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Initial Study/Negative Declaration

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Bella Union Winery Major Modification #P19-00139-MOD
2. **Property Owner:** Dana Sexton Vivier, CFO Far Niente Wine Estates LLC; 1350 Acacia Drive, Oakville, CA 95462; phone: (707) 944-2861 or email: dvivier@farniente.com
3. **County Contact Person, Phone Number and email:** Emily Hedge, Planner III; phone (707) 259-8226 or email: emily.hedge@countyofnapa.org.
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on a 60.65 acre parcel within the Agricultural Preserve (AP) zoning district. The parcel is accessed off of State Highway 29, less than two (2) miles south of the City of St. Helena. Project address: 1695 State Highway 29, Rutherford, CA 94573. APN: 027-470-007
5. **Project sponsor's name and address:** Katherine Philippakis, Farella Braun + Martel LLP; 899 Adam Street, St. Helena, CA 94575; phone: (707) 967-4000 or email: kphilippakis@fbm.com
6. **General Plan description:** Agricultural Resource (AR) designation
7. **Zoning:** Agricultural Preserve (AP) district
8. **Background/Project History:**

The 60.65 acre property is currently developed with a single family residence, winery, approximately 34 acres of vineyards, wastewater ponds, and an approximately 37 acre open field. A stream runs through the property, connecting to Bale Slough near the southeastern corner of the property; eventually meeting the Napa River approximately one (1) mile south of the property on the eastern side of State Highway 29.

As currently existing, Bella Union winery development includes an approximately 15,000 square foot (s.f.), two-story winery building with production, hospitality, office space, and a mechanical area, an approximately 7,500 s.f. canopy, located on the northwest side of the building covers an outdoor production area, and an approximately 2,300 s.f. storage building. The driveway splits into two parking lots on either side of the outdoor area in front of the winery building.

Operational aspects include annual production of 180,000 gallons. Permitted hospitality activities include public visitation for up to 300 people per week. The annual events include 24 events with up to 50 guests and 12 events with up to 200 guests, and daily events for 10 to 25 people per day with a maximum of 65 per week. The winery employs 12 full-time employees.

January 7, 1985 - Use Permit U-168687 was approved for a new 85,000 gallon winery with retail sales and public tours and tastings. Site development included 40 parking spaces and an above ground wastewater treatment system.

July 30, 2003 - Minor Modification #03233 was approved administratively to allow construction of a 120 s.f. pump shed and installation of two 8,000 gallon water tanks.

July 21, 2004 - Major Modification #03531 was approved by the Planning Commission to increase wine production to 180,000 gallons, change in employee shifts, and add an annual marketing plan including 24 events with up to 50 guests and 12 events with up to 200 guests, and daily events for 10 to 25 people per day with a maximum of 65 per week. Site improvements included a 20,650 s.f. barrel building, 3,000 s.f. crush pad cover, and a stormwater detention pond.

February 3, 2009 - Minor Modification P08-00522 was approved administratively to allow a new break room and design changes to the existing winery.

February 10, 2011 - Very Minor Modification P10-00390 was approved administratively to allow use of temporary refrigeration units during harvest.

August 10, 2011 - Very Minor Modification P11-00206 was approved administratively to allow an expansion to the existing crush pad for a total of 7,500 s.f., add a new crush pad cover, and add an approximately 1,600 s.f. mezzanine with the existing building.

April 9, 2012 - Very Minor Modification P12-00112 was approved administratively to add picnic tables to a lawn area.

March 28, 2013 - Very Minor Modification P12-00430 was approved administratively to convert existing office space and mezzanine storage to hospitality space.

November 12, 2013 - Very Minor Modification P13-00246 was approved administratively to modify the winery landscaping and add pergolas.

March 13, 2017 - Very Minor Modification P16-00073 was approved administratively to allow on-premises consumption and food and wine pairings, construct a trellis and garden wall, and remove a previous condition of approval restricting use of outdoor areas for winery activities.

March 2019 – Major Modification #P19-00139 was submitted. The property was purchased by the current applicant in 2021 and a revised application and modified project request were submitted.

9. **Description of Project:** Approval for a modification of the previous project approvals (Use Permit #U-168687 and subsequent modifications) for an existing 180,000 gallons per year winery to allow the following.

A. Modify an existing winery to permit the following:

- 1) Increase production from 180,000 to 300,000 gallons;
- 2) Increase employment from 12 employees to 38 full-time and seven (7) part-time employees;
- 3) Add tours and tasting by appointment only for 132 guests/day Monday–Thursday and 182 guests/day Friday–Sunday;
- 4) Modify the existing annual Marketing Program currently consisting of 24 events up to 50 guests, 12 events up to 200 guests, and daily events for 10 to 25 people per day with a maximum of 65 per week, to the proposed one (1) event up to 500 guests, 12 events up to 100 guests, and three (3) events per week (156 events annually) up to 50 guests;
- 5) Expand production hours of operation from 7:00 a.m. to 7:00 p.m. to 6:00 a.m. to 6:00 p.m. and hospitality hours of operation from 10:00 a.m. to 4:00 p.m. to 10:30 a.m. to 6:30 p.m.;
- 6) Allow food and wine pairings with tours and tastings;
- 7) Construct an approximately 15,700 s.f. barrel storage with an attached, approximately 2,000 s.f. office building (remodel of the previously approved, but never constructed 20,650 barrel building);
- 8) Construct an approximately 1,200 s.f. addition to the existing winery building and remodel interior space of the existing building;
- 9) Construct two (2) approximately 2,600 s.f. canopies over existing outdoor production space;
- 10) Increase parking from 45 parking spaces to 59 parking spaces;
- 11) Allow on premises consumption of wine to take place within the winery building and on outdoor patios;
- 12) Reclassify the facility's domestic water system from a transient, non-community system to a non-transient, non-community system;
- 13) Improve the winery wastewater system; and
- 14) Improve the driveway to include an exclusive right turn lane when exiting the driveway.

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

The project site is located on a 60.65-acre parcel less than two (2) miles south of the City of St. Helena. The parcel is accessed via a driveway off of State Highway 29. The property is currently developed with a single family residence, winery, approximately 34 acres of vineyards, two wastewater ponds, and an approximately 37 acre open field.

The property is flat, with slopes less than five (5) percent. The property is bisected by a stream running from the northwestern property line to the south eastern corner of the property; eventually meeting the Napa River approximately one (1) mile south of the property on the eastern side of State Highway 29. The existing development and vineyards are located on the eastern side of the stream. The undeveloped field is on the western side of the stream.

Surrounding properties include residences, vineyards, wineries, and undeveloped land. The closest residence is approximately 250 feet from the existing winery building. Upper Valley Disposal & Recycling facility is located north of the property and borders approximately 400 feet of the northern property line. The eastern property line is adjacent to State Highway 29.

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

Responsible (R) and Trustee (T) Agencies

None

Other Agencies Contacted

None

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

On September 19, 2022, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received.

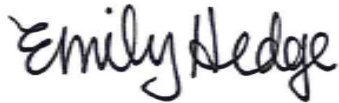
Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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



11/1/22

Signature

Date

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

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

Discussion:

a/c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the area contains residences, vineyards, wineries, and undeveloped land. The eastern property line is adjacent to State Highway 29. As currently proposed the physical changes included with the requested modification include modifications to the exterior and interior of the existing winery building, including an approximately 1,200 s.f. addition to the front of the building and trellises in the front outdoor area. The entire building will be repainted with the earth-tone colors selected from the County's reviewed color pallet. Previous Use Permit modifications permitted construction of an approximately 20,650 s.f. barrel storage building, which has yet to be built. An additional modification permitted construction of covered work areas over a portion of the approved building location. This modification would redesign and reduce the size of the barrel building to approximately 15,700 s.f. with an attached 2,000 s.f. office building, to be constructed adjacent to the covered work areas in the approximate footprint of the previously approved building. The highway is a County designated Viewshed, however based on the slope of the property a less than five (5) percent, the project is not subject to the Viewshed regulations. Change in views from the highway would be limited with the addition on the winery building and outdoor trellis. The barrel building will be constructed in approximately the same location as previously approved. The project will not have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts are expected to be less than significant.

b. No trees, rock outcroppings or designated historic buildings would be damaged as a result of the proposed project, nor is any of the construction that will be associated with the project within a state scenic highway. No impacts would occur.

d. The project intends to make modifications to the winery operations by increasing the number of by appointment tours and tastings, marketing events, and full-time/part-time employment, and extending hours of operation. The expansion of marketing events could result in an increase in the amount of time existing sources of light are functioning during nighttime hours, however, this increase would be temporary in nature. Proposed marketing plan includes one (1) event up to 500 guests and 12 events up to 100 guests. These marketing events would be held between 10:30 a.m. and 10:00 p.m. with quiet clean up ending by 10:30 p.m. The plan also proposes three (3) events per week, (156 events annually) up to 50 guests. These events would include two evening events, held between 6:30 p.m. and 10:00 p.m. with quiet clean up ending by 10:30 p.m.

Any new exterior or outdoor lighting would be installed pursuant to standard Napa County conditions of approval for wineries, and would be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As subject to the standard conditions of approval, below, the project would not have a significant impact resulting from new sources of outside lighting. Impacts are expected to be less than significant.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.

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

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

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

Mitigation Measures: None are required.

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

Discussion:

a/b/e. The 60.65-acre project site includes approximately 34 acres of vineyards on the property. The area comprising the winery development is designated as "Other Land" and the vineyards and fields are designated "Prime Farmland" by the Napa County Important Farmland Map of 2016 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency. All physical improvements would take place within the existing developed areas, therefore the project would not impact any of the parcel's agricultural land. General Plan Agriculture Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition

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

Ordinance and clearly accessory to a winery, as agriculture. Therefore, the proposed project would not conflict with existing zoning for agricultural uses. The existing winery complies with the agricultural contract on the property which permits wineries upon grant of a use permit. There are no other changes included in this proposal that would result in the conversion of Farmland. As a result, the proposed project would not result in the conversion of special status farmland to a non-agricultural use. No impacts would occur.

- c/d. All physical improvements take place within the existing developed area and areas that have already been disturbed from their natural state. There are no trees on the property considered forest land or timberland. These project would not cause a conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production, nor would it result in the loss or, or conversion of, forest land to a non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits. No impacts would occur.

Mitigation Measures: None are required.

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

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

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

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

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

- a. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool

temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

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

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

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately 56,745 square feet of enclosed floor area, consisting of 10,439 square feet of floor space dedicated to hospitality uses and 46,678 square feet of space dedicated to production uses, compared to the BAAQMD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 square feet (general light industry) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

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

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

- 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.*
- 4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*

5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

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

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The physical improvements and operational changes would not significantly increase odors associated with the winery. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are required.

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

Discussion:

- a/b. According to the Napa County Environmental resource maps (based on the following GIS layer – Vegetation) the property is categorized as “Agriculture” land over the residence, vineyards, and field and “Other” in the winery area. According to the GIS layer – Natural Diversity Database (CNDDDB) no sensitive plant species have been identified in the area. The GIS layer – CNDDDB Owl Habitat, shows potential owl habitat on the hillsides west of the property. The closest portion of the winery development is approximately three quarters of a mile away from the closest hillside. The residence, winery, and vineyards on the property do not provide potential owl habitat. All proposed improvements would occur on the developed area of the property or directly adjacent on previously disturbed areas. Based on site conditions the proposed project would not have a substantial adverse effect on any candidate, sensitive or special status species, or that it would have a substantial adverse effect on riparian habitat or sensitive natural communities. Impacts would be less than significant.
- c. According to the Napa County Environmental resource maps (based on the following GIS layer – National Wetlands Inventory), the stream running through the property is identified as a “Freshwater Emergent Wetland”, as well as portions of the parcel boarding the southern property line. Winery improvements are approximately 250 feet from the stream and more than 800 feet from the adjacent parcel. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- d. All proposed improvements would occur on the developed area of the property or directly adjacent on previously disturbed areas. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. No impacts would occur.
- e. The site does not contain biological resources that would be impacted by the property. The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.
- f. The site is not subject to any adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

- a/b. The parcel is located in area that has been surveyed for and found to contain archaeological resources (Survey 090203). The proposed construction of the building addition and the barrel building are proposed to occur within an area that has been previously surveyed and disturbed by buildings, concrete pads for the outdoor work areas, and vineyards. The proposed project does not include activities that would impact the known sites. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval. Impacts are anticipated to be less than significant.

7.2 ARCHEOLOGICAL FINDING

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

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

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

Mitigation Measures: None are required.

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

Discussion:

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

Mitigation Measures: None are required.

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other	☐	☐	☒	☐

substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion:

a.

- i.) There are no known faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing of a known fault. Impacts would be less than significant.
- ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Code and standards related to the construction of the barrel building and winery building remodel would reduce the potential impacts to a less than significant level in relation to seismic ground shaking.
- iii.) According to Napa County Environmental Resource maps (based on the following GIS layer – Liquefaction) the parcel is located in an area with a High susceptibility for liquefaction. The site is developed with structures and vineyards, and no issues with liquefaction have occurred. All construction would be located in previously developed areas and completed in compliance with the latest edition of the California Building Code. Impacts would be less than significant.
- iv.) According to the Napa County Environmental Resource Maps (Landslides - line, polygon, and geology layers) there are no areas on the property that have occurred. The entire property is flat with slopes of less than five (5) percent. The existing winery development and proposed improvements are on flat, developed areas. No impacts would occur.

b. Based on the civil plans, submitted by Summit Engineering Inc. dated 4-15-22, the approximate area of disturbance is 2.85 acres. Construction and improvements are located in areas already developed by the winery buildings and existing site work. Impacts would be less than significant.

c/d. According to the Napa County Environmental Resource Maps (based on the following layers - Geology, Surficial deposits, Soil Types, Geologic Units), at the location of the winery development the Geologic unit associated with the is surficial deposits (Quaternary), Surficial Deposits include Holocene alluvial fan deposits (Qhff, fine facies), and the soil is Maxwell clay (2 to 9 percent slopes). Although the parcel is located in an area with a High susceptibility for liquefaction, prior development has not resulted in known instability at the site. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.

e. The project would not violate any water quality standards or waste discharge requirements. According to the Onsite Wastewater Feasibility Study prepared by Summit Engineering (Revised July 13, 2022), the proposed wastewater flows associated with the proposed

project exceed the design capacity of the current process wastewater (PW) and sanitary sewage (SS) treatment and disposal systems. To accommodate the increased daily visitation and events associated with the proposed use permit modification, the systems will be improved to accommodate additional PW and SS flows. The existing two-pond PW treatment system is capable of treating the PW associated with the existing annual production limit of 180,000 gallons of wine. While the existing ponds can hydraulically handle the proposed 300,000 gallons of wine production limit, upgrades will be needed to meet the treatment demands of the increased PW flows. The new PW management system will include the existing gravity collection system within the winery, existing screened floor drains for solids removal, an existing pump station, an existing rotary screen, the existing ponds (with new aeration and liners), and a new irrigation disposal pump. Improvements to the existing SS treatment system include installation of an additional septic tankage, pretreatment, and a subsurface drip disposal system. The nearest existing or proposed water well to the SS treatment and disposal systems is approximately 100 feet. No disposal of wastewater effluent (either PW or SS) will occur within 100 feet of any existing or proposed wells. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.

- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing development was constructed or when the vines were planted. The project as proposed would require minimal earth disturbing activities and construction is unlikely to uncover paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022).² The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

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

utilizing the emissions checklist and associated carbon stock and sequestration factors in the Draft CAP to assess and disclose potential GHG emissions associated with project development and operation pursuant to CEQA.

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

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

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

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

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

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

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project includes the approximately 15,700 s.f. barrel building and 1,200 s.f. addition to the winery building. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

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

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

Specifically for buildings, the project must not:

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

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

Specifically for transportation, the project must:

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

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

As discussed above and in section XVII. Transportation, the County maintains a TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers required completion of a traffic study and VMT analysis. The project TIS, prepared by Crane Transportation Group, dated August 22, 2022, includes the applicant's proposal for a Traffic Demand Management (TDM) Plan for reducing vehicle miles traveled. See section XVII. Transportation for additional detail.

The applicant recently purchased the property, and not all of the previous owner's greenhouse gas reduction methods at the winery are known. However, the applicant intends to implement a number of reduction strategies that they currently implement at two of their other wineries - Far Niente Winery and Nickle and Nickle Winery. These include installing electrical vehicle charging station and a solar array on the work area canopy and barrel building; water saving measures through use of water efficient fixtures, low impact development, water efficient landscaping; utilizing local food production, recycling 75% of all waste and composting 75% food and garden material; implementing a sustainable purchasing and shipping program and use of recycled materials; and education to staff and visitors on sustainable practices. The winery practices organic farming of the existing vineyards, which include 70-80% cover crop. The applicant intends to certify the winery in the areas of Certified Green Business, Certified Napa Green Winery, and/or a Certified "Napa Green Land".

New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. A condition of approval will

be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. Impacts would be less than significant.
- b. Hazardous materials such as diesel and maintenance fluids would potentially be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of an existing winery that would not be expected to use any substantial quantities of hazardous materials. The operation changes are not anticipated to significantly increase the quantities. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery buildings. The nearest schools are located in the City of St. Helena, over two (2) miles north of the winery site. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of

various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit. The proposed project and plans have been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. The proposed winery would not obstruct an emergency response or evacuation plan. Impacts would be less than significant.

- g. The property is located within the Local Responsibility Area (LRA) for fire protection services and does not have a Fire Hazard Severity Rating determined by the California Department of Forestry and Fire Protection for those properties located within the State Responsibility Area (SRA). The property is located on the flat valley floor adjacent to State Highway 29 and the surrounding properties include residential development, vineyards, and wineries. There are no heavily wooded properties or hillsides within approximately one (1) mile of the property, where SRA Fire Hazard Severity rating ranges from Moderate to High. The proposed physical improvements and expanded operational activities would not impact potential hazards regarding wild-land fires. Impacts of the project would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

On April 21, 2021, Governor Gavin Newsom declared a drought emergency in the state of California and as of July 8, 2021, 50 counties are under the drought state of emergency, including Napa County. The Governor directed the Department of Water Resources to increase resilience of water supplies during drought conditions. On June 8, 2021, the Napa County Board of Supervisors adopted a resolution declaring a Proclamation of Local Emergency due to drought conditions which are occurring in Napa County. On October 19, 2021, the Governor issued a proclamation extending the drought emergency statewide. The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

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

On March 8, 2022 and August 9, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3 acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. Because the parcel is located within the GSA Subbasin, and the existing uses exceed the 0.3 acre feet per acre per year calculation, the applicant revised the project water use to achieve a no net increase.

- a. The project would not violate any water quality standards or waste discharge requirements. According to the Onsite Wastewater Feasibility Study prepared by Summit Engineering (Revised July 13, 2022), the proposed wastewater flows associated with the proposed project exceed the design capacity of the current process wastewater (PW) and sanitary sewage (SS) treatment and disposal systems. To accommodate the increased daily visitation and events associated with the proposed use permit modification, the systems will be improved to accommodate additional PW and SS flows. The existing two-pond PW treatment system is capable of treating the PW associated with the existing annual production limit of 180,000 gallons of wine. While the existing ponds can hydraulically handle the proposed 300,000 gallons of wine production limit, upgrades will be needed to meet the treatment demands of the increased PW flows. The new PW management system will include the existing gravity collection system within the winery, existing screened floor drains for solids removal, an existing pump station, an existing rotary screen, the existing ponds (with new aeration and liners), and a new irrigation disposal pump. Improvements to the existing SS treatment system include installation of an additional septic tankage, pretreatment, and a subsurface drip disposal system. The nearest existing or proposed water well to the SS treatment and disposal systems is approximately 100 feet. No disposal of wastewater effluent (either PW or SS) will occur within 100 feet of any existing or proposed wells. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.
- b. The parcel is located within the GSA Subbasin so the 0.3 acre feet per acre per year calculation was used to determine the water allocation. For the 60.65 acre parcel the water allocation is 18.2 acre feet per acre per year. There are two existing operational wells onsite. Well 03 is connected to the public water system and supplies the potable water demand for the property. The second well ("Ag Well") provides vineyard and landscape irrigation water supply.

The existing water use associated with the winery, vineyards, and residence is estimated to be 21.8 acre feet. Because the existing water use exceeds the 0.3 acre feet per acre per year allocation, the applicant revised the project groundwater use to achieve a no net increase over existing conditions. The proposed increase in production, employees, and visitation would result in an increase in water use of 4.16 acre feet. There is no change in residential use. In order to offset the increase resulting from operational changes, the applicant proposed to reduce water use by 5.12 acre feet per year through reductions to their vineyard irrigation and landscape irrigation. This results in an overall reduction of 0.95 acre feet over existing conditions.

Exact water use amounts utilized by the previous ownership is not known, so the applicant utilized water efficient landscape ordinance (WELO) calculations and assumptions based on a review of the existing landscaping and the Napa County WAA guidelines estimate for vineyard irrigation.

The estimated annual water demand for the existing landscape plan at the winery is 0.57 acre-ft. Proposed landscape irrigation water demand for the applicant's proposed landscaping was estimated using WELO calculations, and resulted in 0.55 acre feet. This represents a reduction of 0.02 acre feet.

The Napa County WAA guidelines estimate for vineyard irrigation, which ranges between 0.2 to 0.5 acre-ft. per acre per year. The high end of this range is typically used for facilities with unknown vineyard irrigation use, and this value was used for irrigation estimates under previous ownership. The existing irrigation demand for 34 acres of vineyard is estimated to be 17 acre-ft. per year. Vineyard irrigation demand is anticipated to be lower under the ownership of Far Niente. Far Niente owns two other wineries with operating vineyards in the Napa Valley: Nickel & Nickel Winery (N&N) and Far Niente Winery (FNW). Vineyard irrigation demand for these facilities is estimated to be 0.37 acre-ft. per year for N&N and 0.34 acre-ft. per year for FNW. The average of these two demand estimates (0.35 acre-ft. per year) is assumed for Bella Union. The estimated water use will be reduced to 11.9 acre feet. This represents a reduction of 5.10 acre feet from existing estimated vineyard irrigation. In order to achieve a reduction in vineyard irrigation, the applicant intends to implement a combination of the following: switch overhead irrigation to frost fans; reuse of treated process wastewater; and redevelopment of vineyards using drought tolerant rootstock, an updated irrigation system, and optimized canopy and vine row orientation. Currently, only 11 of the 34 acres of vineyard are frost protected by frost fans. The applicant proposes to install frost fans over the remaining vineyard such that all onsite vineyards will utilize frost fans for frost protection. The projected groundwater demand reduction in an average frost year is projected to be up to 0.25 ac-ft per acre, which could result in a 5.75 ac-ft. reduction. The applicant anticipating replacing 11 acres over the next ten years. Through the use of drought tolerant rootstock, an updated irrigation system, and optimized canopy and vine row orientation, irrigation levels could be reduced by 40%, resulting in up to a 2.2 acre-ft reduction. Finally, the use of treated process wastewater on portions of the vineyards could provide an additional 1.9 acre-ft reduction. The implementation of these infrastructure changes and irrigation practices can realistically achieve, and likely exceed, the estimated reduction 5.10 acre feet per year.

Source of Demand	Existing (acre-ft.)	Proposed (acre-ft.)	Difference (acre-ft.)
Winery Production	3.31	5.52	2.21
Winery Domestic Use	0.55	2.50	1.96
Residential Domestic Use	0.40	0.40	0.00
Vineyard Irrigation	17.0	11.9	-5.10
Landscape Irrigation	0.57	0.55	-0.02
Total	21.8	20.9	-0.95

Tier II and Tier III analyses are required if the proposed project represents a net increase in water use from existing conditions or if the existing water demand estimate is greater than 0.3 acre-ft. per acre per year for the project parcel. Total water use on the parcel is estimated to decrease by approximately 0.95 acre feet per year; therefore, a Tier II and Tier III analysis is not required for this project.

According to the Water System Feasibility report prepared by Summit Engineering, Inc., dated April 12, 2022, the Facility's domestic water system is currently classified as a transient, non-community system and is managed by employees of the winery. Due to the increase in users resulting from the modification to employees and visitation, the Facility will submit a Public Water System amendment application to reclassify as a non-transient, non-community system.

The project will include the County's project specific Condition of Approval setting a limitation on groundwater use for the parcel to 20.9 AF/YR and requiring well monitoring. The condition would also include the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Groundwater Management - The parcel shall be limited to 20.9 acre-feet of groundwater per year for all water consuming activities (utilizing wells) on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

In the event that changed circumstances or significant new information provide substantial evidence³ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized

³ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.
2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the County within 120 days of approval of this modification.
5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 20.9 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
7. At the completion of the reporting period per 6.15(a)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(a) and 6.15(a) above shall commence prior to final occupancy.

- c./d. All proposed work would take place on the flat, existing developed area of the winery. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows.

The site lies within the boundaries of the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area 100 Year "Zone A". The project has been reviewed by the Engineering Division and will be conditioned to meet the requirement the Floodplain Management Ordinance (FMO) outlined in Chapter 16.04 of the Napa County Code. The FMO requires that any new construction or substantial improvements to the existing structure shall be constructed using methods and practices that minimize the potential for and impact of flood damage. All new and replacement water supply systems shall be designed to minimize or eliminate the potential for infiltration of floodwater into the system. New and replacement sanitary sewage systems shall be designed to minimize or eliminate the potential for infiltration of floodwaters into the systems and for the discharge from the systems into floodwaters. On-site waste disposal systems shall be located so as to avoid the potential for their impairment, or their causing contamination during flooding. Impacts would be less than significant.

- e. In January 2022 the Groundwater Sustainability Agency (GSA) submitted a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR). As discussed above, although the operational changes would increase water use, the applicant would revise their vineyard irrigation and landscape water use levels to result in an overall reduction in water use of 0.95 acre feet below the existing conditions. The project would not result in an impact to water use and would therefore comply with the GSP. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would not change the existing residential and agricultural land uses of the property, which are consistent with the single-family houses and vineyards developed on properties proximate to the site. The proposed project would not introduce a non-agricultural use, nor any new, non-winery development to the property. The proposed project would integrate with the property's surroundings and would not physically divide an established community. The project would have no impact.
- b. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AR (Agricultural Resource) and AWOS (Agriculture, Watershed, and Open Space), both of which allow "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The winery development is subject to a 600-foot setback from State Highway 29. Napa County Code Section 18.104.230 permits wineries that were constructed prior to the adoption of the Winery Definition Ordinance (WDO) to expand within the setback area only if the expansion is placed no closer than the nearest point of the existing structure to which the expansion is attached. The existing winery building, approved prior to the WDO is located 405 feet from the centerline of the highway. The proposed addition to the building is attached to the front of the building and is setback approximately 430 feet from the centerline of the highway. In 2004, Use Permit modification #03531, included approval of an approximately 20,650 s.f. barrel storage building, which was partially located within the setback. The building was never constructed and is included in this major modification to redesign and relocate. The closest portion of the proposed barrel building is approximately 555 feet from the centerline of the highway. The winery building addition and barrel building comply with Chapter 18.104.230.

There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. The project complies with the remainder of Napa County Code and all other applicable regulations. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

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

Mitigation Measures: None are required.

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

Discussion:

- a/b. Salter prepared an Environmental Noise Assessment, dated April 22, 2022, in order to compare the estimated existing noise levels with future noise projections generated by the increase in visitation and events. Although there is a proposed increase in production levels, operations would continue to use the existing outdoor production area, which is approximately 350 feet from the closest offsite residence. To quantify the existing noise levels, sound level meters were deployed along the east property line adjacent to Highway 29. From March 30, 2022 to April 4, 2022, these meters measured the noise from the highway at the adjacent residence to Bella Union. The average hourly noise level (Leq) at the nearest residential receivers ranges from 52 dBA to 62 dBA between the hours of 10:00 a.m. and 6:30 p.m. (i.e. the proposed hours of operations at Bella Union).

The project would result in a temporary increase in noise levels during construction of the building addition and new barrel building. Impacts due to a temporary increase in ambient noise generated from construction activities, or from groundborne vibration, would remain below a level of significance through compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The County Noise Ordinance limits construction activities to daylight hours (7:00 a.m. to 7:00 p.m.) using properly muffled vehicles. In addition to the County Noise Ordinance, the project applicant will be required to comply with project Conditions of Approval (outlined below)

related to construction noise, which will limit activities further by requiring construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels.

7.3. CONSTRUCTION NOISE

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

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses in the area are dominated by open space uses, rural residential properties, and vineyards. Of those land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.) or 45 decibels during nighttime hours (10:00 p.m. to 7:00 a.m.) Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code.

Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Typical winery production operations would occur between 6:00 a.m. and 6:00 p.m. (excluding harvest). Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Production activities would continue to occur on the existing outdoorwork area behind the winery building, approximately 350 feet from the closest residence. The proposed barrel building would also be approximately 350 feet from the closest residence. As noted above, the Assessment found the average hourly noise level (Leq) at the nearest residential receivers to range from 52 dBA to 62 dBA between the hours of 10:00 a.m. and 6:30 p.m. With higher ambient noise levels it is not likely that the increase in production activities would generate noise levels that exceeded County standards. No complaints have been received to date on winery operations as it pertains to noise.

It should be further noted that any outdoor equipment proposed in the expansion Carriage Building design would be subject to the following standard conditions requiring that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- c. *Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.*

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

- b. *All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.*

The Salter Assessment, focused on future noise projections generated by the increase in visitation and events. The assessment also compares the anticipated noise levels to the Napa County Noise Ordinance and CEQA guidelines. The analysis is broken down into the following noise-generating activities: Increased Visitation – including revised projections for weekdays, weekends, and special events; Outdoor Use – including but not limited to day visitation and special gatherings including presentations/music; and Traffic and Parking Activities – including but not limited to daily traffic, instantaneous vehicle noise (engine starts, revs, fans).

To quantify the existing noise levels, sound level meters were deployed along the east property line adjacent to Highway 29. From March 30, 2022 to April 4, 2022, these meters measured the noise from the highway at the adjacent residence to Bella Union. The average

hourly noise level (Leq) at the nearest residential receivers ranges from 52 dBA to 62 dBA between the hours of 10:00 a.m. and 6:30 p.m. (i.e. the proposed hours of operations at Bella Union).

The nearest residential property line is located 200 feet north of the proposed outdoor patio, located in front of the winery building addition. Although the residence is approximately 50 feet further set back, the study uses 200 feet as the distance to project estimated noise levels from potential outdoor guests at tastings and events.

Visitation – Daily Use and Weekly 50-person marketing event. The assessment considered outdoor usage by 30 guests, assumed as half of the average visitors to be at the winery during a one hour period. A single raised voice typically measures 70 dBA at three (3) feet. The estimated measurement for half of those guests talking at the same time is 82 dBA at a distance of three (3) feet. Speech drops off at a rate of 20 times the logarithmic ratio of distances (i.e. $20 \times \log(3 \text{ feet distance ref} / 200 \text{ feet distance actual})$). Due to the distance to the neighboring property line, volumes would drop off to 45 dBA at the neighboring property line. Speech levels of 45 dBA comply with the County's noise daytime and nighttime noise limit of 45 dBA. During the daytime, noise levels would most likely be inaudible, masked by traffic noise from Highway 29. Impacts would be less than significant.

Events – The analysis of the 100-person events and the 500-person event showed a potential impact during the County's nighttime hours. The analysis proposed a number of parameters to be applied to operations at the marketing events that would reduce potential impacts to less than significant impact. These are discussed following the information on the analysis of the events.

100-person Event – 12 times per year. The hours of these events would be 6:30 p.m. to 10:00 p.m. During these events, the winery could host up to 100 guests. The majority would arrive in parties of 2 to 4 guests per vehicle or by charter shuttle. Assuming that 50% of guests wish to enjoy the outdoor space, the patio would introduce up to 50 additional outdoor people. To estimate the noise from the patio, it was assumed that 25 people (half) would be talking at once using a raised voice. If 25 people are talking with raised voices at once, the overall noise level would be 84 dBA at three (3) feet. Due to the logarithmic ratio of distances this volume of speech would drop off to 47 dBA at the nearest residential neighbor. Objectively, speech levels of 47 dBA comply with the County's daytime noise requirements, but could exceed allowable nighttime levels by 2 decibels. According to the measurements, the average hourly noise level (Leq) at the nearest residential receivers ranges from 48 dBA to 62 dBA between the hours of 10:00 a.m. and 12:00 a.m. (the study utilized 12:00 a.m. but winery events would end by 10:00 p.m.). Subjectively, maximum speech levels at 47 dBA could be more audible toward the latter part of the event.

500-person event – 1 time per year. The hours of these events would be 6:30 p.m. to 10:00 p.m. During these events, the winery could host up to 500 guests. The majority would arrive by charter shuttle as the Bella Union Winery grounds lacks sufficient parking to accommodate this number of vehicles (i.e. 100 cars or more). Assuming that 50% of guests wish to enjoy the outdoor space, the patio would introduce up to 250 additional outdoor people. To estimate the noise from the patio, we assume that 125 people (half) would be talking at once using a raised voice. If 125 people are talking with raised voices at once, the overall noise level would be 91 dBA at three (3) feet. This volume of speech would drop off to 55 dBA at the nearest residential neighbor. Objectively, speech levels of 55 dBA comply with the County's daytime noise requirements, but could exceed allowable Nighttime noise levels by up to 10 decibels. Subjectively, maximum speech levels at 55 dBA could be more audible toward the latter part of the event. If permitted events opt for entertainment (i.e. live or pre-recorded music). The objective noise levels of such events are unknown. Given the distinct and easily recognizable nature of noise from music, these activities could cause a negative response from the neighbors if the volume were excessive.

The analysis proposed a number of parameters on the marketing events that would reduce potential impacts to less than significant impact. The applicant has designed their marketing plan to incorporate the following measures, which will be included as a condition of approval.

Marketing Plan:

1. Evening events will end not later than 10:00 p.m.; clean-up will end at 10:30 p.m.
2. No outdoor sound amplification devices are allowed at events
3. Indoor sound amplification devices used for the annual event will be turned off not later than 9:00 p.m.
4. Operable doors and windows located on the north side of the winery will be closed after 9:00 p.m. during evening events.
5. Cars parked onsite for the annual 500-person event will be valet-only.
6. These measures will be posted on premises in the employee break room and included in our contracts with event vendors.
7. Advanced notice of valet parking for the annual event will be provided to attendees and signage will also be posted on the evening of the event.

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

4.10 **AMPLIFIED MUSIC**

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

- c. The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impact would occur.

Mitigation Measures: None are required.

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

Discussion:

- a. The requested use permit major modification would facilitate the continued operation of an existing winery on the project site, with expanded production and hospitality service. The proposed staffing at the winery would increase from 12 full-time employees to a total of 45 employees (38 full-time and 7 part-time). The Association of Bay Area Governments' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County's Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%.

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

The proposed project does not require installation of any new public infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings or conversion of utility space to occupied space as is proposed with the project. New visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other businesses supporting the winery's requested operations is uncertain, unquantifiable, and speculative.

The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With small staffing increases proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have a less than significant impact on population growth.

- b. The existing residence would remain on the property with the requested use permit major modification. No residential buildings on or off of the property would be demolished as a result of the project. Thus, no residents would be displaced, and there would be no impact.

Mitigation Measures: None are required.

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

Discussion:

- a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures, such as winery access that meets Napa County RSS, defensible space, and sprinklers in the remodeled winery building and new barrel building will be required as part of the development. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. There would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the cities west and south of the winery. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested project. School impact fees, which assist local school districts with capacity building measures, would be levied for any required building permits for the project, however as demonstrated in **Section XIV(a), Population and Housing**, the project is expected to create a minimal increase in the county's population and its need for housing such that local schools would not be strained by the proposed project and its increase in visitation, marketing events, and employment. The proposed project would have minimal impact on public parks as no residences are proposed, and as previously noted the increase in regional population from the proposed project is expected to be minimal. Impacts to public services would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

- a. The requested use permit major modification does not include any residential component and is not likely to lead to the accompanying introduction of new residents to the site or area. The use permit major modification would increase the number of winery employees and the number of daily tours and tastings visitors to the property, some of whom might visit regional recreational facilities on the way to or from other wineries. However, given that the purpose of employees' and guests' trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. This impact would be less than significant.
- b. No new public recreational amenities are proposed to be built with or as a result of the requested use permit major modification. The proposed project would have no impact.

Mitigation Measures: None are required.

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

Discussion:

- a./c./d. Access to the winery is via a driveway off State Highway 29. The driveway provides access to the subject property only. The driveway existing driveway complies with County Road and Street Standards (RSS). The proposed driveway improvements surrounding the barrel building have been reviewed by the Engineering Division and Fire Marshal's Office and staff determined that the request meets RSS access requirements. No transit, bicycle or pedestrian facilities exist on along the highway in the project vicinity, nor are any facilities planned at this time. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. The project would not substantially increase hazards due to design features. Impacts would be less than significant.

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

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT

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

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

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County’s transportation plans and policies. Per the County’s current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. Based on the County’s Trip Generation worksheet, the proposed project would generate between 280 and 330 daily trips depending on the weekday or weekend, representing an increase in trips between 170 and 220 trips. The trip generation exceeds 110, therefore the project was required to prepare a traffic study and a VMT analysis.

The applicant submitted the Final Traffic Impact Report, dated August 22, 2022, prepared by Crane Transportation Group. The report notes that the addition of project traffic will increase delays at the Project Driveway intersection with SR 29-128 and Mee Lane during Friday and Saturday PM peak hour operation, to levels that would exceed County acceptable criteria. The following measures are proposed to eliminate the project’s peak hour impacts and have been incorporated into the project description and conditions of approval.

- Provide an exclusive right-turn lane on the Project Driveway approach to State Highway 29. The driveway eastbound approach to the State Highway is has approximately 12 to 14 feet of storage between the railroad track and the stop bar for a vehicle turning right. The existing paved crossing of the Wine Train track has enough width to accommodate this lane.
- Schedule all guests by appointment and employees during the Friday and Saturday PM peak traffic hours (3:00 – 4:00 PM) to preclude any new inbound or outbound traffic during these hours.
- Provide bike lockers.

The County TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. The project exceeds the screening threshold of 110 trips, therefore the project has considered VMT analysis. In order to reduce VMT generated by the project, the applicant has prepared a preliminary Travel Demand Management (TDM) program to implement operational procedures to reduce daily trips and overall vehicle miles traveled. Proposed approaches include providing incentives to establish carpools, riding bicycles to work, and use of public transportation; emergency/guaranteed ride home program; contracted shuttle service for guest pickup for large events; use of large vehicles for group staff travel; alternative work schedules and remote-work opportunities when possible; and encouraging visitors to use group rideshare services. The TDM program will be administered by the winery’s human resources manager in collaboration with those responsible for facilities operations, direct to consumer business, winemaking, use permit compliance and others, all reporting to the winery CEO. All records of the TDM activities will be kept for comparison of the program’s success to the baseline of no TDM program. These records will be available for County inspection. The Department of Public Works has reviewed the project and approved it as conditioned. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

- e. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site’s capacity is discouraged. The winery currently has 45 spaces and proposes an addition 14 spaces, for a total of 59. The additional parking spaces would be located around the barrel building and would serve as employee parking. The proposed project would not be in conflict with General Plan Policy CIR-14.

Mitigation Measures: None are required

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

Discussion:

- a/b. On September 19, 2022, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received.

Mitigation Measures: None are required.

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

Discussion:

- a/c. The project does not require the construction of new or expanded storm water drainage, electric power, natural gas, or telecommunications facilities. Impacts would be less than significant. Due to the increase in users resulting from the project, the winery would be required to reclassify the facility's domestic water system from a transient, non-community system to a non-transient, non-

community system. Additional storage tanks may need to be installed if the existing storage capacity (23,000 gallons) is not sufficient to meet Maximum Daily Demand (MDD). Additional tanks would be located within the existing developed area, most likely adjacent to the existing fire protection tank. Impacts would be less than significant.

According to the Onsite Wastewater Feasibility Study prepared by Summit Engineering (Revised July 13, 2022), the proposed wastewater flows associated with the proposed project exceed the design capacity of the current process wastewater (PW) and sanitary sewage (SS) treatment and disposal systems. To accommodate the increased daily visitation and events associated with the proposed use permit modification, the systems will be improved to accommodate additional PW and SS flows. The new PW management system will include the existing gravity collection system within the winery, existing screened floor drains for solids removal, an existing pump station, an existing rotary screen, the existing ponds (with new aeration and liners), and a new irrigation disposal pump. Improvements to the existing SS treatment system include installation of an additional septic tankage, pretreatment, and a subsurface drip disposal system. The improvements would take place within existing developed areas on site. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.

- b. As discussed in X. Hydrology and Water Quality the parcel is located within the GSA Subbasin. Using the 0.3 acre-feet allocation, the 60.65 acre parcel the water availability allocation would be 18.2 acre feet per acres per year. The existing water use associated with the winery, vineyards, and residence is 21.8 acre feet. Because the existing water use exceeds the water availability allocation, the applicant revised the project water use to achieve a no net increase. The increase in production, employees, and visitation results in an increase in water use of 4.16 acre feet. The applicant proposed to reduce water by 5.12 acre feet through changes to their vineyard irrigation and landscape irrigation. There is no change in residential use. This results in an overall reduction of 0.95 acre feet for a total of 20.9 acre-feet per year. Impacts would be less than significant.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion:

- a. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent

obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit. The proposed project and plans have been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. The proposed winery would not impair an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

- b/d. The property is located on the flat valley floor adjacent to State Highway 29 and the surrounding properties include residential development, vineyards, and wineries. There are no heavily wooded properties or hillsides within approximately one (1) mile of the property. The proposed physical improvements and expanded operational activities would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Based on site topography, the project could not result in downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Impacts of the project would be less than significant.
- c. All project improvements are taking place on or adjacent to the existing winery development. The construction of the driveway around the proposed barrel building would meet RSS standards and fire access requirements, the new building and building additions would meet the CA Building Code for fire safety, and defensible space on the property would be maintained. These factors would expand fire safety for the winery. These improvements would not exacerbate wildfire risk or significant environmental risk. Impacts will be less than significant.

Mitigation Measures: None are required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c)	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion:

- a. All proposed improvements would occur on the developed area of the property or directly adjacent on previously disturbed areas. As identified in Section IV. Biological Resources, there are no know biological resources in the area of the proposed development. Based on site conditions the proposed project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal.
- As identified in Section V. Cultural Resources, the parcel is located in area that has been surveyed for and found to contain archaeological resources (Survey 090203). The proposed construction of the building addition and the barrel building are proposed to occur within an area that has been previously surveyed and disturbed. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval. Impacts are anticipated to be less than significant.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse

gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, and VMT reduction strategies. The applicant recently purchased the property and intends to implement a number of greenhouse gas reduction strategies that they currently implement at two of their other wineries. These include installing electrical vehicle charging station and a solar array on the work area canopy and barrel building; water saving measures through use of water efficient fixtures, low impact development, water efficient landscaping; utilizing local food production, recycling 75% of all waste and composting 75% food and garden material; implementing a sustainable purchasing and shipping program and use of recycled materials; and education to staff and visitors on sustainable practices. The winery practices organic farming of the existing vineyards, which include 70-80% cover crop. The applicant intends to certify the winery in the areas of Certified Green Business, Certified Napa Green Winery, and/or a Certified "Napa Green Land". Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in a decrease of 0.95 af/yr over the existing levels. The Traffic Impact Report detailed in Section XVII. Transportation concluded that the proposed project would not have significant impacts on the County roadway system. The project includes appointment of a TDM Coordinator and TDM program to implement operational procedures to reduce daily and overall trips and resulting vehicle miles traveled. All records of the TDM activities will be kept and provided to the County as required. Potential cumulative impacts would be less than significant.

- c. All potential impacts identified in this negative declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.
