mitigation on SR29 is not practically or legally possible to address the Project’s substantial increases in employee, visitor, and service and delivery Truck Trips.

2017 AND 2018 INN AT THE ABBEY TRAFFIC STUDIES WERE SUBMITTED WITH ITS CONSTRUCTION PERMIT APPLICATION TO NAPA COUNTY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES IN APRIL 2019.

SR29 TRAFFIC:

A 2017 traffic study commissioned by the *Inn at the Abbey* documented the number of vehicles crossing the Lodi Lane/SR29 TEE-intersection:

- 15,000 week-days and
- 13,000 week-ends

Inn at the Abbey SR29 week-day/week-end traffic study totals:

- 101,000 weekly
- 404,000 monthly
- **4,848,000** vehicles yearly.

O-2-9

LODI LANE TRAFFIC

The 2017 traffic study commissioned by the *Inn at the Abbey* documented the number of vehicles using rural Lodi Lane:

- 1,100 weekdays and
- 900 week-ends

Inn at the Abbey and Lodi Lane week-day/week-end traffic study totals:

- 7,300 weekly
- 29,200 monthly and
- **350,400** yearly.

Combined Annual *Inn at the Abbey* SR29/Lodi Lane TEE-intersection traffic vehicles: 5,198,400.

WINE COUNTRY INN VEHICLE TRAFFIC:

The sole luxury lodging on Lodi Lane is the 29 room *Wine Country Inn* physically separating two single-family residences, including one contiguous to the *Inn at the Abbey* Project.

At the customary two guests per room at the annual Napa County luxury hotel occupancy rate of 70 percent, the 29 room, the *Wine Country Inn* could annually serve **14,819** guests.

Wine Country Inn guests arrive and depart—two passengers each—in **7,409** vehicles which coming and going, would generate **14,819** trips annually on Lodi Lane.

Virtually all Napa Valley hotel guests engage in wine tasting, touring, dining, and shopping in during visits. *Wine Country Inn* guests engaging in these activities could generate an additional **14,819** trips utilizing Lodi Lane for both departure and return.

Annual arrivals, departures, wine tasting, touring, dining, and shopping trips by Wine Country Inn guests totals **29,638** annual vehicle trips on Lodi Lane.

WINE COUNTRY INN EMPLOYEES:

At the Napa County average staffing ratio of 2.5 employees per room at luxury boutique hotels, the *Wine Country Inn* would employ 72 people with potentially 72 vehicles arriving and departing annually using Lodi Lane totaling **26,280** trips.

Total annual estimated Wine Country Inn guest and employee trips: 55,918.

INN AT THE ABBEY GUEST VEHICLES AND TRIPS:

The Inn at the Abbey's 79 rooms at two guests per room at the annual Napa County hotel occupancy rate of 70 percent, could annually host approximately **40,000** people at SR29 and Lodi Lane.

O-2-9
cont.

One vehicle for every two guests Inn at the Abbey making a minimum of two trips—arrival and departure—generates **20,000** annual vehicle trips on SR29 and Lodi Lane.

Luxury boutique hotels like *Inn at the Abbey* typically have a two-night minimum with virtually all guests engaging in wine tasting, touring, dining, and/or shopping. This guest activity creates an additional two trips a day for *Inn at the Abbey* guests, or **20,000** annual trips all using Lodi Lane for every departure and Hwy 29 for every return.

Combined *Inn at the Abbey* arrival, departure, wine tasting, touring, dining, and shopping generates a combined **40,000** annual guest trips.

INN AT THE ABBEY EMPLOYEE VEHICLE TRIPS

At the recognized Napa County luxury boutique hotel staffing ratio of 2.5 employees per room, the *Inn at the Abbey* would employ 198 employees with potentially 198 vehicles making a minimum of two trips a day—arrival and departure—annually totaling **144,540** employee trips (reduced by ride pools and public transportation).

INN AT THE ABBEY SERVICE AND DELIVERY VEHICLE TRIPS:

To appropriately serve guests and visitors at a luxury boutique hotel with a restaurant, café, rooftop bar/lounge, conference center, day-spa, swimming pool, outdoor gathering areas, wine tasting facility, and retail outlets, thousands of annual daily arrivals and departures of service and delivery vehicles will occur.

Every service and delivery vehicle will be required—sharing the service road with Inn at the Abbey employees—to use the service road accessed from Lodi Lane on the Inn at the Abbey eastern boundary, and exit on SR29 in close proximity to the 4 percent grade drop off, thus constituting a threat to public health and safety.

COMBINED ANNUAL INN AT THE ABBEY AND WINE COUNTY INN VEHICLE TRIPS: 590,768 :

INN AT THE ABBEY GUESTS AT TEE-INTERSECTION OF SR29 AND LODI LANE

29 of the *Inn at the Abbey's* 79 rooms are proposed for Lodi Lane at SR29, provides 10 parking spaces, so the majority of guests must be transported on service carts or walk on foot across a proposed Lodi Lane crosswalk shared with the cyclist and pedestrian *Vine Trail*.

At the annual Napa Valley hotel occupancy rate of 70 percent, the potential **14,819** Inn guests annually occupying the 29 rooms will be required—to access *Inn at the Abbey* restaurant, café, rooftop bar/lounge, conference center, gathering spaces, day-spa, swimming pool, wine tasting facility, retail outlets, and parking garage—to cross



O-2-9
cont.

Lodi Lane either on foot in the crosswalk or by guest carts multiple times day and night.

The **14,819** annual Inn guests occupying the 29 rooms at the intersection of Hwy 29 and Lodi Lane will walk or be transported across a proposed the Lodi Lane crosswalk a minimum—coming and going—speculatively four times a day (assuming a minimum of two meals), adding the following to the cumulative Inn at the Abbey/Lodi Lane use:

- 406 guest crossings daily
- 2,842 guest crossings weekly
- 11,368 guest crossings monthly and,
- **136,416 guest crossings yearly.**

INN AT THE ABBEY EMPLOYEES:

Both day and night, either by foot or Inn service carts, Inn at the Abbey employees will be required to cross the Lodi Lane repeatedly to support the **14,891** guests annually occupying the Lodi Lane rooms.

VINE TRAIL CYCLISTS AND PREDESTRIANS:

Napa County’s newly completed *Vine Trail* extension from St. Helena to Calistoga which runs contiguous to SR29 passing both the Lodi Lane/SR29 intersection, and registration and valet parking entrance to the proposed *Inn at the Abbey* which providing a secure pathway restricted solely to cyclists and pedestrians.

IV. The DEIR does not Disclose, Analyze, identify Mitigation; or acknowledge that Mitigation is not possible on SR 29 for the Project’s Ingress and Egress or Comprehensively Identify and Analyze the Project’s Degree of Traffic Intensification, or Structural Geometric Hazard Threats to Public Health and Safety.

INN AT THE ABBEY INGRESS AND EGRESS GEOMETRIC HAZARDS

Napa County is legally and morally responsible to both ensure and protect the health and safety of the public on its streets, roads, and bridges, which unambiguously requires the assessment of CEQA Geometric Hazards arising from the proposed construction of the *Inn at the Abbey* physically bookending Lodi Lane and SR29. The decision not to so do, despite the existence of facts readily available for objective evaluation, exposes Napa County to substantial liability and raises legitimate questions about the integrity of the decision-making in the implementation of the CEQA EIR process presently resulting in Napa County’s failure to responsibly ensure and protect public health and safety in violation of the public trust if the DEIR is approved as now written.

INN AT THE ABBEY GEOMETRIC HAZARDS INCLUDE, BUT ARE NOT LIMITED TO:

O-2-9
cont.

O-2-10

- Two 12-foot-wide North and South California SR29 travel lanes with unusable shoulders with a posted 50 mph speed limit contiguous to and crossing the TEE-intersection of Lodi Lane with an annual (2017) traffic count of some four and one-half-million vehicles.
- An SR29 northbound blind curve 600 feet south of Lodi Lane and the proposed Inn at the Abbey; vehicles traveling at 50 mph or higher will reach Lodi Lane in 4 to 5 seconds.
- An SR29 southbound (from Calistoga) blind spot caused by a 4 percent grade drop-off 500 feet from the registration and valet entrance to the Inn at the Abbey carrying vehicles traveling at 50 mph.
- An unsignalized tee-intersection at Lodi Lane and SR29 with a proposed cement median on a 30 foot wide road; striped left and right-hand turn lanes onto SR29; a narrow Inn at the Abbey southern boundary guest entrance and exit at Freemark Abbey and Lodi Lane only 200 feet from SR29 geometrically constrained by traffic queues that will be physically dominated by 53-foot long tanker trucks occupying a third of the 200 foot distance from SR29 and the *Inn at the Abbey* southern entrance/exit on Lodi Lane; *Inn at the Abbey* and *Duckhorn Winery* service and delivery trucks; *Inn at the Abbey* and guest and employee vehicles; *Inn at the Abbey* guest service and *Wine County Inn* maintenance carts; thousands of visitors at the 19 wineries within one mile of Lodi Lane; Vine Trail cyclists and pedestrians; *Inn at the Abbey* guests at 29 rooms on Lodi Lane crossing it on foot or Inn service carts; transit buses on SSR29; vehicles turning left onto Lodi Lane off SR 29; and some four and half million (2017) vehicles passing the Lodi Lane/SR29 TEE-intersection annually.
- Vehicle queues at the Lodi Lane/SR29 TEE-intersection utilizing striped left and right-hand turn lanes, and the SR29 left-hand-turn-lane onto Lodi Lane. Vehicles on SR29 traveling north seeking to turn left on Lodi Lane, will be impeded by *Vine Trail* cyclists and pedestrians and *Inn at Abbey*/Lodi Lane room guests and will compromise driver sightlines whenever vehicle queues materialize.
- Vehicles traveling south at 50 mph on SR29 from Calistoga to the Inn at the Abbey, must stop their vehicles 500-feet south of the SR 29 highway 4 percent physical drop-off to turn left into the *Inn at the Abbey* registration and valet parking entrance contiguous to the *Vine Trail*. If they miss the entrance, they will be required to queue in the left-hand turn lane onto Lodi Lane. Any more than four passenger vehicles queued to turn left onto Lodi Lane will block the passage of all vehicle traveling in the same direction on



O-2-10
cont.

SR29, and block access to private residences across from the *Inn at the Abbey*.

- *Inn at the Abbey* patrons making a left-turn off SR29 onto Lodi Lane will be required to negotiate a U-turn on 20-30-foot wide, 40 mph Lodi Lane with virtually no usable shoulders and return to either utilize the southern entrance to the *Inn at the Abbey* only 200 feet from SR29, physically accommodating only four passenger vehicles before creating a queue blocking the Lodi Lane entrance/exit to the *Inn at the Abbey*; two tanker-trucks; or one tanker-truck and two personal vehicles from SR 29 on Lodi Lane, or join vehicle queues to turn right onto SR 29 to access its registration and valet service entrance. The sightline will be blocked by any transit bus at the stop just south of the registration entrance to the *Inn at the Abbey*.
- The construction of the proposed *Inn at the Abbey* cement median on Lodi Lane at SR29 will compel drivers queued in the SR29 left-hand-turn lane, to position their vehicles beyond its striped left-hand turn lane across from the proposed cement median to complete their turn onto Lodi Lane, and when doing so, will prevent vehicles queued to turn left onto HWY 29 from exercising their turn thus constituting a physical barrier resulting in the lengthening of vehicle queues on Lodi Lane.
- Drivers on Lodi Lane queued to turn left or right onto SR29, in order to realize unimpeded sightlines both north and south, will be required to nose their vehicles on and even slightly past the crosswalk thus impeding not only the physical crossing of Lodi Lane by both Vine Trail users and *Inn at the Abbey* guests staying in the 29 Inn at the Abbey rooms on Lodi Lane, but their sightlines necessary to ensure safety.
- The *Inn at the Abbey* registration and valet entrance on SR29 is next to a transit stop, which if occupied, obscures the location of the entrance to drivers traveling north.
- Access to the *Inn at the Abbey* registration and valet parking entrance is further affected by cyclists and pedestrians utilizing the contiguous *Vine Trail*. Depending on the time of day and number of people patronizing the *Inn at the Abbey*, vehicles stopped and queued on SR29 because of either or both a transit bus or *Vine Trail* users will block all vehicles traveling north towards Calistoga.
- Inevitably, there will be *Inn at the Abbey* guests traveling towards St. Helena on SR29 who will stop across from its registration and valet parking entrance 500 feet from the 4 percent drop-off blocking sightlines south, to turn left



O-2-10
cont.

across the state highway double yellow lines creating a potentially lethal physical impediment to all vehicles suddenly appearing out of the blind drop-off. Forced to stop to access the *Inn at the Abbey*, these vehicles will block other vehicles proceeding south on SR29.

- *Inn at the Abbey* guests departing from the registration and valet parking entrance turning left onto SR29, if a transit bus is occupying the transit stop next to the entrance, their sightline will be compromised. When turning left from the *Inn at the Abbey* onto SR29 south, drivers will be vulnerable to vehicles approaching 500 feet north hidden by the 4 percent drop-off, and those traveling towards Calistoga.
- Development plans for the *Inn at the Abbey* materially fail to account for the number of parking places for its estimated 20,000 annual guest vehicles; the large number of employees required for a luxury boutique hotel; employees required for its restaurant, wine tasting, spa and fitness center, rooftop bar and lounge. This failure is aggravated by California State Highway parking restrictions, and further compromised by 20-to-30-foot-wide Lodi Lane with virtually no shoulders suitable for safe parking together with a 40-mph speed limit.

O-2-10
cont.

The DEIR must be revised to both address and propose mitigations or conclude that mitigation for the Project’s significant existing SR29 Geometric Hazards affecting traffic is not mitigatable because of California state highway regulations.

- V. Perpetual consequences on the aesthetic rural character of Lodi Lane, the sole street of its aesthetic confirmation and charming size, .7 miles, linking SR29 and the Silverado Trail.

O-2-11

The rote application of the “less than significant” finding as the sole basis for abandonment of objective evaluation of mandated CEQA study areas, will also impact the aesthetics of Up valley Lodi Lane unsupported by the responsible evaluation of objective facts.

INN AT THE ABBEY IMPACT ON RURAL AESTHETICS OF LODI LANE

Objective facts visually contradicting this Inn at the Abbey “less than significant” impact on Lodi Lane aesthetics include:

- The *Inn at the Abbey* will constitute over 100,000 square feet of new construction taking 3 or more years to complete. The length of construction will be compromised by supply chain delays affected by Covid; most construction workers commuting from outside Napa County because of the lack of housing; a paucity of skilled workers; and competition for skilled

O-2-12

workers because of both existing and planned large construction projects in in close proximity or to or physically located in St. Helena.

↑ O-2-12
cont.

- *Inn at the Abbey* construction plans include a four-story building on the Freemark Abbey site—one story underground for parking—at a height of 45-feet with a 4,000 square foot rooftop bar and lounge. Because the construction of a 45-foot-high structure will occur on *Freemark Abbey* property that is 52 feet above Lodi Lane, the 50 room *Inn at the Abbey* guest building will be nearly 100-feet tall in natural rural backdrop with virtually no ambient light.

O-2-13

- The construction of 29 *Inn at the Abbey* rooms on Lodi Lane whose guest occupants will be compelled to either use the crosswalk or a service cart to access its restaurant; bar and lounge; and conference center among other amenities, approximately 1000 feet of Lodi Lane will have to be illuminated at night to ensure the health and safety of guests. Also proposed are roadbed flashing strobe lights as an additional *Inn at the Abbey* guest health and safety measure. Lodi Lane will be visible from homes on all sides; airplanes; and spy satellites; which fails to justify the “less than significant” DEIR conclusion on project aesthetics.

O-2-14

- Because of the substantial increase in Lodi Lane traffic, including tanker and semi-truck together with service and delivery trucks serving both the *Inn at the Abbey* and *Duckhorn Winery*, local residents, visitors, and cyclists will no longer readily walk, run, or bike a small, narrow rural Lodi Lane with a creek on most the length of the north side, and foliage to its edge on the south side embraced by natural landscaping and vineyards because it will be too physically dangerous.

O-2-15

The natural beauty of Up valley on Lodi Lane is irreplaceable, a vital rural aesthetic materially contributing to the quality of life for both Napa Valley residents and visitors; the EIR must address this important issue.

O-2-16

- VI. The Project’s superficial plan to provide for housing for its more than two-hundred employees contains two flaccid components: 1) the remodeling of five former sixty-plus-year-old motel buildings on Lodi Lane long rented to Napa Valley families and, 2) the construction of five residences at an unknown location in Napa County.

O-2-17

The conversion of motel buildings for Inn at the Abbey employees will result in the eviction of six families.

- VII. The DEIR proposed number of parking places—slightly over 200—materially fails to accommodate the prodigious number of vehicles of employees; guests; patrons at the restaurant, rooftop bar and lounge, pool, spa and fitness center, wine tasting facility,

O-2-18
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conference center, and service and delivery vehicles. California prohibits parking on state highways, and Lodi Lane has virtually no shoulders to accommodate the parking of vehicles which visually corrupts the natural appearance of a small rural street. The mitigation is to massively increase the number of parking places on the Freemark Abbey property; greatly reduce the number of rooms and project scale; or simply acknowledge that the physical and attendant traffic imposition is too great a threat to public health and safety and must be terminated in good faith.

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The above cited concerns and commentary must be comprehensively addressed by meaningful critical engagement with local residents, and we all look forward to, and deeply appreciate that important opportunity.

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O-2-19
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Sincerely yours,

John D. Murphy
Preserve Lodi Lane

Cc: Honorable Members Napa County Board of Supervisors
Honorable Members of the Napa County Planning Commission

Letter O-2 Response: Preserve Lodi Lane, May 23, 2025

- O-2-1 The comment expresses general concern regarding the evaluation and conclusions in the Draft EIR related to traffic hazards and aesthetics that serve to introduce the more specific comments that are responded to in detail below.
- O-2-2 The comment expresses concern over potential transportation-related impacts related to geometric design features. The potential for the Project to have an impact on transportation hazards is directly related to the components of the Project itself, and not to the existing condition of the road system. The issue, as identified in CEQA, addresses whether the Project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). As a result, the analysis provided in Draft EIR Section 4.13, *Transportation*, is focused on the Project access points for all users, including vehicles, bicyclists, and pedestrians. A review of the collision history for Lodi Lane showed that no collisions were reported in the five-year study period, indicating that there is not a demonstrated existing safety concern that could be exacerbated by the Project. Similarly, the collision rate for SR-29 near Lodi Lane was determined to be less than half the Statewide average for similar facilities, again indicating that there are no demonstrated existing safety issues requiring further investigation.

The Traffic Impact Study prepared for the Project (Draft EIR Appendix L) included a recommendation to work with the Napa Valley Transportation Authority (NVTA) to ensure that right-of-way was dedicated for the planned Vine Trail, which has since been constructed. The Project includes enhancements to accommodate pedestrians crossing Lodi Lane between the rooms on the South Parcel and the hotel lobby and restaurant on the North Parcel. Beyond these site-specific safety evaluations, no further evaluation is required under CEQA.

It is noted that while the Initial Study prepared for the Project (Draft EIR Appendix B) did not recommend the topic of transportation hazards for further analysis in the Draft EIR, based on public comments received on the NOP and because the Project Applicant proposed a Lodi Lane crossing improvement as a term of a Development Agreement, the analysis of transportation hazards was included in Draft EIR Section 4.13, *Transportation*, under Impact TRA-3 (Draft EIR pp. 4.13-24-29). As described in the Draft EIR, with implementation of Mitigation Measure TRA-2, the Project would not introduce any transportation design features that would be considered hazardous. Mitigation Measure TRA-2 would ensure that safety improvements, including final design of the Lodi Lane crossing improvement, a speed feedback sign on Silverado Trail, maintenance of landscaping for sight lines, and a prohibition of left-turns from SR-29 into the Project driveway, would be implemented. Therefore, with implementation of Mitigation Measure TRA-2, the Project would not result in any impacts related to increased transportation hazards and the impact would be less than significant.

- O-2-3 The comment reiterates comments made in Comment O-2-2 and lists categories of perceived transportation hazards. See Response to Comment O-2-2 above. As discussed in Response to

Comment O-2-2 above, an environmental impact under CEQA associated with a Project would occur if the Project design were to result in the introduction of a new transportation-related hazard. The adequacy of sight distance at the driveways was evaluated. The Project is not responsible for addressing existing safety issues and would not exacerbate any existing transportation-related hazards. Given the low collision rates discussed in Response to Comment O-2-2 above, there is no evidence that further investigation is needed.

- O-2-4 The comment reiterates comments made in Comment O-2-2 and expresses concern over potential cumulative transportation-related impacts related to geometric design features. The Traffic Impact Study prepared for the Project (Draft EIR Appendix L) includes a future scenario for which the base volumes obtained from the Napa-Solano Transportation Demand Model indicated more than a doubling of volumes from the 2019 level. These projected future volumes can reasonably be expected to accommodate the actual growth experienced due to the potential future development in the Project area. The increase in traffic volumes, on its own, does not translate to a transportation impact under CEQA.

Pursuant to CEQA Guidelines section 15130, the Draft EIR analyzes the potential cumulative effects of the Project combined with cumulative development. If a cumulative effect is identified, the analysis then evaluates whether the Project's contribution to the cumulative effect is *cumulatively considerable*, which would be a significant impact. Specifically, a cumulatively considerable contribution means that the incremental effects of an individual project are significant when viewed in connection with the effects of cumulative development.

Specific to transportation, as discussed in Draft EIR Section 4.13, *Transportation*, the geographic scope for cumulative effects on transportation is Countywide for transportation impacts related to consistency with plans and policies and vehicle miles traveled (VMT). The cumulative scope for transportation hazards and emergency access includes the projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Draft EIR Section 4.0, *Introduction to the Environmental Analysis*. The Draft EIR found that the Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on transportation with implementation of Mitigation Measure TRA-1: TDM Program and Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements (Draft EIR pp. 4.13-30-33).

- O-2-5 The comment questions the use of the traffic counts in the transportation analysis based on the closure of a restaurant on the Project site. The analysis presented in the Traffic Impact Study (Draft EIR Appendix L) reflects conditions upon adding the trips associated with the Project to the existing volumes obtained through actual counts. If the counts included a popular use that no longer exists, the volumes without the restaurant would be lower, resulting in a more conservative analysis because they were included. In addition, the County considers the restaurant use to be entitled, but non-operational in the Draft EIR. It is noted that the restaurant could become operational with no discretionary review.
- O-2-6 The comment expresses concern over the Project's transportation impacts in combination with the Duckhorn project. As noted in Response to Comment O-2-4, the Future Conditions scenario uses volumes that are more than double the 2019 counts, so they can reasonably be expected to

account for the Duckhorn project. However, as the addition of traffic from the Duckhorn project does not affect any of the CEQA-related items evaluated for the Project, issues cited concerning the Duckhorn project have no bearing on the EIR.

- O-2-7 The comment expresses concern regarding safety and vehicular entry to the site. The primary driveway to the Project site is limited to entering and exiting right turns only due to the installation of a mini “porkchop” island, so there would be no potential issue to analyze concerning left turns entering at this location. Rather, drivers approaching the site from the north would need to turn left onto Lodi Lane and then into the driveway to the east. Given a projected maximum hourly volume of just under one inbound vehicle per minute spread among the Project site’s five driveways that would accommodate inbound trips, it is reasonable to anticipate that drivers would experience minimal delay while entering the site. Additionally, the “transit stop” noted in the comment is no longer present in the vicinity of the Project driveways. It had been moved prior to publication of the Draft EIR to the north of the project site and described as such (refer to Draft EIR p. 4.13-4). Therefore, no safety issues are anticipated.
- O-2-8 The comment expresses concern over cumulative transportation impacts and lists wineries within 1 mile of Lodi Lane. See Responses to Comments O-2-4 and O-2-6 regarding cumulative projects included in the analysis.
- O-2-9 The comment expresses concern over the increase in trips associated with the Project and the estimation of trips. The increase in traffic volumes associated with the Project, whether by passenger vehicles or trucks, is not relevant under CEQA except as it relates to VMT, turn lane warrants and queueing, all of which were evaluated in the Draft EIR. It is further noted that the volumes estimated in the comment are inaccurate and based on assumptions not consistent with standard traffic engineering practice. The Wine County Inn is not part of the proposed Project and trips associated with that use would be considered as existing within the baseline.
- O-2-10 The comment expresses concern related to transportation hazards and SR-29. The physical condition of SR-29 and Lodi Lane is not an environmental impact issue for the Project. Based on the operational analysis, which is considered a non-CEQA analysis, the Project Applicant would be required to make improvements to the intersection of SR-29/Lodi Lane to increase capacity. Such improvements would be reviewed and approved by Caltrans to ensure that they meet applicable design standards and would not introduce any new hazards.

The adequacy of the left-turn lane on SR-29 at Lodi Lane to accommodate Project-generated traffic was evaluated under Future plus Project Conditions, and it was determined that the 95th-percentile queue would not exceed the available storage capacity.

While drivers waiting to turn right into the site from SR-29 may occasionally encounter cyclists on the Vine Trail or other temporary conflicts, such conflicts are of a short-term nature and would be expected to result in a nominal delay to through traffic on SR-29. This is a common occurrence along this route and would not result in an impact under CEQA. See also Response to Comment O-2-2 related to the analysis of transportation hazard impacts in the Draft EIR.

As noted in Response to Comment O-2-7, the primary driveway is limited to right turns only, so concerns about left turns into or out of this driveway are unfounded.

The adequacy of the parking supply is not an environmental issue under CEQA. However, the Project would not 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. The Traffic Impact Study prepared for the Project (Draft EIR Appendix L) did consider if the proposed parking supply would be sufficient based on the anticipated peak parking demand. See Response to Comment O-2-18, below for additional detail.

- O-2-11 This is a general comment and does not identify specific issues other than general assertions of inadequacy. See Draft EIR Section 4.1, *Aesthetics*, which describes the potential aesthetics-related impacts of the Project that were found to be less than significant.
- O-2-12 The comment expresses concern about Project construction affecting aesthetics on Lodi Lane related to the length of construction and the workforce required. As discussed in Draft EIR Section 4.11, *Population and Housing*, the size of the construction workforce would vary during the different subphases of the approximately 3-year construction period, but the maximum average daily number of construction workers would occur during building construction. Given the relatively common nature of the anticipated construction, the demand for employment would likely be met with the existing and anticipated labor market within the County. The temporary nature of the construction activities would not require a substantial number of workers to relocate from outside the region (Draft EIR p. 4.11-6). As discussed in Draft EIR Section 4.1, *Aesthetics*, though demolition and construction activities would occur, this period would be temporary and would not permanently result in impacts to the visual quality and character of the Project site (Draft EIR p. 4.1-12).
- O-2-13 The comment overstates the size of the proposed structures on the Project site. The hotel building on the North Parcel would be a split-level, three-story structure with a maximum building height of approximately 45 feet internal to the structure. County height requirements for both Project site zoning designations are 35 feet when measured from the mid-point of the cord of the roof to existing grade or to finished grade (Section 18.104.120(a) of the County's Zoning Code). Additionally, features such as antennae, utility structures, mechanical features and other similar appurtenances necessarily and normally attached to a structure may be constructed to a height of not more than fifteen feet above the maximum building height in the zoning district (Section 18.104.120(c)). The parking garage would be underground and the remaining structure and building levels would step down with the topography (Draft EIR p. 3-7). As discussed in Draft EIR Section 4.9, *Land Use and Planning*, while the hotel building on the North Parcel would exceed the 35-foot height limit internal to the structure with a maximum height of 45 feet, since it would be a three story, split-level structure with 35-foot maximum out-facing walls and an underground parking garage, the height would not conflict with the zoning designation maximum (Draft EIR p. 4.9-11).

- O-2-14 The comment expresses concern over potential nighttime lighting impacts on Lodi Lane associated with the proposed Lodi Lane Crossing Improvement. As proposed in the preliminary design, the Lodi Lane Crossing Improvement would include a 6-footwide raised median curb with a 6-foot-wide by 10-foot-long pedestrian refuse area that would taper along Lodi Lane, and standard Caltrans 24-inch-wide crosswalk striping (see Draft EIR Figure 4.13-2). No lighting is proposed along the crosswalk; the Project would only introduce additional nighttime lighting through construction of the proposed hotel buildings and reconfiguration of onsite parking areas. As discussed in Draft EIR Section 4.1, *Aesthetics*, pursuant to standard Napa County conditions of approval, the outdoor lighting for the Project would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas, and the Project Applicant would be required to submit a lighting plan demonstrating compliance with these requirements. Therefore, the Project would not create a new source of substantial light or glare which would adversely affect nighttime views in the area (Draft EIR p. 4.1-17).
- O-2-15 The comment reiterates previous transportation-related comments. See Response to Comment O-2-9.
- O-2-16 The comment expresses concern over views from Lodi Lane. As discussed in Draft EIR Section 4.1, *Aesthetics*, notable vistas and viewsheds in and around the Project vicinity include the southern slope of Rattlesnake Ridge, generally above the eastern side of the Napa Valley floor. Existing public views of Rattlesnake Ridge in the Project vicinity include intermittent views along SR-29 and on eastbound Lodi Lane. The Project would replace generally single-story structures with multiple multilevel structures which could potentially obstruct views of these scenic vistas. However, the existing views of these scenic vistas from public areas such as Lodi Lane are generally limited and public views of Rattlesnake Ridge in the background of the Project site are primarily blocked by trees and buildings in the foreground. Therefore, the Project would not substantially degrade the already limited existing public views of the Project site and its surroundings (Draft EIR p. 4.1-14).
- O-2-17 The comment incorrectly identifies the on-site housing component of the Project as renovation of the existing motel building. As discussed in Chapter 3, *Project Description*, the existing five-room motel building would be demolished (Draft EIR p. 3-17). As part of the Project, six existing market rate residential dwelling units on the South Parcel would be renovated and deed restricted affordable for employees (Draft EIR p. 3-33). This comment raises neither significant environmental issues nor specific questions about the analyses or information in the Draft EIR that would require a response pursuant to CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.
- O-2-18 While a lack of adequate parking is not an environmental impact under CEQA, it is noted that the parking supply is anticipated to be adequate based on the application of standard parking demand rates and assumptions. The Traffic Impact Study prepared for the Project (Draft EIR Appendix L) did consider if the proposed parking supply would be sufficient based on the anticipated peak parking demand. Based on the analysis, the proposed parking supply would be sufficient to accommodate the peak demand, which would be expected to occur on weekends in July and

August during the noon hour. It is noted that a slightly lower parking supply than proposed was analyzed (198 spaces vs. 203 spaces) in the study, so the addition of five spaces would provide further capacity that could accommodate excess demand.

O-2-19 The comment includes closing remarks referencing comments that have been responded to above. The comments will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

From: Bobbi Monnette <matildabologne@yahoo.com>
Sent: Monday, May 5, 2025 2:03 PM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Item 8a - Inn At The Abbey

Dear Planning Commissioners,

I have been a St. Helena resident for 49 years. I have watched Napa Valley transform from a small town agriculture center, into a world class tourist destination, along with all the changes that entails, positive and negative. As more high end visitor lodging facilities are being built, the time has come to scrutinize each new proposal with increasing care in foresight.

With that in mind, I would like to submit my strong support to approve The Inn At The Abbey as one of those tourist lodging opportunities. It's location is ideal in terms of neighborhood disruption, and capacity to handle the increased traffic and noise that a development of this size entails. It will bring more revenue for the businesses that already exist in that neighborhood, increasing county sales tax revenue as well as TOT, both necessary for the costs of added infrastructure and subsequent maintenance.

I-1-1

I think this proposal is one of the best to be submitted in quite a while.

Thank you for your consideration.

I am,
Sincerely yours,
Barbara Monnette 644 McCorkle Avenue St. Helena, Ca 94574
(707) 963-2840

Letter I-1: Barbara Monnette, May 5, 2025

- I-1-1 The comment expresses support for the Project. Comments regarding the merits of the Project do not raise a significant environmental issue or specific questions about the analyses or information in the Draft EIR that would require response pursuant to State CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

From: LuLii
To: Hawkes, Trevor
Subject: Abbey project comment
Date: Saturday, May 24, 2025 7:30:15 PM

[External Email - Use Caution]

Hello,

I just wanted to comment on the Lodi Ln project, I hope you can focus more on proposed employee parking if this project goes through.

The Four Seasons in Calistoga did not add much if any employee parking to their project. Employees park everyday along the Silverado Trail in front of the now defunct geyser building since there is no parking for them. If this happens, it means Lodi Lane will have many cars lined up along the sides not to mention the traffic coming from the proposed Duckhorn project at the other end. The project mentioned they are giving bus passes, however most employees will not be using the bus. Just take a drive past four seasons and look to the left on any given mid day.

Thanks for reading.

Lulii Lyman
Sh resident

I-2-1

Letter I-2: Lulii Lyman, May 24, 2025

- I-2-1 The comment expresses concern over the amount of parking provided. The adequacy of the parking supply is not an environmental issue under CEQA. See Response to Comment O-2-18 regarding the parking analysis in the Traffic Impact Study (Draft EIR Appendix L).

Regarding potential employee use of transit to access the site, the Project site is located in an area of the County with close access to alternative modes of transportation. As discussed in Draft EIR Section 4.13, *Transportation*, Mitigation Measure TRA-1: Transportation Demand Management Program, includes requirements to ensure that the employee transportation demand management (TDM) program measures are enacted. These measures include education, outreach, and marketing to employees for using alternative modes of transportation to commute to the site, and free monthly passes for Vine Transit for employees wishing to use transit to reach the site. The effectiveness of this program will be monitored by the County and corrective measures may be enacted if necessary. Additionally, the Project would integrate the recently constructed Vine Trail adjacent to the site that may be used for bicycle travel. Mitigation Measure TRA-1 requires that showers and changing rooms be provided on-site to further encourage employees to ride their bicycles to and from work. Furthermore, the Project includes six on-site residential dwelling units that would be dedicated for use by employees, which would help reduce employee vehicle trips.

From: David Ramos
To: Hawkes, Trevor
Subject: Inn at the Abbey Draft EIR Comment
Date: Monday, May 26, 2025 3:57:44 PM

[External Email - Use Caution]

Mr. Hawkes:

Please consider these comments to the Draft EIR for the Inn at the Abbey project.

As stated in the Draft EIR, "the unincorporated areas of Napa County rely on groundwater." This is absolutely true for homes like mine, within 500 feet of the project, which rely entirely upon a well for our water. For this reason California law is protective of access to water. Executive Order N-7-22 prohibits issuance of a permit to a project whose well is likely to "interfere with the production and functioning of existing nearby wells". Unfortunately, the Draft EIR does not adequately assess the impact on existing adjacent wells.

I-3-1

To determine the impact of a project on existing groundwater uses, three elements must be evaluated: 1) How much water is available; 2) How much water is currently being used; and 3) How much water is intended to be used. The Draft EIR makes an unsupported conclusion with respect to the water available for the project, utilizes guesstimates and flawed projections with respect to the existing water use on the site and reaches a questionable conclusion with regard to the proposed water usage for the project.

Existing/Available Water

The Draft EIR states the "WAA found that the water supply available from groundwater would be approximately 10.77 AFY." The WAA makes no such finding. The WAA merely opines that existing water usage at the site is 10.77 AFY. However, even this conclusion is suspect as will be shown below. In fact, the WAA makes no inquiry or investigation to determine existing or available water for the project.

I-3-2

As Napa County's WAA Guidance Documents instructs "The County's preferred method for determining the aquifer hydraulic conductivity or other parameters is by conducting an aquifer test and analyzing aquifer test data." For a project of this magnitude the starting point into a determination of the impact of the project on adjacent groundwater uses is to determine how much water is available. That inquiry was not made.

Existing Water Use

There was no attempt to determine actual water usage at the site. Attachment 1 to the RSA WAA confirms "Groundwater metering data is not currently available for these parcels, so we have prepared the below **estimate** of the existing water use based on the existing approved uses and structures for comparison to the project's WAA." It is curious that neither the applicant nor its consultants would install water flow meters on the three wells serving the property in the more than five years that the project has been before the county so that actual usage could be ascertained or that RSA did not consult the City of St. Helena for the actual records of city water used on the site.

I-3-3

Authorized usage is not the same as actual usage. While the project site has many uses over the years, there has not been a restaurant or commercial use on the site for years. In that time demands for groundwater have increased and availability has diminished county wide.

The RSA Water Usage Memo (Attachment 3 to the RSA WAA) concludes in part that the North Parcel uses 15.88 AFY. This conclusion is based in part on the November 19, 2002 Summit Engineering report. However the Summit report, also a projection and not based upon actual usage, addresses waste water from the site and not water usage. As such Summit adds 33%, 1,000,000 gallons a year, to the total. The addition may be appropriate for wastewater calculation, but does not apply if trying to determine water usage. Further, Summits calculation of winery water usage, again an estimate relied on by RSA, is contradicted by RSA's own calculation in Attachment 2 to the WAA (300,000 gallons per year - RSA versus 1,250,000 gallons per year - Summit).

Estimates of actual usage based on authorized usage is not reliable, particularly when the source information is flawed and inaccurate.

I-3-3
cont.

Projected Usage

The third factor in determining the project's impact on groundwater is the projected water use for the project. The conclusions found in the Draft EIR on this issue are based entirely upon the applicant's projections and are therefore difficult to assess. However it stretches credulity to assert that the addition of a 79 unit luxury hotel, with spa, cafe and related amenities, in place of a 5 unit bare bones motel will result in a 20% reduction in groundwater use.

I-3-4

Thank you for your consideration. Time constraints have limited my comments to this single issue and the absence of comment on the issues of noise, traffic and parking should not be construed as my acceptance of the adequacy of the Draft EIR on these topics. In sum, the scale of this project is completely out of character with the immediate environment.

I-3-5

David G. Ramos

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Letter I-3: David Ramos, May 26, 2025

I-3-1 Compliance with Executive Order (EO) N-7-22 is outlined in Draft EIR Section 4.8, *Hydrology and Water Quality*. A Water Availability Analysis (WAA) was prepared for the Project (Draft EIR Appendix H), consistent with the County's WAA Guidance Document which includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters.

A Tier 2 WAA analysis is required for Project wells within 500 feet of non-Project wells if there is an increase in groundwater use for the Project. A non-Project well is located within 500 feet of the Vineyard well and the Alumbaugh well. However, total groundwater use on the Project site is estimated to decrease compared with existing conditions by approximately 2.15 AFY. Therefore, a Tier 2 analysis would not be required for the Project (Draft EIR p. 4.8-25).

The County's WAA groundwater use thresholds are based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply. Based on the Project's estimated water demand of 18.71 AFY, the WAA found that sufficient water supply is available to serve the Project. Additionally, consistent with Napa County groundwater well permit procedures to implement EO N-7-22, the Project would result in no net increase in groundwater use, and the Project Applicant proposes a 20 percent reduction in proposed groundwater use compared with existing entitlements that would be required as a term of the Development Agreement. The Project would also meet the County's WAA groundwater/surface water criteria as the Alumbaugh Well would be limited to less than 10 gallons per minute pumping rate, and well production would not exceed the total existing South Parcel water use of 3.18 AFY. Therefore, the Draft EIR found that the Project would not create a net deficit in the local groundwater supply and the Project would be in compliance with the County's Groundwater Conservation ordinance (Draft EIR p. 4.8-29).

The comment also expresses general concern regarding the evaluation of groundwater that serves to introduce the more specific comments that are responded to in detail below.

I-3-2 The WAA (Draft EIR Appendix H) estimated the existing groundwater use to be 10.77 acre-feet per year (AFY). Since groundwater metering data was not available for the Project site, the Civil Engineer estimated the existing water use based on the existing approved uses and structures for comparison to the Project's WAA. Wastewater flows were also used to supplement WAA guidelines in calculating water usage. According to the County's WAA Guidance, each project applicant is responsible for determining estimated water usage for their proposed project. While some guidelines are provided in the WAA Guidance document, other industry standards exist, the County may be able to provide data based on previous applications, and each project has its own unique characteristics. The most appropriate data should be used by the applicant to estimate water use for their specific project.

The comment notes that the County's preferred method for determining the aquifer hydraulic conductivity or other parameters is by conducting an aquifer test and analyzing aquifer test data.

However, this is used generally to determine aquifer hydraulic conductivity for projects requiring additional Tier 2 and Tier 3 analysis. As noted in the Draft EIR, a Tier 2 and Tier 3 analysis would not be required for the Project (Draft EIR p. 4.8-26).

- I-3-3 See Response to Comment I-3-2 regarding existing water usage. The County has reviewed the WAA and water use assumptions and determined their suitability for use in the EIR.
- I-3-4 The comment questions the validity of the projected water use and questions the feasibility of a 20 percent reduction in groundwater use for the Project. The County has reviewed the WAA and water use assumptions and determined their suitability for use in the EIR. It is noted that the 20 percent reduction in groundwater is primarily attributable to on-site water treatment and reuse systems for domestic and winery process wastewater, not reductions in usage.
- I-3-5 This is a general comment and does not identify specific issues related to noise or transportation other than general assertions of inadequacy. See Draft EIR Section 4.10, *Noise and Vibration*, which describes the potential noise-related impacts of the Project and mitigation measures that would reduce impacts to less than significant levels. See Draft EIR Section 4.13, *Transportation*, which describes the potential transportation-related impacts of the Project and mitigation measures that would reduce impacts to less than significant levels.

Comments regarding the merits of the Project do not raise a significant environmental issue or specific questions about the analyses or information in the Draft EIR that would require response pursuant to State CEQA Guidelines Section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Project.

3.3 Responses to Public Hearing Comments

This section presents responses to verbal comments received on the Draft EIR at the Napa County Planning Commission meeting held on Wednesday, May 7, 2025. Responses are presented to summarized verbal comments, grouped by topic. Rather than responding individually and repetitively, grouped responses by topic have been developed to address comments comprehensively. Responses focus on comments raised that pertain to the adequacy of the analysis in the EIR or to other aspects pertinent to the potential effects of the Project on the environment pursuant to CEQA.

Common themes of comments raised in the Planning Commission meeting reiterate individual comments submitted and responded to in Section 3.2 of this chapter. Specifically, see Responses to Comment Letter O-2 for transportation (including parking) and aesthetics related concerns. See Responses to Comment Letter I-3 regarding groundwater related concerns. Responses to Comment Letter O-1 acknowledge the Project Applicant's comments on the Draft EIR.

Themes of Planning Commission (PC) comments that are not contained in Section 3.2 are presented below.

3.3.1 PC Comment Response 1: Utilities

A comment was raised indicating confusion about the changes to the utility infrastructure as a result of the Project and what constitutes an impact under CEQA for utilities.

Under CEQA, a significant impact could occur if a project were to require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities; the construction or relocation of which could cause significant environmental effects (Draft EIR p. 4.15-10).

As presented in Draft EIR Section 4.15, *Utilities and Service Systems*, the Project would involve the construction of new water, wastewater, and stormwater infrastructure. Existing utility lines would be utilized by the Project for electric power and telecommunications services. Utility improvements would occur mainly on the Project site, with connections off-site within public rights-of-way, and would generate no further impacts beyond those identified in the Draft EIR for the Project. Furthermore, utility improvements would implement the mitigation measures and comply with other construction-related regulatory requirements discussed in other sections of the Draft EIR, including Section 4.3, *Air Quality*; Section 4.4, *Biological Resources*; Section 4.5, *Cultural Resources*; Section 4.7, *Greenhouse Gas Emissions*; Section 4.10, *Noise and Vibration*; Section 4.14, *Tribal Cultural Resources*; and Appendix B, Section VII, *Geology and Soils*, would reduce construction-related effects associated with the utility improvements to a less-than-significant level. The Project as a whole would not result in significant construction-related impacts and construction work involving utilities is included in the overall analysis of Project construction. The utility construction work would be responsible for a relatively small portion of these Project impacts. Therefore, for construction related to utilities, the impact would be less than significant with mitigation incorporated (Draft EIR p. 4.15-11-18).

3.3.2 PC Comment Response 2: Vibration Impacts to Historic Structures

A comment was raised regarding the potential impacts to the historic Stone Building resulting from Project construction activities such as excavation, specifically regarding the effects of vibration. As discussed in Draft EIR Section 4.10, *Noise and Vibration*, the types of construction-related activities associated with propagation of ground-borne vibration would primarily include the use of vibratory rollers for compacting. No impact pile driving activities are proposed during construction of the Project. The Caltrans thresholds for potential architectural damage due to groundborne vibrations is 0.5 in/sec PPV for new residential structures and modern commercial buildings and 0.25 in/sec PPV for historic and older buildings. Vibration generating equipment would not be used within 25 feet of the Stone Building. As shown in Draft EIR Table 4.10-12, use of a vibratory roller as close as 25 feet from a historic building would be 0.21 in/sec PPV, which would be below the threshold for structural damage (Draft EIR p. 4.10-23). Therefore, Project impacts from vibratory roller use on nearby buildings, including the Stone Building, during construction would be less than significant and no mitigation is required.

3.3.3 PC Comment Response 3: Energy

A comment was raised about the practicality of all-electric development for the Project, for example related to the use of electricity to power boilers, and how this compares to the use of natural gas.

The Project would be required to implement Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure, which would require the Project's new buildings to be designed as all-electric facilities with no new natural gas connections. Electricity would be used for operational building energy uses, including but not limited to lighting, appliances, air conditioning, space heating, and water heating (Draft EIR pp. 4.6-15-16).

However, the Project is not proposed as an all-electric project, and as proposed, would connect to existing natural gas infrastructure at the site. Therefore, the Project includes analysis for the unmitigated scenario as shown in the air quality analysis (Draft EIR page 4.3-21), the natural gas building energy use in Table 4.6-2 (Draft EIR page 4.6-15), and the building energy use in Table 4.7-4 (Draft EIR page 4.7-27). The electricity use equivalent to natural gas use is also presented in Draft EIR Appendix F, *Fuel Use Calculations*. **Table 3-1** below summarizes the unmitigated and mitigated scenarios.

**TABLE 3-1
OPERATIONAL BUILDING ENERGY USE SUMMARY**

Scenario	Electricity (kWh/yr)	Natural Gas (kBtu/yr)
Unmitigated Building Energy Use	589,653	2,273,674
Mitigated Building Energy Use (with Mitigation Measure GHG-1a)	1,256,029	0

Notes:

kWh/yr = kilowatt-hours per year; kBtu/yr = thousand British thermal unit per year

Source: Data compiled by Environmental Science Associates in 2024 (Draft EIR Appendix F).

While the replacing natural gas with electricity would more than double the Project's overall electricity demand, the Project would be built to meet the most recent energy standards which would reduce inefficient and wasteful use of energy (Draft EIR p. 4.6-16). As discussed in Draft EIR Section 4.7, *Greenhouse Gas Emissions*, roughly a quarter of the State's GHG emissions come from buildings, the largest share of which (about half) come from burning natural gas. Combustion of natural gas and petroleum products for heating and cooking needs represent 80 percent of the direct fossil fuel carbon dioxide (CO₂) emissions from the residential and commercial sectors in 2019 (Draft EIR p. 4.7-28). Implementation of Mitigation Measure GHG-1a would eliminate direct GHG emissions from the Project and reduce direct GHG emissions from the site. Further, the Project would include on-site solar which would provide part of the Project's electricity demand through renewable zero-carbon electricity, consistent with State GHG reduction goals (Draft EIR p. 4.7-31).

Also refer to Response to Comment O-1-5 related to the application of Mitigation Measure GHG-1a and feasibility.

3.3.4 PC Comment Response 4: Lighting

Comments were raised regarding the potential impacts of building lighting (including from the rooftop open space) and parking lot and traffic-related lighting on the surrounding neighborhood.

As discussed in Draft EIR Section 4.1, *Aesthetics*, the Project site includes existing sources of nighttime lighting, including internal and external lighting from existing buildings and parking lot lighting fixtures. While three existing structures containing internal and external lighting would be demolished, the Project would introduce additional nighttime lighting through construction of the proposed hotel buildings and reconfiguration of onsite parking areas. Napa County General Plan Policy CC-34 requires the Project to be consistent with California Building Code requirements for new construction in rural areas, thus nighttime lighting associated with new development would be designed to limit upward and spillover of light, including for the proposed rooftop terrace. All lighting would be required to conform to the standards of Title 24 of the California Building Code, which regulate lighting characteristics such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. Additionally, pursuant to standard Napa County conditions of approval, the existing outdoor lighting for the Project would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas, and the Project Applicant would be required through County Standard Condition of Approval 6.3 to submit a lighting plan demonstrating compliance with these requirements (Draft EIR p. 4.1-17).

Regarding lighting from cars on the site, under existing conditions, lights from cars in on-site parking lots fronting SR-29 are visible from SR-29 due to the proximity to the road and lack of intervening vegetation. Under the Project, most of the parking would be removed from the current location along the SR-29 site frontage and moved into an underground lot. The Project parking reconfiguration would therefore reduce the appearance of car lights from parking areas on the Project site. Additionally, the proposed landscaping plan (see Draft EIR Figure 3-21) includes trees along the Project frontages and trees that surround the parking area. Therefore, lighting from cars in on-site parking areas would be obscured and views of the area would not be adversely affected.

3.3.5 PC Comment Response 5: Noise

Comments were raised regarding the potential impacts of Project noise from music on the neighboring properties, and concern over noise impacts in general.

Project noise impacts from public gathering spaces are discussed in Draft EIR Chapter 4.10, *Noise and Vibration*. The Draft EIR identified the proposed rooftop terrace and the South Parcel lawn as the two primary sources of outdoor noise for the Project during operation. Exterior amplified music or speech is not proposed for the rooftop terrace area; however, indoor amplified sound may occur within the interior lounge space. Amplified music and speech would not occur at the South Parcel lawn; however, non-amplified (acoustic) music, films, and raised conversation would be anticipated. The Draft EIR included Mitigation Measure NOI-3: Operation Noise Performance Standards for the Rooftop Terrace, and Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn to address the impact (Draft EIR p. 4.10-20).

Mitigation Measure NOI-3 requires construction of a 5-foot barrier on the rooftop terrace to reduce noise levels from outdoor activities (see Draft EIR Appendix K, Figure 13). Mitigation Measure NOI-4 similarly requires construction of a 5-foot barrier at the South Parcel lawn to reduce noise levels from outdoor activities (See Draft EIR Appendix K, Figure 14). Mitigation Measures NOI-3 and NOI-4 would prohibit amplified music and speech within the outdoor portions of the rooftop terrace and South Parcel lawn (Draft EIR pp. 4.10-22-23).

Implementation of Mitigation Measures NOI-3 and NOI-4 would reduce the potential noise impact from the rooftop terrace and South Parcel lawn by ensuring they are designed to meet the performance standards of Section 8.16.070 of the Napa County Code. As a result of mitigation, these impacts would be reduced to a less-than-significant level (Draft EIR p. 4.10-20).

Regarding general noise comments, the Draft EIR found that the Project would not generate 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. Mitigation Measure NOI-1: Construction Noise Control Measures would implement a construction noise logistics plan to reduce construction noise consistent with the noise limits of the County noise ordinance and would be sufficient to reduce construction noise impacts to less than significant. Implementation of Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment would reduce the potential noise impact from stationary sources during operation to less-than-significant levels by requiring that all mechanical equipment is selected and designed to meet the performance standards of Section 8.16.070 of the Napa County Code. The Project impact resulting from increases in operational traffic noise on study area roadways would be less than significant (Draft EIR pp. 4.10-14-23).

3.3.6 PC Comment Response 6: General Non-CEQA

Several comments express opinions about the merits of the Project or address topics that do not relate to any specific section of the Draft EIR or to the environmental review process, but rather relate to other aspects of the Project or other subjects that are outside the purview of CEQA.

As introduced in the Draft EIR (p. 4.0-2), CEQA requires the analysis of the Project’s potentially significant impacts on the environment. Specifically, “a significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project” (State CEQA Guidelines Section 15002(g)). Comments regarding the merits of the Project or matters that do not raise an environmental issue or specific questions about the analyses or information in the Draft EIR do not require a response pursuant to CEQA Guidelines Section 15088.

Nevertheless, many common themes address topics of valid concern to the community or the County. Moreover, because the comments were submitted during the public review period on the Draft EIR, they constitute part of the public record that will be available to decision makers as part of this Response to Comments/Final EIR when they consider whether to approve or disapprove the Project.

CHAPTER 4

Errata to the Draft EIR

4.1 Introduction

This chapter describes changes made to the Draft EIR in response to comments received on the Draft EIR. The changes shown in this chapter update, refine, clarify, and amplify Project information and analyses presented in the Draft EIR.

4.2 Text Changes to the Draft EIR

This section summarizes text changes made to the Draft EIR either in response to a comment, initiated by County staff, or in response to a modification to the proposed HEU. New text is indicated in underline and text to be deleted is reflected by a ~~strike-through~~. Text changes (including changes to tables and figures in the Draft EIR) are presented in the page order in which they appear in the Draft EIR.

As indicated in Chapter 1, *Introduction*, the entirety of the Final EIR consists of the Draft EIR, together with this Response to Comments document, including all appendices. Therefore, the Draft EIR changes presented in this chapter are incorporated in and supersede corresponding original text in the Draft EIR.

4.3 Implication of Changes to the Draft EIR

Under CEQA, recirculation of all or part of an EIR is required if significant new information is added after public review and prior to certification. According to State CEQA Guidelines Section 15088.5(a), new information is not considered significant “unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” More specifically, as discussed in Chapter 1, *Introduction*, of this document, pursuant to CEQA Guidelines Section 15088.5(a), recirculation of a Draft EIR is required only if:

- “1) a new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- 2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- 3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it; or
- 4) the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

None of the changes to the Draft EIR identified in this document meet any of the above conditions. Therefore, recirculation of any part of the Draft EIR is not required. The information presented in the Draft EIR and this document support this determination by the County.

4.4 Changes to Chapter 1: Introduction

1. The following text has been revised on p. 1-1 and 1-2 of the Draft EIR:

Jackson Family Investments III, LLC (Project Applicant) is proposing a Use Permit Major Modification and Development Agreement to accommodate development of a boutique hotel within the existing Freemark Abbey Winery complex. The Project would construct a 79-room hotel that would be split between the North Parcel (50 rooms) and the South Parcel (29 rooms). The Project would demolish three existing structures totaling approximately 10,050 square feet. These buildings are currently used as a restaurant, retail wine shop, art gallery, and five-room motel. Demolition activities would also include removal of asphalt concrete driveways and surface parking areas, as well as concrete slabs. Overall, the Project would involve approximately 78,500 square feet of new construction. The Project Applicant has also offered public benefits and improvements as terms of a Development Agreement including an at-grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane, ~~an on-site private fire truck~~, and the provision of affordable housing units for employees.

2. In response to Comment O-1-7, the following text has been revised on p. 1-5 of the Draft EIR Chapter 1, Section 1.2.5, *Final EIR*:

Following the public review and comment period on this Draft EIR, the County will prepare responses to comments received on the environmental analysis. The comments, responses, and any necessary revisions to the text of this Draft EIR will be prepared as a Responses to Comments document and provided to all those who provided comments. The Draft EIR and its appendices, together with the Responses to Comments document will constitute the Final EIR, which shall be considered for certification by the Napa County Board of Supervisors. The Board of Supervisors is the decision-maker on this Project because the Project includes a Development Agreement.

4.5 Changes to Chapter 2: Summary

1. In response to Comment O-1-8, the following text has been revised to the last paragraph of p. 2-1 of the Draft EIR:

The Project site ~~is predominantly flat and~~ is currently used as part of the Freemark Abbey Winery complex. The Project site has been used for a blend of agricultural, commercial, and residential uses since the 1960s. Winery use on the Project site dates back to 1886. The North Parcel contains the Freemark Abbey Winery which includes wine tasting, and retail sales, as well as the existing Stone Building and a restaurant. The South Parcel contains a commercial building, a

five-room motel, and six residential dwelling units. The Project site is partially paved, and surface parking lots exist on both parcels. The Project site contains existing vineyards and is surrounded by trees.

2. In response to Comment O-1-8 the following text has been revised on p. 2-2 of the Draft EIR:

Existing uses in the Project vicinity are primarily agricultural (e.g., vineyards and wineries) and residential. Vineyards and wineries surround much of the Project site, with scattered residential units, including a small mobile home park located west of the Project site, across SR 29. Existing uses to the north include vineyards, the Trincherro Napa Valley Winery, and residential housing. Existing uses to the east include a 29-room commercial inn, vineyards, and residential housing. Existing uses to the south and west include various vineyards and residential housing.

The Project site is accessible from SR 29, which is located adjacent to the ~~east~~ west of the Project site, and Lodi Lane, located in between the North and South Parcels. The Project site is also served by the Napa Valley Transportation Authority (NVRTA) Route 10 which has a bus stop located just north of the Project site on SR 29.

4.6 Changes to Chapter 3: Project Description

1. In response to Comment O-1-9, the following text has been revised to the last paragraph on p. 3-1 of the Draft EIR:

The North Parcel and South Parcel are collectively referred to as the “Project site” in this document. The Project site is accessible from SR 29, which is located adjacent to the ~~east~~ west of the Project site, and Lodi Lane, located in between the North and South Parcels. The Project site is also served by the Napa Valley Transportation Authority (NVRTA) Route 10 which has a bus stop located just north of the Project site on SR 29.

2. In response to Comment O-1-9, the following text has been revised to the first paragraph on p. 3-4 of the Draft EIR:

The Project site ~~is generally flat and~~ is currently used as part of the Freemark Abbey Winery complex. The Project site has been used for a blend of agricultural, commercial, and residential uses since the 1960s (winery use on the Project site dates back to 1886) and presently includes approximately 2.75 acres of vineyards, the Freemark Abbey Winery production and wine tasting facilities, retail sales, two restaurants, a café, a five-room motel, a commercial building, and six residential dwelling units (see Figure 3-2). The current uses on the 10.30-acre North Parcel include:

3. The following text has been revised to the first paragraph on p. 3-6 of the Draft EIR:

The Project Applicant is proposing a Use Permit Major Modification and Development Agreement to accommodate development of a boutique hotel within the existing Freemark Abbey Winery complex. The Project includes construction of a 79-room hotel that would be split between the North Parcel (50 rooms) and the South Parcel (29 rooms), as shown in **Figure 3-4**.

The Project would include demolition of three existing structures totaling approximately 10,050 square feet. These buildings are currently used as a restaurant, retail wine shop, art gallery, and five-room motel. Demolition activities would also include removal of asphalt concrete driveways and surface parking areas, as well as concrete slabs. Overall, the Project would involve 10,050 square feet of demolition and approximately 78,500 square feet of new construction. The Project's new land use program is included in **Table 3-1**. The Project Applicant has also offered public benefits and improvements as terms of a Development Agreement including an at-grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane, ~~an on-site private fire truck~~, and the provision of affordable housing units for employees.

4. The following text has been revised under the last header at the bottom of the page on p. 3-32 and at the top of the page on p. 3-33 of the Draft EIR:

Fire Protection

~~The Project would also establish a private fire truck on the Project site. A type 6 fire truck, with an approximate 250-gallon water tank capacity would be stationed at the Project site for use by private fire crews to assist the California Department of Forestry and Fire Protection (CAL FIRE). During the 2020 fires, the Project Applicant's private fire crews assisted CAL FIRE to fight wildfires in the Lodi Lane area. Staging a private fire truck at the Project site would facilitate future private firefighting resources.~~

5. In response to Comment O-1-9, the following text has been revised to the last bullet on p. 3-36 of the Draft EIR:

- **California Regional Water Quality Control Board (RWQCB):** National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharge during construction, NPDES Industrial General Permit for stormwater discharge associated with industrial uses, Winery General Order for discharge of treated winery process wastewater to land, and consolidation of the existing Public Water Systems, and modifications to the Markham CWMS.

6. In response to Comment A-3-2, the following text has been added to p. 3-36 of the Draft EIR Chapter 3, Section 3.5.2, *Actions by Other Agencies*:

- City of St. Helena: Permit approval for the service connection for the new North Parcel hotel building and a potential updated water connection meter by the St. Helena Public Works Department and Building Department.

4.7 Changes to Chapter 4.1: Aesthetics

1. In response to Comment O-1-10, the following text has been corrected on p. 4.1-8 of the Draft EIR:

~~**Policy CC-14:** Adjacent to scenic roadways, utilities shall be placed underground where possible.~~

Policy CC-16: Adjacent to scenic roadways, utilities shall be placed underground where possible.

2. In response to Comment O-1-10, the following text has been revised to the first paragraph of p. 4.1-12 of the Draft EIR:

While the Project would intensify development on the Project site in terms of the building massing, existing views of the vineyard and Stone Building along SR 29 and Lodi Lane would be similar to those under existing conditions. Specifically, views of the vineyard from northbound SR 29 would be maintained, since surface parking would be maintained on the North Parcel at the corner of SR 29 and Lodi Lane, where the vineyard can be seen through breaks in the tree line.

3. In response to Comment O-1-10, the following text has been revised on p. 4.1-20 of the Draft EIR:

Napa Valley Transportation Authority, 2020. *Napa Valley Vine Trail: St. Helena to Calistoga Section Draft IS/MND*, June 2020. Adopted August 2020.

4.8 Changes to Section 4.4: Biological Resources

1. In response to Comment O-1-12, the following text has been revised on p. 4.4-6 of the Draft EIR:

Napa bluecurls has a CRPR of 1B.2. Napa bluecurls is an annual herb found in chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, and vernal pools from 98 to 2,231 feet (30 to 680 meters). The blooming period for this species is from June through October. The oak woodland within the study area provides potential habitat for Napa bluecurls. While this species was not observed within the study area, this species could potentially be present within undisturbed or undeveloped portions of the study area and not have been detected, therefore this species has a moderate potential to occur within the such areas.

2. In response to Comment O-1-4, the following text regarding General Plan Policy CON-24 has been corrected and policy language summarizing the Napa County Water Quality and Tree Protection Ordinance has been added on p. 4.4-12 of the Draft EIR:

~~**Policy CON-24²: Pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018, require a permit for any oak removal within the Agricultural Watershed**~~
 Continue to m Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:

- a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
- b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.
- c) Provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species

limited in distribution shall be avoided to the maximum extent feasible. ~~Within the Agricultural Watershed zoning district, require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible, except where the Napa County Watershed and Oak Woodland Protection Initiative of 2018 provides for an exception to this requirement.~~

- d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
- e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.
- f) Encourage and support the County Agricultural Commission's enforcement of State and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.

² ~~Shown as amended in Napa County Oak Watershed and Oak Woodland Protection Initiative of 2018, Ordinance No. 2018-01. Implemented by Action Item CON NR-7:~~

The County shall adopt a voluntary Oak Woodland Management Plan¹ to identify and mitigate significant direct and indirect impacts to oak woodlands. Mitigation may be accomplished through a combination of the following measures:

- a) Conservation easement and land dedication for habitat preservation;
- b) Payment of in-lieu fees; and/or
- c) Replacement planting of appropriate size, species, area, and ratio.

Napa County Water Quality and Tree Protection Ordinance

In April 2019, Napa County adopted Ordinance No. 1438, known as the "Water Quality and Tree Protection Ordinance," to strengthen tree removal standards, enforce new canopy retention measures, and protect water quality through expanded vegetative buffers. The ordinance mandates increased preservation of existing trees, establishes mitigation ratios for removals, and applies strict setbacks around wetlands, reservoirs, ephemeral streams, and other sensitive water features. It amends County Code Chapter 18.108, requiring comparably scaled permanent preservation or replacement of canopy cover whenever trees are removed, particularly in the Agricultural-Watershed (AW) zone. These combined measures reflect Napa County's intent to protect native oak woodlands and broader tree canopy, reduce sediment run-off, and maintain hydrologic integrity within critical watershed areas.

3. In response to Comment A-1-9, the following text of Mitigation Measure BIO-3 has been revised on p. 4.4-18-19 of the Draft EIR:

Mitigation Measure BIO-3: Roosting Bat Surveys.

¹ <https://www.countyofnapa.org/DocumentCenter/View/953/Voluntary-Oak-Woodland-Management-Plan---October-26-2010-PDF>

~~In advance of~~ At least 30 days prior to but no more than 2 years before tree removal and building demolition, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the Project site. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the Project or within a 100-foot buffer zone from these areas, the following measures shall be implemented:

- Removal of trees and structures with active roosts shall occur when bats are active, between March 1 and April 15 inclusive and between September 15 and October 15 inclusive. To the extent feasible, removal shall occur outside of bat maternity roosting season (April 15 to August 31 inclusive) and outside of the months of winter torpor (October 16 to February 28 inclusive).
- If removing trees and structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the Project area where tree and structure removal is planned, a 100-foot no-disturbance buffer shall be established around these roost sites until the qualified biologist has determined that they are no longer active.
- The qualified biologist shall be present during removal of trees and structures when active or potentially active bat roosts not being used for maternity or hibernation purposes are present. Trees and structures with active roosts shall be removed only when no rain is occurring and rain is not forecast to occur for 3 days following removal of the roost, and when daytime temperatures are at least 50 degrees Fahrenheit.
- Removal of trees with active or potentially active roost sites not being used for maternity or hibernation purposes shall follow a two-step removal process:
 - (1) On the first day of tree removal and under the supervision of the qualified biologist, branches and limbs that do not contain cavities or fissures in which bats could roost shall be cut only using chainsaws or non-motorized equipment. Removal of the canopy makes the tree unappealing for bats to return that evening to roost.
 - (2) On the following day and under the supervision of the qualified biologist, after confirmation that bats have not returned, the remainder of the tree may be removed, using either chain saws or other equipment (e.g., excavator or backhoe).

Structures that contain or are suspected to contain active bat roosts, but that are not being used for maternity or hibernation purposes, shall be dismantled under the supervision of the qualified biologist in the evening, after bats have emerged from the roost to forage. The structures shall be partially dismantled to substantially change roost conditions, causing the bats to abandon and not return to the roost.

4. In response to Comment O-1-4, the following text is revised on p. 4.4-19 and 4.4-20 of the Draft EIR:

General Plan Conservation Element Policy CON-24 describes measures to maintain and improve oak woodland habitat lists trees and land cover types (primarily oak species and oak woodlands) that the County desires to retain. Napa County General Plan Policy CON-24 requires that projects provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio

when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution are also to be avoided to the maximum extent feasible. Within the Agricultural Watershed (AW) zoning district, the Napa County Conservation Regulations (Chapter 18.108) and 2019 Water Quality and Tree Protection Ordinance (Ordinance No. 1438) require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible.

A tree removal plan and landscape plan have been prepared for the Project (Figure 3-21 and 3-22). The Project would retain many of the existing trees on the Project site but would require removal of approximately 97 trees, including 73 trees on the North Parcel and 24 trees on the South Parcel (Figure 3-22). The trees to be removed are mainly concentrated along the ~~eastern~~ western side of the North Parcel (along SR 29) where the new North Hotel Building would be constructed. The majority of trees proposed for removal are non-native ornamental trees. Several oak trees near the existing Stone Building are also proposed for removal. The Project would not remove oak trees within the AW zoning district. ~~While~~ These trees are also not identified as oak woodland habitat within the study area's ~~identified as oak woodland habitat~~; however, the Project Applicant has agreed to mitigate removal of any oak trees at a 2:1 ratio that would compensate for the removal of the limited number of oak trees on the Project site, ~~they may be remnant trees from historical oak woodlands.~~

~~The Napa County General Plan Policy CON 24 requires that projects provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution are also to be avoided to the maximum extent feasible. Within the Agricultural Watershed (AW) zoning district, the Napa County Conservation Regulations (Chapter 18.108) require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible. The Project would not remove oak trees within the AW zoning district. Therefore, the County's minimum 2:1 ratio would apply to any oak trees removed by the Project.~~

4.9 Changes to Section 4.5: Cultural Resources

1. In response to Comment O-1-13, the following text has been revised to the third paragraph on p. 4.5-4 of the Draft EIR:

Within the North Parcel is a stone building, referred to as the "Stone Building" in this EIR, at 3022 SR 29 (P-28-001848). The Stone Building was constructed in phases between 1899 and ca. 1908. Originally built by owner Antonio Forni and stonemason Gaetano Rossi as a winery for Lombarda Cellar, it has served primarily as a winery and winetasting facility for Freemark Abbey Winery since it was established in 1940. The Two Birds, One Stone restaurant operated in the Stone Building from 2016 to 2019, followed by the Roadhouse 29 restaurant, which operated from 2019 to 2020. Also within the North Parcel is a vacant commercial building at 3010 SR 29. It was constructed in 1973 as a retail wine shop and delicatessen that was not associated with the adjacent Freemark Abbey Winery, and the most recent restaurant tenant, The Brava Terrace, vacated the building in 2001.

2. In response to Comment A-1-11, the following text has been revised on p. 4.5-21 and 4.5-22 of the Draft EIR:

Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.

If pre-contact or historic-era cultural materials are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a Secretary of the Interior-qualified archaeologist can assess the significance of the find. If found within Caltrans right-of-way, the Caltrans Office of Cultural Resource Studies (OCRS) shall be contacted, and a Caltrans staff archaeologist will evaluate the find. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

If it is determined, based on recommendations from a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American related), that the resource may qualify as a historical resource or unique archaeological resource, the resource shall be avoided, if feasible.

If avoidance is not feasible, the Project Applicant and Napa County shall work with a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American-related) to determine treatment measures to avoid, minimize, or mitigate any potential adverse effects to the resource. This shall include documentation of the resource and may include data recovery, if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource. Within Caltrans right-of-way, Caltrans shall review any potential data recovery plans.

4.10 Changes to Section 4.6: Energy

1. In response to Comment O-1-14, the following text has been revised on the first paragraph of p. 4.6-6 of the Draft EIR:

Residents and businesses in Napa County have the option to choose between PG&E or Marin Clean Energy (MCE) as a provider to supply their power. The Project site is served by PG&E infrastructure for both electricity and natural gas, and uses MCE supply for electricity.

4.11 Changes to Section 4.7: Greenhouse Gas Emissions

1. In response to Comment O-1-15, the following text has been revised on the first paragraph of p. 4.7-32 of the Draft EIR:

There are existing Class II bike lanes on Silverado Trail in the Project vicinity and plans to provide a Class III bike route on SR 29 adjacent to the Project site. A segment of the Class I trail (the Vine Trail) parallel to SR 29 runs along the Project site frontage that opened in August 2024. Therefore, the Project would not conflict with or obstruct implementation of Plan Bay Area 2050.

4.12 Changes to Section 4.8: Hydrology and Water Quality

1. In response to Comment O-1-3, the following text has been corrected on p. 4.8-3 of the Draft EIR:

The Project site is serviced by an existing water system on the North Parcel which includes two on-site wells and a connection to City of St. Helena water. The City of St. Helena provides water to the North Parcel pursuant to a water agreement executed by the City and the owner of the Freemark Abbey Winery in March 2000. The Agreement states that the City will supply the Owner with up to ~~2,790,000~~ 2,700,000 gallons per year for specified parcels and for specified uses. A separate public water system exists on the South Parcel, served by one well on the residential property (RSA+, 2020).

2. In response to Comment O-1-16, the following text has been revised on the fifth paragraph of p. 4.8-14 of the Draft EIR:

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.* 26 Cal.App.5th; *San Francisco Baykeeper, Inc. v. State Lands Com.* 242 Cal.App.4th) There is no “procedural matrix” governing how an agency should consider public trust uses. (*Citizens for East Shore Parks v. State Lands Com.* 2011 Cal.App.) 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 SGMA.

4.13 Changes to Section 4.10: Noise and Vibration

1. In response to Comment O-1-17, the following text has been revised to the second paragraph on p. 4.10-4 of the Draft EIR:

Noise-sensitive land uses in the vicinity of the Project area include rural residences to the south, including a mobile home park to the ~~southwest~~ west/northwest, a small residential neighborhood on Lodi Lane to the north, and a hotel to the ~~northwest~~ northeast (see Figure 3-2 in Chapter 3, *Project Description*).

2. In response to Comment O-1-17, the following text has been revised on p. 4.10-23 of the Draft EIR:

The types of construction-related activities associated with propagation of ground-borne vibration would primarily include the use of vibratory rollers for compacting. As discussed in Impact NOI-1 above, no impact pile driving activities are proposed during construction of the Project.

As discussed under Approach to Analysis, the Caltrans thresholds for potential architectural damage due to groundborne vibrations is 0.5 in/sec PPV for new residential structures and modern commercial buildings and 0.25 in/sec PPV for historic and older buildings. A matrix of typical vibration levels from various construction activities with distance is presented in **Table 4.10-12**. As can be seen from Table 4.10-12, use of a vibratory pile driver as close as 25 feet from a non-historic building would be above the threshold for structural damage. There are no off-site historic structures located within the vicinity of the Project construction site.

4.14 Changes to Section 4.12: Public Services and Recreation

1. In response to Comment O-1-18, the following text has been revised on p. 4.12-4 of the Draft EIR:

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Safety Element of the Napa County General Plan includes the following policies related to public services (Napa County, ~~2008~~2023).

Goal SAF-~~3~~10: It is the goal of Napa County to effectively manage forests and watersheds, and to protect homes and businesses from fire and wildfire and minimize potential losses of life and property.

Policy SAF-~~4~~10.3: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs, including identifying future water supply for fire suppression needs.

Policy SAF-~~20~~10.8: All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County

Code that meet these minimum requirements. Fire protection plans shall be referred to the appropriate fire agency and other public agencies for comment as to:

1. Risk analysis
2. Location of expected water supply
3. Adequacy of water supply for new development (i.e., maintenance and long-term integrity)
4. Adequacy of fire flow (gallons per minute) to extinguish a fire at the proposed development
5. Fire response capabilities including site design for fire department access in and around structures
6. Ability for a safe and efficient fire department response
7. Traffic flow and ingress/egress for residents and emergency vehicles
8. Fire safety requirements including site-specific built-in fire protection, defensible space, infrastructure, building ignition resistance, and fuel modification
9. Mitigation measures and design considerations for non-conforming fuel modification (i.e., fuel modification out of compliance with the county's and CAL FIRE's Fire Safety Standards)
10. Potential impacts on emergency services and fire department response
11. Maintenance of vegetative clearance on public and private roads
12. Wildfire education maintenance and limitations

- ~~1) Adequacy of water supply.~~
- ~~2) Site design for fire department access in and around structures.~~
- ~~3) Ability for a safe and efficient fire department response.~~
- ~~4) Traffic flow and ingress/egress for residents and emergency vehicles.~~
- ~~5) Site specific built in fire protection.~~
- ~~6) Potential impacts to emergency services and fire department response.~~

Goal SAF-58: To protect residents and businesses from hazards caused by human activities.

Policy SAF-348.7: All new commercial and multi-family development shall be referred to the Sheriff's Department for review of public safety issues. If the proposed Project is adjacent to or within an incorporated city/town, consultation with their law enforcement agency shall also be required.

2. The following text has been revised in the second to last paragraph on p. 4.12-7 of the Draft EIR:

~~Additionally, the Project would also establish a private fire truck on the Project site. A type 6 fire truck, with an approximate 250-gallon water tank capacity would be stationed at the Project site for use by private fire crews to assist CAL FIRE. Staging a private fire truck at the Project site would facilitate future private firefighting resources.~~ The Project Applicant would also support the establishment of a local Fire Wise Council for the Lodi Lane neighborhood or provide

coordination and support, such as hosting meeting space, for an existing local Fire Wise Council as part of the proposed terms of the Development Agreement.

3. In response to Comment O-1-18, the following text has been revised on p. 4.12-8 of the Draft EIR:

As described in Section 4.12.2, Environmental Setting, NCSO provides law enforcement services to the unincorporated portions of the County. While the demand for police protection services is generally associated with the number of new residents in an area, development of the hotel use may also generate additional need for police services due to an increase in population at the Project site from employees and hotel guests. As stated above in Impact PUB-1, the Project would add 48 new FTE employees in addition to the existing 55 FTE employees. This increase of employment onsite would not likely result in any physical impacts associated with the need for new or physically altered police facilities. As confirmed by the NCSO, the increase in employees and hotel guests at the Project site would not affect the ability of the NCSO to adequately respond to calls for service in the area, nor would staffing levels need to be increased (NCSO, 2023). Thus, there would be no need for new or physically altered police facilities that could result in substantial adverse physical environmental impacts. Additionally, the Project would be required to adhere to Napa County General Plan Policy SAF-~~348.7~~, which provides a framework for evaluating the potential impact of development on public safety issues by the NCSO. The impact would be **less than significant**.

4. In response to Comment O-1-18, the following text has been revised on p. 4.12-9 of the Draft EIR:

Since there are existing fire protection and police service facilities nearby in the Project area, it is not anticipated that the Project when combined with cumulative development would result in the construction of new, or expansion of existing, fire and police facilities. Similar to the Project, cumulative projects would also be required to adhere to Napa County General Plan Policies SAF-~~2010.8~~ and SAF-~~348.7~~. Compliance with County requirements would ensure that adequate public services are available to serve the Project and cumulative development. Therefore, the cumulative impact regarding cumulative impacts to public services, specifically fire and police protection services, would be less than significant.

4.15 Changes to Section 4.13: Transportation

1. In response to Comment O-1-19, the following text has been revised to the last paragraph on p. 4.13-1 of the Draft EIR:

Silverado Trail. Silverado Trail is a two-lane ~~collector~~ arterial roadway that winds its way northwest-southwest mostly parallel to SR 29 throughout the Napa Valley. The segment between Bournemouth Road and Glass Mountain Road has a 12-foot travel lane and 5-foot bike lane in each direction, is approximately 34 feet wide, and has a posted speed limit of 50 mph, though the horizontal curves to the south of Lodi Lane have a posted advisory speed of 40 mph and the curve to the north has a posted advisory speed of 35 mph.

2. In response to Comment A-1-3, the following text has been added on p. 4.13-24 of the Draft EIR:

Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements, would ensure that that the final design of the crossing improvement is reviewed by County and Caltrans staff and constructed in accordance with the Napa County Road and Street Standards and State Highway Design standards. As such, the Lodi Lane crossing improvement would improve safety along Lodi Lane and the Vine Trail and would not introduce a hazardous design feature.

4.16 Changes to Section 4.15: Utilities and Service Systems

1. In response to Comment O-1-3, the following text has been corrected on p. 4.15-1 of the Draft EIR:

The Project site is serviced by an existing water system on the North Parcel which includes two on-site wells and a connection to City of St. Helena water. The City of St. Helena provides water to the North Parcel pursuant to a water agreement executed by the City and the owner of the Freemark Abbey Winery in March 2000. The Agreement states that the City will supply the Owner with up to ~~2,790,000~~ 2,700,000 gallons per year (GPY) for specified parcels and for specified uses. A separate public water system exists on the South Parcel, served by one well (RSA+, 2020a). Water supply, treatment, and distribution for on-site sources are described below.

4.17 Changes to Section 4.16: Wildfire

1. In response to Comment O-1-20, the following text has been revised on p. 4.16-8 through 4.16-9 of the Draft EIR:

Goal SAF-1: Safety considerations will be part of the County's education, outreach, planning, and operations in order to reduce loss of life, injuries, damage to property, and economic and social dislocation resulting from fire, flood, geologic, and other hazards.

Policy SAF-~~1.1~~: The County supports and will promote intergovernmental cooperation among local, State and federal public agencies to reduce known hazards and further define uncertain hazards. In particular, the County will work to develop cooperative working relationships with agencies having responsibility for flood and fire protection.

Policy SAF-~~1.2~~: Individuals and businesses should have access to up-to-date information and be able to make informed decisions about potential safety hazards and the level of risk they are willing to accept.

Policy SAF-~~4.5~~: Encourage intergovernmental and regional cooperation directed toward providing for a continuing high level of public services and coordination of services during a disaster.

Policy SAF-~~5.6~~: The County shall cooperate with other local jurisdictions to develop intra-county evacuation routes to be used in the event of a disaster within Napa County.

Goal SAF-310: It is the goal of Napa County to effectively manage forests and watersheds, and to protect homes and businesses from fire and wildfire and minimize potential losses of life and property.

Policy SAF-4410.1: The County shall work with other agencies and organizations to implement the Community Wildfire Protection Plan (2021) and Multi-Jurisdictional Hazard Mitigation Plan (2020).

~~The County will prepare a fire management plan and will continue, enhance, and implement programs seeking to reduce losses and costs associated with catastrophic fires.~~

Policy SAF-4510.3: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs, including identifying future water supply for fire suppression needs.

Policy SAF-2010.8: All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County Code that meet these minimum requirements. Fire protection plans shall be referred to the appropriate fire agency and other public agencies for comment as to:

1. Risk analysis
2. Location of expected water supply
3. Adequacy of water supply for new development (i.e., maintenance and long-term integrity)
4. Adequacy of fire flow (gallons per minute) to extinguish a fire at the proposed development
5. Fire response capabilities including site design for fire department access in and around structures
6. Ability for a safe and efficient fire department response
7. Traffic flow and ingress/egress for residents and emergency vehicles
8. Fire safety requirements including site-specific built-in fire protection, defensible space, infrastructure, building ignition resistance, and fuel modification
9. Mitigation measures and design considerations for non-conforming fuel modification (i.e., fuel modification out of compliance with the county's and CAL FIRE's Fire Safety Standards)
10. Potential impacts on emergency services and fire department response
11. Maintenance of vegetative clearance on public and private roads
12. Wildfire education maintenance and limitations

~~All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:~~

- ~~1) Adequacy of water supply.~~
- ~~2) Site design for fire department access in and around structures.~~
- ~~3) Ability for a safe and efficient fire department response.~~

- ~~4) Traffic flow and ingress / egress for residents and emergency vehicles.~~
- ~~5) Site specific built-in fire protection.~~
- ~~6) Potential impacts to emergency services and fire department response.~~

~~**Goal SAF-6:** The County will be able to respond in the event of a disaster to protect residents and businesses from further harm and begin reconstruction as soon as reasonable.~~

~~**Policy SAF-38:** The County will continue to implement the Napa Operational Area Hazard Mitigation Plan (NOAHMP), which is incorporated here by reference, in the planning and operations of the County to achieve the goals, objectives, and actions of the NOAHMP, including:~~

- ~~● Promoting a flood safer community.~~
- ~~● Promoting an earthquake safer community.~~
- ~~● Promoting a fire safer community.~~
- ~~● Promoting a technological and biological safer community.~~
- ~~● Reducing impacts from flooding.~~
- ~~● Reducing impacts of earthquakes.~~
- ~~● Minimizing the risk of wildfire at the urban interface.~~
- ~~● Improving the County's ability to mitigate technological hazards and agricultural threats.~~

2. The following text has been revised on p. 4.16-13 of the Draft EIR:

The Project could increase the risk of wildfire by introducing new sources of ignition (i.e., construction equipment, employees, visitors, and vehicles) in the Project area during both construction and operation. However, pursuant to the California Building Code, California Fire Code, the Napa Fire Code, and the Napa County Fire Hazard Abatement Ordinance (see Section 4.16.3, above), the Project would be required to comply with requirements relating to emergency planning and preparedness, fire service features, building services and systems, access requirements, water supply, fire and smoke protection features, building materials, construction requirements, defensible space and vegetation management, and specific requirements for specialized uses involving flammable and hazardous materials. Additionally, as discussed in Section 4.3, *Air Quality*, the Project site would be regularly watered for dust suppression during construction activities, which would serve a dual purpose in also reducing the risk for fires to occur. ~~As a public benefit as terms of a Development Agreement, the Project Applicant has also proposed to stage a private fire truck on the Project site for use by private fire crews to assist CAL FIRE in the event of wildfires in the Project area.~~

4.18 Changes to Chapter 6: Other CEQA Considerations

1. In response to Comment A-3-3, the following text has been revised on p. 6-3 of the Draft EIR Chapter 6, Section 6.3.1, *Extension of Urban Services or Infrastructure*:

The Project site is currently developed and occupied and is adjacent to developed areas. Urban services and infrastructure like roadways, utilities, and public services police and fire protection are already established in the vicinity. Development of the Project would only require a connection to existing services, including connection of the new hotel building to the City of St. Helena water system and potential upsizing of the water meter. Although infrastructure improvements would occur as part of the Project, they would not indirectly induce substantial population growth in the County or broader area because the Project site is located within a developed area. Additionally, most of the required infrastructure improvements would be limited in extent such that they would only support Project development (e.g., on-site greywater reuse and wastewater treatment systems), and would not facilitate the development or redevelopment of other properties within the vicinity of the Project site.

4.19 Changes to Appendix D: Biological Resources Technical Report

1. In response to Comment A-1-10, the following text has been revised on the first paragraph of p. 4-12 of the Draft EIR Appendix D:

Impacts on biological resources are identified and evaluated based on relevant CEQA and local standards, policies, and guidelines; on the likelihood that these resources may be present within the study area; and on the likely effects that project development may have on these resources. The thresholds used to determine the significance of impacts related to biological resources are based on Appendix G of the *CEQA Guidelines*. Special-status species that have no or low potential to occur in the study area (as presented in ~~Error! Reference source not found.~~ Appendix D) are not considered in the impact analysis. The below-outlined measures would be implemented to avoid and minimize potential Project impacts on special-status wildlife, plants, and protected trees.

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Appendix A
**Mitigation Monitoring and
Reporting Program**

APPENDIX A

Mitigation Monitoring and Reporting Program

Purpose of this Document

This chapter contains the Mitigation Monitoring and Reporting Program (MMRP) prepared in compliance with Public Resources Code Section 21081.6(a). The MMRP will be considered for adoption by the Napa County Board of Supervisors and will aid the County in its implementation and monitoring of measures included in the EIR and adopted by the County Board of Supervisors.

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM**

	Implemented By	When Implemented	Monitored By	Verified By
Air Quality				
<p>Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization.</p> <p>During Project construction, the construction contractor shall comply with the BAAQMD’s current basic and enhanced best management practices for reducing construction emissions of fugitive PM10 and PM2.5. At a minimum, the construction contractor shall comply with the following measures:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • 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. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12- inch layer of compacted wood chips, mulch or gravel. • Publicly visible signs shall be posted with the telephone number and name of the person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD Air Pollution Complaints number shall also be included on the publicly visible signs to ensure compliance with applicable regulations. • Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities. • Prior to disturbance install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. • Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Minimize the amount of excavated material or waste materials stored at the site. • Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for 10 or more calendar days. 	Project Applicant/ construction contractor	During construction	Planning, Building, and Environmental Services Department (PBES)	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
Biological Resources				
<p>Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants.</p> <p>Prior to earth disturbing activities within oak woodland habitat in the North Parcel and undeveloped lands on the South Parcel, a qualified botanist shall conduct a rare plant survey of the construction disturbance area within the appropriate bloom period for Napa false indigo, narrow-anthered brodiaea, Colusa layia, and Napa bluecurls. Surveys and reporting shall be conducted following the current California Department of Fish and Wildlife (CDFW) protocol. In the absence of rare plants, no further mitigation is needed. If special-status plant species are found and plants cannot be avoided, then Measure BIO-1b shall be implemented to avoid, minimize and compensate for rare plant impacts.</p>	Project Applicant/ Qualified botanist	Prior to earth-disturbing activities	PBES and CDFW	
<p>Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants.</p> <p>If special-status plant populations are identified and cannot be avoided, the Project Applicant shall confer with CDFW to coordinate relocation of special-status plants. In advance of plant relocation, the applicant shall prepare a Mitigation and Monitoring Plan (Plan) that describes the methods and specifies the success criteria and monitoring period for transplanted plants and related long-term protection and management of transplanted or planted individuals. This plan shall be subject to review and approval by the Napa County Planning, Building, and Environmental Services Department prior to the initiation of any Project activities that will impact the special-status plant(s). The Plan shall include the following provisions:</p> <ol style="list-style-type: none"> 1. Special-status plants that would be impacted by the Project shall be relocated within suitable habitat on site. This can be done either through salvage and transplanting on-site or by collection and propagation of seeds or other vegetative material for on-site planting. Plant relocation shall be performed under the supervision of a qualified biologist. 2. The Plan shall detail relocation methods or appropriate replacement ratios and methods for implementation, success criteria, monitoring and reporting protocols, and contingency measures that shall be implemented if the initial mitigation fails. The Plan shall be developed in coordination with the Napa County Planning, Building, and Environmental Services Department and appropriate agencies (depending upon plant listing status) prior to the start of earth disturbing activities. At a minimum, success criteria shall require mitigation areas to provide equal or better habitat and populations than the impacted area (e.g., at least 75% survival of transplanted, planted, or seeded individuals; minimal weeds within the planting area, and plants in fair or better condition at the completion of the restoration effort). Where appropriate, depending upon the target species, restoration efforts shall require maintenance of the restored areas, for example through irrigation, weeding, and replacement plantings when annual performance thresholds are not met. 3. If compensatory restoration or reintroduction of plants or seed is implemented, the Project Applicant shall maintain and monitor the relocation sites and/or restored areas for 5 years following the completion of construction and restoration activities. The applicant shall submit annual monitoring reports to the Napa County Planning, Building, and Environmental Services Department, at the completion of restoration. Monitoring reports shall include photo-documentation, planting specifications, a site layout map, descriptions of materials used, and justification for any deviations from the Plan. Success criteria for restored areas shall be identified in the Plan. 	Project Applicant/ Qualified botanist in consultation with CDFW	Prior to construction	PBES and CDFW	

INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)

	Implemented By	When Implemented	Monitored By	Verified By
<p>Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds.</p> <p>For earth-disturbing activities commencing between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the Project site and experienced with conducting pre-construction nesting bird and raptor surveys as determined by the Napa County Planning Division) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the Project site, and all suitable nesting habitat within 500 feet of the Project site. 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, or if there is a lapse in Project activities of seven (7) days or more during the nesting season surveys shall be repeated. A copy of the survey report shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.</p> <p>In the event that the survey finds active nests, the qualified biologist shall determine adequate no-disturbance buffer distances from all active nests based on the species and in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of Project activities.</p> <p>All active nests shall be monitored during construction hours by a qualified biologist for the first week during Project activities to ensure the established buffer distances are adequate to avoid disturbances to the nest. If the qualified biologist observes bird behavior that may indicate nest disturbance, the qualified biologist shall have the authority to immediately cease Project activities. In this event, the qualified biologist shall consult with CDFW regarding larger buffer distances, and buffer zones shall be referenced accordingly, prior to resuming Project activities. If larger buffer distances cannot be established, Project activities shall be delayed until the nest is no longer active (i.e. the young have fledged the nest and can feed independently, or the nest fails due to natural causes), as determined by the qualified biologist.</p> <p>Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and are prohibited. Any act associated with flushing birds from Project areas shall undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.</p>	Project Applicant/ Qualified biologist	Prior to earth-disturbing activities	PBES, USFWS, and CDFW	
<p>Mitigation Measure BIO-3: Roosting Bat Surveys.</p> <p>At least 30 days prior to but no more than 2 years before tree removal and building demolition, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the Project site. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the Project or within a 100-foot buffer zone from these areas, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Removal of trees and structures with active roosts shall occur when bats are active, between March 1 and April 15 inclusive and between September 15 and October 15 inclusive. To the extent feasible, removal shall occur outside of bat maternity roosting season (April 15 to August 31 inclusive) and outside of the months of winter torpor (October 16 to February 28 inclusive). • If removing trees and structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the 	Project Applicant/ Qualified biologist	Prior to tree removal and building demolition	PBES and CDFW	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
<p>Project area where tree and structure removal is planned, a 100-foot no-disturbance buffer shall be established around these roost sites until the qualified biologist has determined that they are no longer active.</p> <ul style="list-style-type: none"> The qualified biologist shall be present during removal of trees and structures when active or potentially active bat roosts not being used for maternity or hibernation purposes are present. Trees and structures with active roosts shall be removed only when no rain is occurring and rain is not forecast to occur for 3 days following removal of the roost, and when daytime temperatures are at least 50 degrees Fahrenheit. Removal of trees with active or potentially active roost sites not being used for maternity or hibernation purposes shall follow a two-step removal process: <ol style="list-style-type: none"> On the first day of tree removal and under the supervision of the qualified biologist, branches and limbs that do not contain cavities or fissures in which bats could roost shall be cut only using chainsaws or non-motorized equipment. Removal of the canopy makes the tree unappealing for bats to return that evening to roost. On the following day and under the supervision of the qualified biologist, after confirmation that bats have not returned, the remainder of the tree may be removed, using either chain saws or other equipment (e.g., excavator or backhoe). <p>Structures that contain or are suspected to contain active bat roosts, but that are not being used for maternity or hibernation purposes, shall be dismantled under the supervision of the qualified biologist in the evening, after bats have emerged from the roost to forage. The structures shall be partially dismantled to substantially change roost conditions, causing the bats to abandon and not return to the roost.</p>				
<p>Mitigation Measure BIO-4: Mitigate for Oak Tree Removal.</p> <p>The Project Applicant shall mitigate impacts to oak trees by mitigating for removal of oak trees at a minimum 2:1 ratio either by replacing removed oak trees or permanent preservation of comparable habitat.</p>	Project Applicant	Prior to issuance of a building permit	PBES	
Cultural Resources				
<p>Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.</p> <p>A cultural resources sensitivity training program shall be implemented for the Project. Prior to any earth disturbing activity, all construction personnel shall be required to view a Project-specific cultural resources awareness training presentation via recorded virtual presentation (PowerPoint) or in-person and on-site presentation provided by a Secretary of the Interior-qualified archaeologist. A Native American representative shall be invited to provide input and guidance on the training materials. The training shall include a description of the sensitivity of the Project vicinity and information on how to identify the types of resources that may be encountered. The training shall also include the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, confidentiality of discoveries, and safety precautions to be taken when working with cultural resources monitors. Napa County shall require that construction personnel view or attend the training presentation and retain documentation demonstrating attendance.</p>	Project Applicant/ Qualified archaeologist	Prior to earth-disturbing activities	PBES and Native American representative	

INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)

	Implemented By	When Implemented	Monitored By	Verified By
<p>Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.</p> <p>Monitoring will be required according to the Cultural Resources Monitoring Plan (CRMP) prepared as part of the cultural resources survey and analysis completed for the Project (Mattes, 2024). The CRMP is on-file with Napa County and the Project Applicant. An archaeological monitor and a Native American monitor shall be required during ground disturbing activities within 100 feet of pre-contact site P-28-000389. During the course of the monitoring, the archaeologist and Native American monitor may adjust the frequency—from continuous to intermittent or vice versa—of the monitoring based on the conditions and professional judgment regarding the potential to impact resources.</p>	Project Applicant/ Qualified archaeologist and Native American monitor	During earth- disturbing activities	PBES and culturally- affiliated Native American tribe(s)	
<p>Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.</p> <p>If pre-contact or historic-era cultural materials are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a Secretary of the Interior-qualified archaeologist can assess the significance of the find. If found within California Department of Transportation (Caltrans) right-of-way, the Caltrans Office of Cultural Resource Studies (OCRS) shall be contacted, and a Caltrans staff archaeologist will evaluate the find. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.</p> <p>If it is determined, based on recommendations from a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American related), that the resource may qualify as a historical resource or unique archaeological resource, the resource shall be avoided, if feasible.</p> <p>If avoidance is not feasible, the Project Applicant and Napa County shall work with a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American-related) to determine treatment measures to avoid, minimize, or mitigate any potential adverse effects to the resource. This shall include documentation of the resource and may include data recovery, if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource. Within Caltrans right-of-way, Caltrans shall review any potential data recovery plans.</p>	Project Applicant/ Qualified archaeologist, and, if needed, culturally- affiliated Native American tribe(s) and Caltrans staff archaeologist if within Caltrans right- of-way	Upon encounter of a pre-contact or historic-era cultural resource	PBES, culturally- affiliated Native American tribe(s), and Caltrans (if within Caltrans right- of-way)	
<p>Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.</p> <p>If potential human remains are encountered, all work shall halt within 100 feet of the find and Napa County shall be contacted by on-site personnel. Napa County shall contact the Napa County coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission. As provided in Public Resources Code Section 5097.98, the Commission shall identify the person or persons believed most likely to be descended from the deceased Native American. The most likely descendant shall make recommendations for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.</p>	Project Applicant	Upon encounter of human remains	PBES, culturally- affiliated Native American tribe(s), and Caltrans (if within Caltrans right- of-way)	
Geology and Soils (Initial Study)				
<p>Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources.</p> <p>If site contractors discover paleontological resources during ground-disturbing activities of the project, the permittee and his or her contractors shall halt work in that area and within 50 feet of the find and</p>	Project Applicant /construction	During ground disturbing activities	PBES	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
immediately contact a qualified paleontologist to evaluate the find. Construction activities could continue in other areas. If the discovery proves to be significant under Society of Vertebrate Paleontology criteria, additional work, such as fossil recovery excavation, may be warranted and would be discussed in consultation with the applicant, Napa County, and/or any other relevant regulatory agency, as appropriate.	contractor/qualified paleontologist			
Greenhouse Gas Emissions				
<p>Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.</p> <p>New development on the Project site shall be designed and developed as all-electric development with no natural gas infrastructure.</p>	Project Applicant	Prior to issuance of any building permit	PBES	
<p>Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.</p> <p>Consistent with CALGreen 2022 Tier 2 requirements, a minimum of 55 percent of the total 203 parking spaces proposed by the Project shall be electric vehicle (EV) Ready spaces equipped with low power Level 2 EV charging receptacles. In addition, 20 percent of the total number of parking spaces shall be equipped with Level 2 EV chargers with at least 50 percent of the required EV chargers equipped with J1772 connectors.</p>	Project Applicant	Prior to issuance of any building permit	PBES	
Noise and Vibration				
<p>Mitigation Measure NOI-1: Construction Noise Control Measures.</p> <p>The Project Applicant or its contractors shall employ site-specific noise attenuation measures during all construction activities to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the Napa County Planning, Building and Environmental Services Department prior to the issuance of a demolition and/or grading permit for the Project. Measures specified in the Noise Control Plan and implemented during Project construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> • Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds). • Unnecessary idling of internal combustion engines shall be prohibited. The Project Applicant or its contractors shall enforce at a minimum the California Air Resources Board regulations that generally limit idling of commercial motor vehicles (including buses and trucks) within 100 feet of a school or residential area for more than 5 consecutive minutes or periods aggregating more than 5 minutes in any 1 hour. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used where feasible. • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures. • The Project Applicant or its contractors shall construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA 	Project Applicant/ qualified acoustical consultant	Prior to issuance of a demolition and/or grading permit and during construction	PBES	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
<p>noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.</p> <ul style="list-style-type: none"> • Construction staging areas shall be located away from the noise-sensitive receivers, where such locations are available. • The Project Applicant or its contractors shall erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites. This mitigation would only be necessary if the disturbance coordinator (see last bullet) receives validated noise complaints which are irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. • The Project Applicant or its contractors shall locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors. • The Project Applicant or its contractors shall control noise from construction workers' radios to a point where they are not audible at existing residences bordering the Project site. • Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. • A detailed construction schedule and plan shall be prepared by the contractor for major noise generating construction activities.¹ The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. A notice shall be sent to neighbors within 1,000 feet at least 10 business days prior to major noise generating construction activities that includes the construction schedule. • Designate a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. 				
<p>Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment.</p> <p>Before the issuance of any building permit, the Project Applicant shall ensure that all mechanical equipment is selected and designed to reduce impacts on surrounding uses to meet the performance standards of Section 8.16.070 of the Napa County Code to ensure that noise from stationary sources such as mechanical equipment is limited to 50 dBA and 75 dBA at the property lines of residential and industrial off-site (Napa County) receivers,² respectively.</p> <p>If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the County. Methods of achieving these standards include using low-noise-emitting HVAC equipment, locating HVAC and other mechanical equipment within a rooftop mechanical penthouse, and using shields and parapets to reduce noise levels to adjacent land uses.</p> <p>An acoustical study shall be prepared during final building design to evaluate the potential noise generated by building mechanical equipment and to identify the necessary noise controls that are included in the design to meet the County's requirements. A qualified acoustical consultant shall be retained by Project Applicant to review specific noise reduction measures for mechanical equipment. Reduction measures may</p>	Project Applicant/ qualified acoustical consultant	Prior to issuance of any building permit	PBES	

¹ "Major noise generating construction activities" would primarily include demolition and grading which require the use of multiple, large off-road equipment.

² The County Code equates wineries with industrial uses for the purposes of noise exposure.

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MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
include, but are not limited to a selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the hotel buildings away from the building's edge nearest the single-family residences or in locations around the building facades facing away from the nearby receptors. The study shall be submitted to the Napa County Planning, Building and Environmental Services Department for review and approval before the issuance of any building permit.				
<p>Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace.</p> <p>Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 13 of the Inn at the Abbey Environmental Noise and Vibration Assessment (Appendix K) to reduce noise levels from outdoor activities at the rooftop terrace. This would limit the noticeable increase in noise generated by indoor amplified sound that may occur within the interior lounge space that opens onto the exterior terrace. A 3-foot barrier shall be constructed around the perimeter of the rooftop terrace, and an extension of a 2-foot tall glass or plexiglass barrier on top of the barrier would reduce noise levels generated at the rooftop terrace by 5 dBA. Amplified music and speech within the outdoor portion of the rooftop terrace shall be prohibited.</p>	Project Applicant	Prior to issuance of any building permit	PBES	
<p>Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn.</p> <p>Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 14 of the Inn at the Abbey Environmental Noise and Vibration Assessment (Appendix K) to reduce noise levels from outdoor activities at the South Parcel lawn. This would limit the noticeable increase in noise generated by occasional events at the outdoor activity space. The barrier shall have a minimum surface density of three lbs/ft² (e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units). The height of the barrier shall be measured from the pad elevation of the South Parcel lawn. Amplified music and speech within the outdoor South Parcel lawn shall be prohibited.</p>	Project Applicant	Prior to issuance of any building permit	PBES	
Transportation				
<p>Mitigation Measure TRA-1: Transportation Demand Management Program.</p> <p>Prior to issuance of building permits, the Project Applicant shall implement a Transportation Demand Management (TDM) Program for the Project and shall submit the TDM Program to the County for review and approval by the Napa County Department of Public Works. The TDM Program shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. The TDM Program shall be designed to achieve the following trip reduction, as required by the County:</p> <ul style="list-style-type: none"> • A 15 percent reduction compared to the unmitigated VMT estimated for the Project. <p>The TDM Program shall contain provision of on-site employee housing, visitor trip reduction measures, and an employee TDM Program as outlined below:</p> <ol style="list-style-type: none"> 1. The existing six on-site housing units shall be deed restricted affordable for employees for the life of the Project. 2. As part of the visitor trip reduction measures, the Project Applicant shall provide at least 10 bicycles on-site as part of the guest amenities and provide maps illustrating bicycle routes to local tasting rooms, restaurants, and other destinations to encourage the use of on-site bicycles. The bicycles shall be kept under good maintenance and replaced as necessary throughout the life of the Project. The TDM 	Project Applicant/ qualified transportation consultant	Prior to issuance of building permits	Napa County Department of Public Works	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
<p>Program coordinator for the employee TDM program described below shall include on-site bicycle maintenance in the reporting requirements for the employee TDM Program.</p> <p>3. The employee TDM program shall consist of the following:</p> <ul style="list-style-type: none"> • Education, Outreach, and Marketing: The Project Applicant shall identify a TDM program coordinator. The presence of a staff person dedicated part-time to overseeing and managing the TDM Program will be helpful in ensuring the ongoing success of these programs. This would not be a distinct position, but instead is intended to be a role that is integrated into the duties of the on-site manager. The duties shall include the following: <ul style="list-style-type: none"> ○ Create and distribute employee transportation information welcome packets ○ Maintain and update a bulletin board or other physical source of transportation information ○ Distribute Napa Bicycle Coalition maps ○ Monitor bicycle facilities ○ Promote the ride-matching program ○ Market special events such as the Napa Valley Transportation Authority (NVTA) "V-Commute Challenge" program • Carpool Incentives: The Project Applicant shall provide an incentive of \$50 per month to employees who agree to carpool to work a minimum of 75 percent of the time. In addition, the Project Applicant shall reserve five parking spaces immediately adjacent to the wine production building for use by carpool vehicles only. This program shall be offered to the existing employees as well as new employees of the hotel. • Subsidized Transit Passes: Employees wishing to use transit to reach the site shall be provided with a monthly pass for Vine Transit free of charge. The Project Applicant shall also install a shelter and bench at the northbound transit stop near the Project site along SR 29. • Guaranteed Ride Home: Employees shall be provided information about the V-Commute program offered by the NVTA and would be encouraged to register for the service. • Bicycle Trip-end Facilities: Showers and changing rooms shall be provided on-site to further encourage employees to ride their bicycles to and from work. <p>The employee TDM Program, shall be available for the first two years of Project operation. After that time, the effectiveness of the program shall be reevaluated and modified, if needed, in coordination with Napa County Public Works Department staff. County staff shall determine future reporting requirements and intervals after the initial two-year TDM Program reevaluation (e.g., TDM Program evaluation every four years), and may enact corrective measures if necessary.</p>				
<p>Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.</p> <p>The Project Applicant shall implement the following safety improvements:</p> <ul style="list-style-type: none"> • The at-grade crossing improvement proposed at Lodi Lane shall be constructed in accordance with the current Napa County Road and Street Standards at the time of submittal of final design and shall be reviewed by the County and Caltrans staff and subject to approval by the Napa County Public Works Department prior to the issuance of a grading permit for the Project. • The Project Applicant shall install a speed feedback sign on Silverado Trail in the northbound direction between the driveway to the Melka Estates Winery (2900 Silverado Trail) and the horizontal curve before 	Project Applicant	Prior to the issuance of a grading permit	PBES, Napa County Department of Public Works, and Caltrans	

**INN AT THE ABBEY
MITIGATION MONITORING AND REPORTING PROGRAM (CONTINUED)**

	Implemented By	When Implemented	Monitored By	Verified By
<p>Bournemouth Road. The exact location of the sign shall be coordinated with Napa County Public Works Department staff prior to the issuance of a grading permit for the Project.</p> <ul style="list-style-type: none"> To ensure that sight lines remain adequate, any landscaping within the vision triangles at the driveways on SR 29 or Lodi Lane shall be planted and maintained such as it is less than 3 feet more than 7 feet in height to maximize clear sight lines. An ongoing maintenance plan shall be submitted to and approved by the Napa County Public Works Department prior to the issuance of a grading permit for the Project. Prior to a final certificate of occupancy for the Project, the Project Applicant shall install signage or other appropriate measures in the southbound direction on SR 29 that prohibits left-turns at Driveway 2 (as shown in the Project's Traffic Impact Study, Appendix L). The signage shall be reviewed and approved by the Napa County Public Works Department and Caltrans and read "Freemark Abbey Winery and Resort Use Lodi Lane" or similar. All southbound left-turns into the Project site shall occur via the existing left-turn lane at Lodi Lane. Additionally, the Project Applicant shall construct a mini pork-chop island or other similar features to delineate that only right-turns are allowed at Driveway 2 on SR 29. 				

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