

Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559



Agenda

Special Meeting

Wednesday, October 2, 2024

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559**

Airport Land Use Commission

District 1, Kara Brunzell

District 2, Dave Whitmer

District 3, Heather Phillips

District 4, Andrew Mazotti

District 5, Megan Dameron (Vice-Chair)

Aviation Expertise, Charles Koch (Chair)

Aviation Expertise, Norm Brod

Dana Morrison, ALUC Executive Officer

Wendy Atkins, ALUC Staff Liaison

Jason Dooley, County Counsel

Alexandria Quackenbush, Meeting Clerk

Angie Ramirez-Vega, Meeting Clerk

How to Watch or Listen to the Napa County Airport Land Use Commission Meetings

The Napa County Airport Land Use Commission will continue to meet quarterly starting with the first Wednesday in February and also as needed.

The Napa County Airport Land Use Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom Participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Airport Land Use Commission reserves the right to conduct the meeting without remote access:

Please watch or listen to the Airport Land Use Commission meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third St, Third Floor
2. Watch online at <https://napa.legistar.com/calendar.aspx> (click the "In Progress" link in the "Video" column).
3. Watch on Zoom using the attendee link: <https://countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to date.
4. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 876-2145-7786).

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Email your comment to meetingclerk@countyofnapa.org. Emails will not be read aloud but will still become part of the public record and shared with the Airport Land Use Commission.
2. Use the Zoom attendee link: <https://countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to date. When the Chair calls for the item on which you wish to speak, click "raise hand". Please limit your remarks to three minutes.
3. Call the Zoom phone number: 1-669-900-6833. (Meeting ID: 876-2145-7786). When the Chair calls for the item on which you wish to speak, press *9 to raise hand. The clerk will give you permission to speak when it is your turn. Please limit your remarks to three minutes.

****Please note that phone numbers in their entirety will be visible online while speakers are speaking****

For more information, please contact us via telephone at (707) 253-4417 or send an email to meetingclerk@countyofnapa.org.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE COMMISSION:

ON A MATTER ON THE AGENDA

Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Commission, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of the Commission. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. Please remember this meeting is being recorded and broadcasted live via ZOOM. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Commission from taking any action on matters raised during public comment that are not on the agenda.

- 1. CALL TO ORDER; ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CITIZEN COMMENTS AND RECOMMENDATIONS (10 Minutes)**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Airport Land Use Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time

- 4. APPROVAL OF MINUTES**
 - A. Approval of minutes from the special meeting held on July 17, 2024.
- 5. AGENDA REVIEW**
- 6. DISCLOSURES**
- 7. PUBLIC HEARING ITEMS**

- A. AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) [24-1649](#)
 CONSISTENCY DETERMINATION FOR THE HESS COLLECTION -
 LAIRD GENERAL PLAN AMENDMENT & REZONING
 (P24-00234-ALU)

Request: Airport Land Use Compatibility Plan (ALUCP) Consistency Determination for the proposed Hess Collection - Laird General Plan Amendment & Rezoning (P24-00234-ALU). The project site is located at 5750 South Kelly Road, American Canyon, CA 94503, and consists of two parcels of approximately 239.83 and 40.26 acres within the AW (Agricultural Watershed) zoning district. Assessor’s Parcel Numbers (APNs): 057-090-065 (Hess Collection) and 057-090-066 (Laird).

Staff Recommendation: Find the project consistent with the Airport Land Use Compatibility Plan.

Applicant: Timothy Persson; (707) 255-1144;
 tpersson@Hesscollection.com

Attachments: [Attachment A - ALUC Compatibility Zone Map](#)
[Attachment B - Updated ALUCP Airspace Protection Map Napa County Airport](#)
[Attachment C - Napa County ALUC Application](#)
[Attachment D - General Plan Amendment & Rezoning Application](#)

- 8. ADMINISTRATIVE ITEMS
- 9.. STAFF AND COMMISSIONER COMMENTS AND REPORT
- 10. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 9/27/24 BY 5:00PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ALEXANDRIA QUACKENBUSH (By e-signature)
 Alexandria Quackenbush, Clerk of the Commission



Napa County
Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.countyofnapa.org
Main: (707) 253-4580

Airport Land Use Commission

Agenda Date: 10/2/2024

File ID #: 24-1649

TO: Airport Land Use Commission
FROM: Dana Morrison, ALUC Executive Office
REPORT BY: Wendy Atkins, ALUC Staff Liaison
SUBJECT: Airport Land Use Compatibility Plan (ALUCP) Consistency Determination for the Hess Collection - Laird General Plan Amendment & Rezoning (P24-00234-ALU)

RECOMMENDATION

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) CONSISTENCY DETERMINATION FOR THE HESS COLLECTION - LAIRD GENERAL PLAN AMENDMENT & REZONING (P24-00234-ALU)

Request: Airport Land Use Compatibility Plan (ALUCP) Consistency Determination for the proposed Hess Collection - Laird General Plan Amendment & Rezoning (P24-00234-ALU). The project site is located at 5750 South Kelly Road, American Canyon, CA 94503, and consists of two parcels of approximately 239.83 and 40.26 acres within the AW (Agricultural Watershed) zoning district. Assessor's Parcel Numbers (APNs): 057-090-065 (Hess Collection) and 057-090-066 (Laird).

Staff Recommendation: Find the project consistent with the Airport Land Use Compatibility Plan.

Applicant: Timothy Persson; (707) 255-1144; tpersson@Hesscollection.com

EXECUTIVE SUMMARY

Proposed Action:

That the Airport Land Use Commission (ALUC) find and determine that the proposed Hess Collection - Laird General Plan Amendment & Rezoning project (P24-00234-ALU) is consistent with the Napa County Airport Land Use Compatibility Plan (ALUCP).

Discussion: The proposed Hess Collection - Laird General Plan Amendment & Rezoning project consists of a request to amend the General Plan of Napa County to redesignate the approximately 239.83 and 40.26 acre sites from Agriculture Watershed & Open Space (AWOS) to Industrial (I) and Rezone the project site from Agricultural Watershed (AW) to Industrial Park (IP). The project site falls within the current Airport Land Use Compatibility Zone D and the Updated Airport Land Use Compatibility Plan (scheduled for adoption in 2024) proposed Zones D1 and D2 for the Napa County Airport. While the General Plan Amendment and rezoning request does not identify a specific development project, all future projects proposed on the parcel will need to be consistent with the current Compatibility Zone for the Napa Airport and will be reviewed for Compatibility under the ALUCP existing at the time of processing. The General Plan Amendment and Rezoning requests do not have the potential to impact airport operations or result in incompatible land uses within the vicinity of an airport. As supported in the Background and Discussion Section of this report, ALUC Staff has reviewed the proposal for consistency with the ALUCP policies and recommends that the ALUC find the project consistent with the ALUCP.

Recommendation: That the Airport Land Use Commission find and determine that the proposed Hess Collection - Laird General Plan Amendment & Rezoning project (P24-00234-ALU) consistent with the Napa County Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with airport compatibility regulations and is not responsible for approving or undertaking the project. The County of Napa is the Lead Agency responsible for carrying out the project and the County has prepared an Addendum to the General Plan Environmental Impact Report (2024) the County will determine if any additional required CEQA findings need to be made before taking final action on the proposed Hess Collection - Laird General Plan Amendment & Rezoning project that is being reviewed by the Planning Commission.

BACKGROUND AND DISCUSSION

Owners: Hess Collection Winery, Attn: Timothy Persson, 4411 Redwood Road, Napa, CA 94558 and Laird Kenneth E & Gail Tr, 5055 Solano Avenue, Napa, CA 94558

Airport Land Use Consistency Factors:

1. Location - The General Plan Amendment and rezoning request will apply to two parcels with a General Plan designation of Agriculture Watershed & Open Space (AWOS) and a zoning designation of Agricultural Watershed (AW). Under the current ALUCP the two parcels are located in the Zone D "Common Traffic Pattern" and under the proposed Updated Airport Land Use Compatibility Plan the two parcels are located in

Zones D1 “Inner Traffic Pattern Zone” and D2 “Outer Traffic Pattern Zone”. The parcels are approximately 5,286 feet east of the centerline of Runway 06/24, about 8,300 feet east of Runway 01L-19R, and about 7,858 feet from Runway 01R-19L.

2. Land Use - The project involves a General Plan Amendment for two parcels going from Agriculture Watershed & Open Space (AWOS) to Industrial (I) and a Rezone of the same two parcels from Agricultural Watershed (AW) to Industrial Park (IP).

No new allowed or conditionally allowed land uses are proposed at this time and only the General Plan Amendment and Rezoning are being considered.

The Zone D Common Traffic Pattern is routinely overflowed by aircraft at low elevations resulting in frequent single-event noise intrusion. Overflights from these areas can range from traffic pattern altitudes (about 1,000-feet above the ground) to as low as 300-feet above ground. Accident risk varies from low to moderate. Areas where aircraft are near pattern altitude (e.g., downwind leg) have the lowest risk. In areas where aircraft are at lower latitudes (especially on circle-to-land instrument approaches) a moderate level of risk exists.

Proposed Zone D1 of the ALUCP update being considered by the ALUC includes areas within the standard traffic pattern and pattern entry routes; aircraft altitude typically 1,000 to 1,500 feet above runway on visual approaches but can be as low as 600 feet above the airport elevation when circling to land after using the Runway 1L approach procedure. Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children’s schools, hospitals, bulk storage of highly hazardous materials).

Proposed Zone D2 includes areas within the outer standard traffic pattern and pattern entry routes; aircraft altitude typically above 1,000 feet above runway. Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children’s schools, hospitals, bulk storage of highly hazardous materials).

3. Concentrations of People - No changes to County regulations related to concentrations of people are proposed as part of the amendment or rezone. The proposed General Plan Amendment and Rezoning request will not result in the potential for future buildings to exceed density limitations within compatibility Zone D or proposed Zones D1 and D2. Future development plans will be subject to applicable ALUC review and concentrations of people will be analyzed for compatibility at that time.

4. Building Height - No changes to County regulations related to building height limits are proposed as part of the amendment or rezone. The County’s building height limits remain at 35 ft. for occupied structures within all Zoning districts which is consistent with ALUCP standards. Future development plans will be subject to applicable ALUC review and proposed building heights will be analyzed for compatibility at that time.

5. Lighting and Glare - No changes to County regulations concerning light and glare are proposed as part of the amendment or rezone. The County's existing lighting requirements are consistent with the ALUCP. Future development plans will be subject to applicable ALUC review, and any proposed lighting will be analyzed for potential glares impacts and compatibility at that time.

6. Communications - The proposed General Plan Amendment and Rezoning request will not change any County regulations concerning communication facilities and the County's regulations will continue to be consistent with ALUCP standards. Future development plans will be subject to applicable ALUC review, and any communication impacts will be assessed at that time.

7. Building Materials - The proposed General Plan Amendment and Rezoning request is a paper exercise and does not propose any building materials at this time. County regulations concerning building materials and the County's regulations will continue to be consistent with ALUCP standards. Future development plans will be subject to applicable ALUC review and proposed building materials will be analyzed for compatibility at that time.

8. Overflight Easement - The County requires overflight easements for all projects located within the Airport Influence Area (AIA). No changes to this long-established requirement will occur as part of this General Plan Amendment or Rezone. County regulations would remain consistent with the ALUCP. Future development will need to comply with overflight easement requirements as required by the ALUCP in effect at the time the proposed development plan(s).

9. Caltrans Aeronautics - California Department of Transportation, Division of Aeronautics (Caltrans Aeronautics) staff has been sent copies of attached background information. No comments have been received regarding the project.

10. Processing - ALUCP Policy 1.3.2 requires any amendment to land use regulations affecting the ALUC's geographic area of concern to have an airport land use consistency determination prior to approval by the local jurisdiction. Additionally, ALUCP Policy 2.1.8 details that the ALUC shall not review any consistency determination until the referring local agency has held at least one substantive local hearing or other public meeting on the proposed matter. The General Plan Amendment and Rezone proposed will be reviewed by the Napa County Planning Commission on October 2, 2024, immediately prior to the ALUC review, and is tentatively scheduled for Board of Supervisor action on November 5, 2024. As noted in the Planning Commission Staff Report, County Staff is recommending the Planning Commission approve the Amendment and Rezone as proposed. The final decision regarding approval will be made at the Board of Supervising hearing on November 5, 2024. As such, the project complies with ALUCP Policy 1.3.2 and 2.1.8 as described above.

Recommendation: That the Airport Land Use Commission find and determine that the proposed Hess Collection - Laird General Plan Amendment & Rezoning project (P24-00234-ALU) is consistent with the Napa County Airport Land Use Compatibility Plan (ALUCP).

Attachments:

Attachment A - ALUC Compatibility Zone Maps: D (current ALUCP) and D1/D2 (proposed ALUCP)

Attachment B - Updated ALUCP Airspace protection Map Napa County Airport

Attachment C - Napa County ALUC Application

Attachment D - General Plan Amendment & Rezoning Application

“A”

ALUC Compatibility Zone Map

ALUC Consistency Determination for the Hess Collection – Laird
General Plan Amendment & Rezoning P24-00234-ALC
ALUC Hearing Date (October 2, 2024)

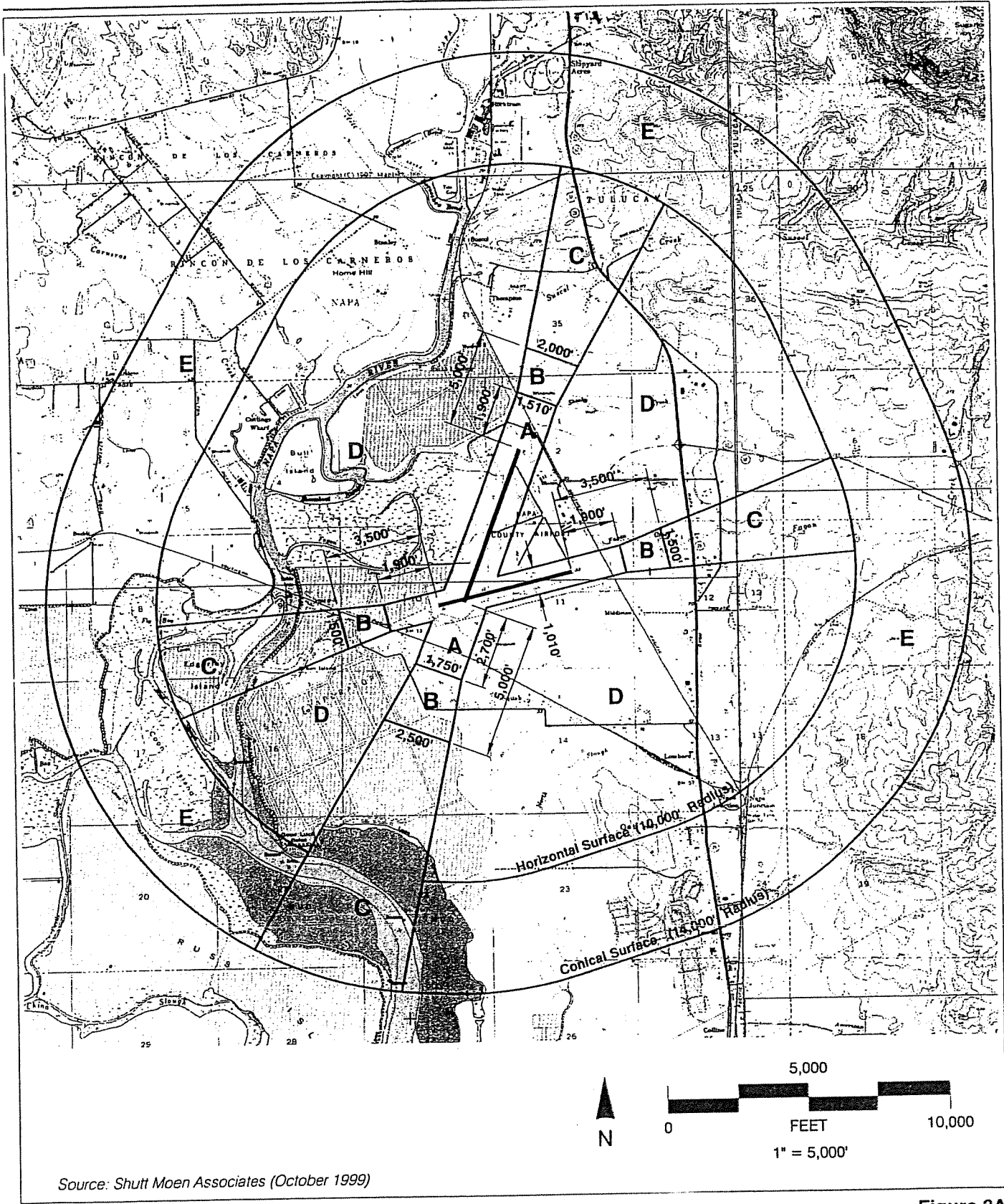


Figure 3A

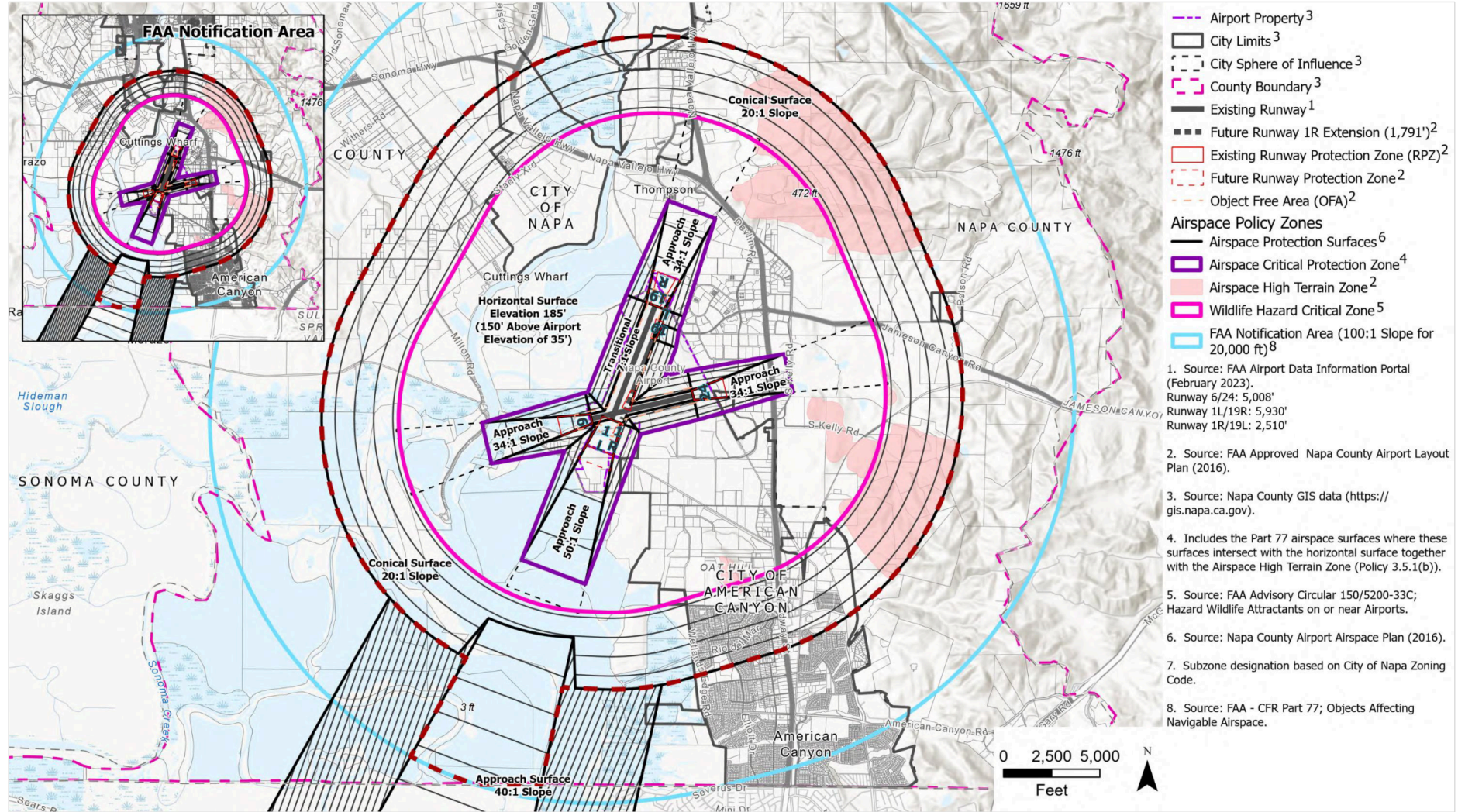
Compatibility Plan Napa County Airport

“B”

**Updated ALUCP Airspace Protection Map
Napa County Airport**

ALUC Consistency Determination for the Hess Collection – Laird
General Plan Amendment & Rezoning P24-00234-ALC
ALUC Hearing Date (October 2, 2024)

EXHIBIT 5-3: AIRSPACE PROTECTION MAP, NAPA COUNTY AIRPORT



Mead & Hunt, Inc. 2024

“C”

Napa County ALUC Application

ALUC Consistency Determination for the Hess Collection – Laird
General Plan Amendment & Rezoning P24-00234-ALC
ALUC Hearing Date (October 2, 2024)

JOHNSON AVIATION CONSULTING

Nick Johnson
6524 Deerbrook Road
Oak Park, CA 91377
818.606.3560
nick@jacair.com

September 6, 2024

Dana Morrison
ALUC Executive Officer
Napa County
1195 Third Street, Suite 210
Napa, CA 94559
dana.morrison@countyofnapa.org

Subject: Napa County ALUC Application – Hess Collection-Laird General Plan Amendment and Rezone Project

Dear Ms. Morrison:

The purpose of this letter is to submit an Application for a Consistency Determination by the Napa County Airport Land Use Commission (ALUC) on the **Hess Collection-Laird General Plan Amendment and Rezone Project** (“Project”). The Applicant is Timothy Persson of the Hess Persson Estates, 4411 Redwood Road, Napa, CA 94558. The property owner is Hess Collection Winery, Attn: Timothy Persson, 4411 Redwood Road, Napa, CA 94558 and Laird, Kenneth E. & Gail Tr, 5055 Solano Avenue, Napa, CA 94558. The Project site address is **5750 South Kelly Road** and is comprised of Assessor Parcel Numbers (APNs) **057-090-065 (Hess Collection)** and **057-090-066 (Laird)**. A brief Project Description is provided below for additional information. A list of documents included with this submittal is also provided.

Project Description – Hess Collection-Laird General Plan Amendment and Rezone

In 2021, the Applicant filed request with Napa County for a General Plan Amendment and Rezone on approximately 281 acres of land east of Highway 29 in unincorporated Napa County, APNs 057-090-065 and 057-090-066. The Board of Supervisors authorized the County’s Planning Department to process the request on June 22, 2021. The original application sought to redesignate the site from Agriculture, Watershed & Open Space (AWOS) to Industrial and to rezone the site to from Agricultural Watershed to General Industrial, consistent with General Plan Policy AG/LU-40. However, following further discussions with the County’s Planning Department, the Applicant adjusted its request, instead requesting the County redesignate the site to Industrial and rezone the site to Industrial Park.

Consistent with this request, the County is preparing an Addendum to its 2008 General Plan Update EIR to analyze the industrial redesignation and rezone under CEQA. The Project analyzed in the Addendum consists of a General Plan Amendment and Rezone, which would redesignate the Project site to Industrial and rezone the site to Industrial Park, consistent with

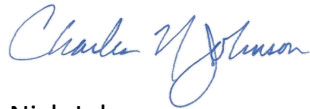
GPU Policy AG/LU-40, the 2008 General Plan Update EIR's Alternatives A and E, and the site's prior existing Industrial land use designation. The Applicant is not proposing specific development plans, but only seeking redesignation of the property for industrial uses as anticipated by the Napa County General Plan.

List of Documents - Hess Collection-Laird General Plan Amendment and Rezone Project

- ALUC Project Application Letter
- SUB 1 – General Plan Amendment Application
- SUB 2 – Hess Application for a Zone Change
- SUB 3 – Laird Application for a Zone Change
- SUB 4 – General Plan Amendment Map
- SUB 5 – Rezoning Map
- SUB 6 – Agency Project Notification Letter – County Planning to ALUC
- SUB 7 – Napa County General Plan Update Final EIR Addendum
- SUB 8 – Napa County General Plan Update Final EIR Addendum – Appendix A

Thank you for the opportunity to provide this ALUC Application for a Consistency Determination on the Project. If you require additional information about the Project or clarification of information included in the submitted materials, please call me.

Sincerely,



Nick Johnson
Johnson Aviation, Inc.

Cc: Timothy Persson – Hess Persson Estates
Steven Brock – Land Value Investment, LLC

Attachments

“D”

General Plan Amendment & Rezoning Application

ALUC Consistency Determination for the Hess Collection – Laird
General Plan Amendment & Rezoning P24-00234-ALC
ALUC Hearing Date (October 2, 2024)



A Tradition of Stewardship
A Commitment to Service

FILE # _____

**NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417**

APPLICATION FOR A ZONE CHANGE

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ Date Filed: _____

REQUEST: _____ Date Published: _____

Date Posted: _____

ZA CDPC BS APPEAL

Hearing: _____

Action: _____

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Applicant's Name: Laird Family Estates (Ken Laird)

Telephone #: (707) 257 - 3910 Fax#: () - Email: kejacklaird@aol.com

Site Address: (See APN #) _____ Assessor's #(s): 057-090-066
No. Street City State zip

Mailing Address: (Same as Applicant, below)
No. Street City State
Zip

Status of Applicant's interest in property: Property owner

Property Owner(s) Name: Laird Family Estates (Ken Laird)

Telephone #: (707) 257 - 3910 Fax#: () - Email: kejacklaird@aol.com

Mailing Address: 5055 Solano Avenue, Napa, CA 94558
No. Street City State Zip

PLEASE ATTACH A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY

Zone Change: From Agricultural Watershed (AW) To Industrial Park (IP) Text Change: N/A

Explain Fully the reason for zone change or zoning text change: The proposed project includes a request to amend the General Plan to change the Property's land use designation from AWOS to Industrial and a request to rezone the Property from AW to IP, consistent with GPU Policy AG/LU-40, the GPU EIR's Alternatives A and E, and the Property's prior existing industrial land use designation/zoning.

I certify that the above statements are correct and that the plot plan is accurate.
[Signature] 8/5/24 [Signature]
*Signature of Applicant Date Signature of the Property Owner Date

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

*Total Estimated Fees: \$ _____ Receipt No. _____ Received by: _____ Date: _____

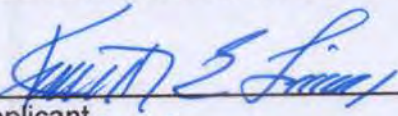
**Total Fees will be based on actual time and materials*

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.


Applicant

8/5/24
Date

Property Owner (if other than Applicant)

Hess Collection-Laird General Plan Amendment & Rezoning Project

Project Identification

Section 1: Introduction

Project Title

Hess Collection-Laird General Plan Amendment and Rezoning Project

County Contact Person, Phone Number and Email

David Morrison, 707.253.4417, david.morrison@countyofnapa.org

Project Location and APN

The Hess Collection-Laird General Plan Amendment and Rezoning Project (proposed project) comprises approximately 279 acres located at 5750 Kelly Road, north of the City of American Canyon (City), on the east side of State Route (SR) 29 between South Kelly Road and Watson Lane, in unincorporated Napa County (County). The proposed project consists of Napa County Assessor's Parcel Number (APN) 057-090-065 (HCW Property), owned by Hess Collection Winery (HCW); and APN 057-090-066 (Laird Property), owned by Laird Family Estate (Laird). Exhibits 1 and 2 show the general location of the proposed project.

Project Representatives' Name and Address

Steven R. Brock, Land Value Investment, LLC, 2304 W. Thomason Place, Fresno, CA 93711.

Background/Introduction

The project site is addressed in the County's General Plan. This section provides information related to the County's update of its General Plan in 2008, as well as actions taken subsequent to the General Plan Update.

General Plan Update

On June 3, 2008, the Napa County Board of Supervisors (Board) adopted a comprehensive update of its General Plan, known as the Napa County General Plan Update (2008 GPU), and certified the Napa County General Plan Update Final Environmental Impact Report (GPU FEIR, State Clearinghouse [SCH] No. 2005102088).

Prior to the adoption of the 2008 GPU, the project site was designated Industrial and was zoned General Industrial. As part of the 2008 GPU, the County designated the site Agricultural Watershed and Open Space (AWOS) and zoned the site Agricultural Watershed.

The project site was specifically excluded from all County agricultural preservation voter initiatives, including Measures J and P, and Policy AG/LU-40 of the 2008 GPU acknowledged the potential industrial redesignation of the project site if Flosden/Newell Road were extended north of Green Island Road.¹ Specifically, Policy AG/LU-40 states:

The properties known as the "Hess Vineyards" shall be designated Agriculture, Watershed & Open Space, but shall be considered for redesignation to an Industrial designation if Flosden/Newell Road is ever extended north of Green Island Road, through the property.

¹ The project site is one of very few properties designated AR or AWOS that are excluded from Measure J and P.

The GPU FEIR included the evaluation of five project alternatives, including the Existing Plan Alternative (Alternative A) and the Jobs/Housing Balance Alternative (Alternative E), both of which contemplated the project site under the Industrial land use designation. Alternative E also contemplated the future development of the project site under the then-existing Industrial land use designation and the resulting industrial development potential. Under Alternative E, industrial buildout potential of the project site was estimated in an Industrial Land Use Study, which was prepared and attached to the GPU FEIR as Appendix B and analyzed in the GPU FEIR. In analyzing environmental impacts, Alternative E and the Industrial Land Use Study assumed that industrial development would include road and infrastructure improvements, and further considered the potential extension of Flosden/Newell Road north of Green Island Road (potentially extending to South Kelly Road). (See GPU EIR, Figure 6.0-2; Appx. B, pp. 44, 49.)

Statutory Background

The GPU FEIR was prepared as a Program Environmental Impact Report (EIR), and the California Environmental Quality Act (CEQA) Guidelines' provisions regarding use of a Program EIR for later activities within a program determine whether preparation of a supplemental CEQA document is necessary (see CEQA Guidelines § 15168(c)). Under those provisions, the County may approve a project as being within the scope of the GPU FEIR without preparing a supplemental CEQA document if it finds that supplemental environmental review is not required pursuant to CEQA Guidelines Section 15162 (see CEQA Guidelines § 15168(c)(2)). The factors that the County may consider in determining whether a project is within the scope of the GPU FEIR include "consistency of the later activity with the type of allowable land use, overall plan density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure as described in the Program EIR" (*Id.*).

Pursuant to CEQA Guidelines Section 15162, once an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(CEQA Guidelines § 15162(a); see also Public Resources Code [PRC] § 21166).

If none of the triggers for subsequent or supplemental review are met but some changes or additions to the previously certified EIR are necessary, an addendum may be prepared (CEQA Guidelines § 15164). The addendum need not be circulated for public review (CEQA Guidelines § 15164(c)); however, an addendum is to be considered by the decision-making body along with the previously adopted environmental document prior to making a decision on the project (CEQA Guidelines § 15164(d)).

This Addendum demonstrates that the environmental analysis and impacts identified in the GPU FEIR remain substantively unchanged by the situation described herein and supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the previously certified GPU FEIR.

Applicable Reports in Circulation

An addendum can be included in or attached to the FEIR (State CEQA Guidelines § 15164I). This addendum is written as an addition to the GPU FEIR, which was certified by the Board of Supervisors on June 3, 2008. A copy of the GPU FEIR is available for review at the offices of the Napa County Conservation, Development and Planning Department, 1195 Third Street, Suite 210, Napa, CA.

Section 2: Project Description

The proposed project includes a request to amend the General Plan to redesignate the project site from AWOS to Industrial (I) and to rezone the project site from AW to Industrial Park (IP), consistent with GPU Policy AG/LU-40, the GPU FEIR's Alternatives A and E, and the site's prior existing Industrial land use designation. Also consistent with Policy AG/LU-40, on March 23, 2023, the Applicant and City of American Canyon entered into an agreement under which the Applicant agreed to convey to the City an irrevocable offer of dedication of fee title to certain portions of the Project site for purposes of extending Flosden/Newell Road north of Green Island Road. No development of the property is proposed at this time. As such, the proposed project is a planning level redesignation and rezoning only; no specific development or physical changes to the project site are proposed.

As outlined by the GPU and Code of Ordinances, allowable land uses within the I designation and IP zone would be substantially consistent with those land uses contemplated in the GPU Industrial Study under Alternative E, consisting of manufacturing, warehouse, and office/research and development uses. The intent of the I designation under the GPU is to provide an environment exclusively for and conducive to the development and protection of a variety of industrial uses such as warehouses, manufacturing, wineries and food processing facilities that are industrial in character, and research and development. Administrative facilities, research institutions, limited office and commercial uses and related facilities which are ancillary to the primary industrial uses may also be accommodated. As indicated by the Napa County Code of Ordinances, the purpose of the IP zoning designation is to provide areas exclusively for modern, non-nuisance light industrial and office uses, which are compatible both with each other and with the adjoining nonindustrial areas, including, but not limited to, the Napa County Airport, the SR-29

corridor, and surrounding agricultural and open space areas, and which have no significant potential for major pollution, adverse visual impacts, or nuisance or hazard factors.

The IP zoning district only allows for by-right development of agricultural uses, minor antennas, and telecommunication facilities meeting certain performance standards. Other uses, including industrial uses, consistent with the proposed I designation and IP zoning district would be required to obtain a Conditional Use Permit (CUP). Thus, any future industrial development that may be proposed on the property would require a CUP, which is a discretionary approval granted by the County and subject to CEQA's environmental review requirements. At this time, the proposed project only contemplates a general plan redesignation to return the site to its previous I designation as evaluated in Alternatives A and E and a rezone to zone the property IP. No development of the property is planned at this time. This addendum confirms that those limited planning actions fall within the scope of the GPU FEIR's environmental review and that none of CEQA's triggers for supplemental environmental review have been met.

Section 3: Discussion

The following discussion evaluates the proposed project's consistency with the significance findings of the GPU FEIR. Future development on the project site requiring a discretionary approval would also be required to demonstrate consistency with the significance findings of the GPU FEIR, including compliance with applicable mitigation measures as detailed in the GPU FEIR Mitigation Monitoring and Reporting Program (MMRP).

- **Aesthetics**—The GPU FEIR found that the GPU would have a less than significant impact on aesthetics with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause aesthetic impacts. Therefore, the proposed project would not change the current state of the property in a way that would cause aesthetic impacts. As such, the proposed project would not result in new significant impacts to aesthetics that were not previously evaluated in the certified GPU FEIR. No substantial change in the severity of significant impacts to aesthetics would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Agricultural and Forestry Resources**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to conflicts with agricultural zoning and Williams Act Contracts under Alternatives A and E, both of which included redesignation of the project site for industrial uses consistent with GPU Policy AG/LU-40. The GPU FEIR also found that the GPU would have significant and unavoidable impacts related to the loss of County-designated agricultural lands under Alternative E. All other impacts related to agricultural and forestry resources under these Alternatives would be less than significant or less than significant with mitigation incorporated. Consistent with its previous Industrial land use designation, GPU EIR Alternatives A and E, and GPU Policy AG/LU-40, the proposed project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. Designation of the proposed project for industrial uses would thus be consistent with the GPU and with the GPU EIR's analysis of the potential impacts associated with the loss of agricultural land in the County. No development on the project site is proposed, and the proposed project would not result in the conversion of agricultural or forest land to other uses. Agricultural uses also are

permitted by-right in the IP zone, and any future industrial development that may be proposed on the property would require a CUP and further CEQA review, including review of potential agricultural impacts. Therefore, the proposed project would not result in new significant impacts to agricultural and forestry resources that were not previously evaluated in the certified GPU FEIR. No substantial change in the severity of significant impacts to agricultural and forestry resources would occur with the proposed project and the conclusions of GPU FEIR would remain the same.

- **Air Quality**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to consistency with air quality regulations and conflicts with particulate matter attainment efforts under Alternative A. The GPU FEIR found that the GPU would have significant and unavoidable impacts related to consistency with air quality regulations, conflicts with particulate matter attainment efforts, and exposure to air toxic contaminants under Alternative E. All other impacts related to air quality under these Alternatives would be less than significant or less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, the proposed project would not result in the emission of criteria pollutants that would contribute to air quality impacts. As such, the proposed project would not result in new significant impacts to air quality. No substantial change in the severity of significant impacts to air quality would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Biological Resources**—The GPU FEIR found that the GPU would have a significant and unavoidable impact related to the loss of sensitive biotic communities under Alternatives A and E. All other impacts related to biological resources, including fisheries, under these Alternatives would be less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, there is no ground disturbance associated with the proposed project, and therefore no impacts to biological resources would occur as a result of the proposed project. Thus, the proposed project would not result in new significant impacts to biological resources. No substantial change in the severity of significant impacts to biological resources would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Cultural Resources**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to historic architectural resources under Alternatives A and E. All other impacts related to cultural and paleontological resources under these Alternatives would be less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, there is no ground disturbance associated with the proposed project, and therefore no impacts to cultural or paleontological resources would occur as a result of the proposed project. Thus, the proposed project would not result in new significant impacts to cultural and paleontological resources. No substantial change in the severity of significant impacts to cultural and paleontological resources would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Geology and Soils**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to seismic ground shaking, seismic-related ground failure, landslides, and subsidence and settling under Alternatives A and E. All other impacts related to geology and

soils under these Alternatives would be less than significant. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, there is no ground disturbance or construction associated with the proposed project, and therefore no impacts related to geology and soils would occur as a result of the proposed project. Thus, the proposed project would not result in new significant impacts to geology and soils. No substantial change in the severity of significant impacts to geology and soils would occur with the proposed project and the conclusions of GPU FEIR would remain the same.

- **Greenhouse Gas Emissions**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to potential increase in long-term atmospheric greenhouse gas (GHG) emissions under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts related to GHG emissions would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to GHG emissions. No substantial change in the severity of significant impacts to GHG emissions would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Hazards and Hazardous Materials**—The GPU FEIR found that GPU impacts related to the release and exposure to hazardous materials would be less than significant with mitigation incorporated under Alternative A. The GPU FEIR found that the GPU impacts related to the release and exposure to hazardous materials, airports, and interference with an emergency response or evacuation plan would be less than significant with mitigation incorporated under Alternative E. All other impacts related to hazards and hazardous materials under this Alternative would be less than significant. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts related to hazards and hazardous materials would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to hazards and hazardous materials. No substantial change in the severity of significant impacts to hazardous materials would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Hydrology and Water Quality**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to groundwater level decline and overdraft under Alternatives A and E. All other impacts related to hydrology and water quality under these Alternatives would be less than significant or less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, there is no ground disturbance or new groundwater use associated with the proposed project, and therefore no impacts related to hydrology and water quality would occur as a result of the proposed project. Thus, the proposed project would not result in new significant impacts to hydrology and water quality. No substantial change in the severity of significant impacts to hydrology and water quality would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Land Use and Planning**—The GPU FEIR found that the GPU would have a less than significant impact on land use under Alternative A. The GPU FEIR found that the GPU would have a less than significant impact on land use with mitigation incorporated under Alternative E. The

proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Specifically, the proposed project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP, which is consistent with Alternatives A and E as analyzed in the GPU FEIR and GPU Policy AG/LU-40. Therefore, the proposed project would not result in new significant impacts to land use. No substantial change in the severity of significant impacts to land use and planning would occur with the proposed project and the conclusions of GPU FEIR would remain the same.

- **Mineral Resources**—The GPU FEIR found that the GPU would have a less than significant impact to mineral resources under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts to mineral resources would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to mineral resources. No substantial change in the severity of significant impacts to mineral resources would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Noise**—The GPU FEIR found that the GPU would have significant and unavoidable impacts related to project-generated traffic noise volume increases under Alternative A. The GPU FEIR found that the GPU would have significant and unavoidable impacts related to project-generated traffic noise volume increases and roadway improvement impacts to noise-sensitive uses under Alternative E. All other impacts related to noise under these Alternatives would be less than significant or less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no noise impacts would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to noise. No substantial change in the severity of significant impacts to noise would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Population and Housing**—The GPU FEIR found that the GPU would have a significant and unavoidable impact related to population, housing, and employment increases and jobs housing balance under Alternative A. The GPU FEIR found that the GPU would have a significant and unavoidable impact related to population, housing, and employment increases under Alternative E. All other impacts related to population and housing under these Alternatives are less than significant. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no population or housing impacts would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to population and housing. No substantial change in the severity of significant impacts to population and housing would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Public Services**—The GPU FEIR found that the GPU would have less than significant impacts or less than significant impacts with mitigation incorporated related to public services under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts related to public services would occur as a result of the proposed project. As such, the proposed

project would not result in new significant impacts to public services. No substantial change in the severity of significant impacts to public services would occur with the proposed project and the conclusions of GPU FEIR would remain the same.

- **Recreation**—The GPU FEIR found that the GPU would have a less than significant impact to recreation with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts related to recreation would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to recreation. No substantial change in the severity of significant impacts to recreation would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Transportation and Traffic**—The GPU FEIR found that the GPU would have a significant and unavoidable impact related to travel demand under Alternatives A and E. All other impacts related to transportation under this Alternative would be less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no traffic or transportation impacts would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to transportation and traffic. No substantial change in the severity of significant impacts to transportation and traffic would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Tribal Cultural Resources**—The GPU FEIR did not analyze impacts related to tribal cultural resources. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, there is no ground disturbance associated with the proposed project, and therefore no impacts to tribal cultural resources would occur as a result of the proposed project. Thus, the proposed project would not result in any new significant impacts to tribal cultural resources.
- **Utilities and Service Systems**—The GPU FEIR found that the GPU would have a significant and unavoidable impact related to water supply impacts under Alternatives A and E. All other impacts related to utilities and service systems under these Alternatives would be less than significant or less than significant with mitigation incorporated. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, no impacts related to utilities and service systems would occur as a result of the proposed project. Thus, the proposed project would not result in new significant impacts to utilities and service systems. No substantial change in the severity of significant impacts to utilities and service systems would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Wildfire**—The GPU FEIR found that the GPU would have a less than significant impact to wildfire under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, no impacts related to wildfire would occur as a result of the proposed project. As such, the proposed project would not result in new significant impacts to wildfire. No substantial change in the severity of significant impacts to wildfire would occur with the proposed project and the conclusions of GPU FEIR would remain the same.

- **Cumulative**—The GPU FEIR found that the GPU would have a significant and unavoidable cumulative impact with respect to Population, Housing and Employment, Transportation, Biological Resources, Noise, Air Quality, Geology and Soils, Hydrology and Water Quality (groundwater impacts), Cultural and Paleontological Resources, and Public Services and Utilities (water supply) under all alternatives. All other areas were found to be less than significant or less than significant with mitigation with respect to cumulative impacts. As discussed above, the proposed project would not result in new significant impacts or a substantial change in the severity of significant impacts and, therefore, would result in similar cumulative impacts. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, the proposed project would not result in new significant cumulative impacts or make a considerable contribution to the significant and unavoidable cumulative impacts identified in the GPU EIR. The conclusions of the GPU FEIR would remain the same.
- **Significant Irreversible Commitment of Resources** –The GPU EIR determined that implementation of the GPU would result in the conversion of undeveloped open space land areas to agricultural (primarily vineyard development) residential, commercial, industrial, office, public and recreational uses. Subsequent development would constitute a long-term commitment to these uses. Development within the County would irretrievably commit building materials and energy to the construction and maintenance of vineyards and associated vineyard activities, buildings, and infrastructure. Renewable, nonrenewable, and limited resources that would likely be consumed as part of the development of the proposed project would include, but are not limited to oil, gasoline, lumber, sand and gravel, asphalt, water, steel, and similar materials. In addition, the GPU would result in an increased demand on public services and utilities and significant unavoidable effects related to air emissions, including emissions of greenhouse gases. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, the proposed project would not result in significant irreversible commitments of resources. No substantial change in the degree of commitment of resources would occur with the proposed project and the conclusions of GPU FEIR would remain the same.
- **Growth Inducing Impacts** –The GPU EIR concluded Alternative A and E would be growth-inducing because of projected population and employment growth and the resulting jobs/housing balance. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time. Therefore, the proposed project would not cause or contribute to growth-inducing impacts. As discussed above, no substantial change in the severity of significant impacts would occur with respect to growth-inducing impacts under the proposed project and the conclusions of GPU FEIR would remain the same.

Section 4: Summary and Findings

Review of the proposed project has concluded that it would not result in new significant impacts or an increase in the severity of any impacts previously identified in the GPU FEIR certified in 2008, as further explained in the discussion above. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Mitigated Negative Declaration (MND) have occurred, and thus an Addendum to the GPU FEIR is appropriate to satisfy CEQA requirements for the proposed project.

The following findings are provided in accordance with CEQA Guidelines Section 15164(e) concerning the decision not to prepare a subsequent EIR pursuant to Section 15162.

(a) None of the following conditions calling for preparation of a subsequent EIR or Mitigated Negative Declaration have occurred:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

Findings: The proposed project does not propose substantial changes which would require major revisions to the GPU FEIR. The scope of the proposed project is consistent with Alternatives A and E of the certified GPU FEIR, which analyzed the project site under an Industrial land use designation. The proposed project does not create new significant impacts or increase the severity of previously identified significant impacts. Rather, the changes are limited to a planning level redesignation and rezoning only, consistent with the site's prior designation evaluated in Alternatives A and E; no development of the property is proposed at this time.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,

Findings: The circumstances under which Alternatives A and E were analyzed in the certified GPU FEIR have not changed. Rather, redesignating the project site was specifically assumed under the GPU and analyzed in the GPU EIR. The proposed project is consistent with Alternatives A and E in the GPU FEIR and would not result in new significant impacts or increase the severity of previously identified significant impacts..

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

a. The project will have one or more significant effects not discussed previously in the EIR.

Findings: There is no new information that was not known and could not have been known at the time the GPU FEIR was prepared which shows that the project will have new significant impacts not discussed in the FEIR. The proposed project is a planning level redesignation and rezoning only and is consistent with GPU Policy AG/LU-40 and Alternatives A and E, both of which were thoroughly evaluated in the GPU FEIR. No development of the property is proposed at this time, and the proposed project would not result in new significant impacts.

b. Significant effects previously examined will be substantially more severe than shown in the EIR;

Findings: There is no new information that was not known and could not have been known at the time the GPU FEIR was prepared which shows that the proposed project would result in substantially more severe significant impacts than analyzed in

the GPU FEIR. The conclusions of the GPU FEIR would remain the same. The proposed project is limited to a planning level redesignation and rezoning only; no development of the property is proposed at this time. As such, the proposed project would not result in substantially more severe significant impacts.

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

Findings: No mitigation measures or alternatives under the GPU FEIR were found to be infeasible. The proposed project is limited to a planning level redesignation and rezoning only; no development of the property is proposed at this time. Future industrial development on the project site would be subject to additional CEQA review and applicable mitigation measures detailed in the GPU FEIR MMRP.

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declined to adopt the mitigation measure or alternative.

Findings: The proposed project is a planning level redesignation and rezoning only and is consistent with GPU Policy AG/LU-40 and Alternatives A and E; no development of the property is proposed at this time. Thus, no mitigation measures or alternatives which are considerably different from those analyzed in the FEIR are proposed. Future development on the project site would be subject to applicable mitigation measures detailed in the GPU FEIR MMRP.

- (b) Only minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA; and,

Findings: The proposed project is a planning level redesignation and rezoning only and is consistent with GPU Policy AG/LU-40 and Alternatives A and E; no development of the property is proposed at this time. Therefore, only minor technical changes are necessary to make the GPU FEIR adequate under CEQA.

- (c) The changes to the EIR made by the addendum do not raise important new issues about the significant effects on the environment.

Findings: The proposed project is a planning level redesignation and rezoning only and is consistent with GPU Policy AG/LU-40 and Alternatives A and E; no development of the property is proposed at this time. The proposed project and the minor technical changes to the GPU FEIR do not raise important new issues about significant effects on the environment.

This Addendum to the GPU FEIR finds that actions under the proposed project, which consists solely of planning actions to redesignate the project site from AWOS to Industrial (I) and to rezone the project site from AW to Industrial Park (IP), would not result in any new significant environmental effects or result in the substantial increase of any previously identified significant impacts in the previous EIR (GPU FEIR). None of the triggers for preparation of supplemental or subsequent CEQA review are met by the proposed project.

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, the comments received, conversation with knowledgeable individuals, and the preparer's personal knowledge of the area. For further information, please see the GPU FEIR.

Exhibit 1: Regional Location Map

Exhibit 2: Project Location Map

[APPENDIX A]

The GPU FEIR included the evaluation of five project alternatives, including the Existing Plan Alternative (Alternative A) and the Jobs/Housing Balance Alternative (Alternative E), both of which contemplated the project site under the Industrial land use designation. Alternative E also contemplated the future development of the project site under the then-existing Industrial land use designation and the resulting industrial development potential. Under Alternative E, industrial buildout potential of the project site was estimated in an Industrial Land Use Study, which was prepared and attached to the GPU FEIR as Appendix B and analyzed in the GPU FEIR.

Alternative A, the Existing Plan Alternative, proposed to allow development to proceed under a policy framework identical to the 1983 General Plan. Under Alternative A, Hess Vineyard would retain its industrial designation, and no changes to the agricultural or developed areas (“bubbles”) depicted on the land use map would occur. This alternative was projected to result in a housing increase of about 2,235 housing units and 10,832 new jobs in the unincorporated County between year 2005 and 2030. New housing would be distributed throughout the County, with concentrations likely in already developed areas shown as “urban” on the existing General Plan Land Use Map. The majority of new employment would be concentrated in the Airport Industrial Area, with smaller amounts at the Napa Pipe, Boca, and Pacific Coast sites and at wineries and other uses disbursed throughout the County.

Alternative E, the Jobs/Housing Balance Alternative, proposed the most intense of all the alternatives analyzed, providing the best balance of jobs and housing and the greatest likelihood that residents and employees would find transit feasible as an alternative to the private automobile. Alternative E proposed enhanced transportation improvements and expansions of sewer and water infrastructure, including the potential extension of Flosden/Newell Road north of Green Island Road (potentially extending to South Kelly Road). Urban and rural development opportunities would be expanded in several areas of the County. Additionally, Hess Vineyard would retain its current industrial land use designations and would convert to industrial use. Under Alternative E, there would be 6,535 new dwelling units (15,075 persons) and 14,376 new jobs added to the County. As a result of this growth, urban and rural development opportunities would be expanded in several areas of the County.

This appendix summarizes the GPU EIR’s analysis of the impacts of redesignation of the Project Site for industrial development under Alternatives A and E. This Appendix also demonstrates that the Project—which consists solely of a general plan amendment and rezone to redesignate the project site from AWOS to Industrial (I) and to rezone the project site from AW to Industrial Park (IP), consistent with GPU Policy AG/LU-40—does not require the preparation of supplemental or subsequent environmental review under Public Resources Code section 21166 or CEQA Guidelines section 15162.

Aesthetics (Visual Resources/Light and Glare)

As summarized below, the GPU EIR evaluated the aesthetic impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU EIR concluded that the aesthetic impacts of potential development under Alternative A would be less-than-significant with the implementation of mitigation measures. (See GPU EIR, p. 4.14-12.) As described in the GPU EIR, areas designated for commercial or industrial use could be developed with those uses. While this would primarily consist of areas already containing such uses [e.g., Airport Industrial Area Specific Plan area], it could also mean the eventual conversion of the Hess Vineyard along Highway 29 north of American Canyon from agricultural to industrial use. Conversion of grazing lands and naturally vegetated lands to vineyards and other agricultural uses would continue under Alternative A. Grazing lands, naturally vegetated areas, and vineyard lands all contribute to the visual character and scenic resources within the County, and therefore the change from one vegetative assemblage to another would not be considered significant. (GPU EIR, p. 4.14-12.)

Regarding light and glare, the GPU EIR determined that Alternative A could result in an additional 2,235 dwelling units and 16,014,000 square feet of non-residential uses as well as associated supporting structures and buildings, which could result in significant glare and lighting impacts. (GPU EIR, p. 4.14-15.)

With the implementation of the following mitigation measures, GPU EIR concluded that aesthetics impacts would be mitigated to less than significant under Alternative A:

- MM 4.14.1.a, which requires the County to adopt a general plan policy to continue implementation of the County's Viewshed Protection Program, which establishes hillside development standards to minimize impacts on views of existing landscapes and open spaces. (See Napa County Code Ch. 18.106; GPU EIR, p. 4.14-11.)
- MM 4.14.1.b, which requires the County to adopt a general plan policy mandating retention of trees along public roadways and forested lands proposed for conversion to vineyard or non-agricultural activity.
- MM 4.14.1-c, which requires the County to adopt a general policy prohibiting (to the maximum extent allowed by law) new telecommunication facilities and transmission lines from being located within view of County-designated scenic roadways unless sited and designed to blend into the existing landscape.
- MM 4.14.2a, which requires the County to include a General Plan policy that requires the installation of landscaping with major roadway improvements.
- MM 4.14.2b, which requires the County to provide a policy in the General Plan that street lighting on County roadways shall be limited to the minimum amount needed for public safety and shall be designed to focus light where it is needed (e.g., intersections).

- MM 4.14.2c, which requires the County to provide a policy in the General Plan that requires the design of buildings visible from County designated scenic roadways that avoid the use of reflective building materials that could cause glare.
- MM 4.14.2d, which requires the County to provide a policy in the General Plan that nighttime lighting associated with new development shall be designed to limit upward and sideways spillover of light.

(See GPU EIR, pp. 4.14-13 through -14, -16.)

Alternative E- The GPU EIR concluded that the aesthetic impacts of development under Alternative E would be the greatest of any of the alternatives analyzed in the EIR, but that those impacts would be less-than-significant with the implementation of mitigation measures MM 4.14.1a through 4.14.1c and 4.14.2a through 4.14.2d. (See GPU EIR, p. 6.0-66.) With implementation of those mitigation measures, the GPU EIR concluded that “County designated scenic ridgelines and roadways [would] retain their existing visual character, and that views and the visual character of the County are not substantially affected.” (*Id.*) These mitigation measures are discussed above and set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.14.1a. The County shall provide a policy in the General Plan that requires continued implementation of Napa County Viewshed Protection Program (Chapter 18.106 of the County Code) and will apply the protective provisions of this Program on all public projects, including any trail improvements that would affect ridgelines subject to the Program.

MM 4.14.1b. The County shall provide a policy in the General Plan that requires retention of trees along public roadways on forested lands proposed for conversion to vineyard or non-agricultural activity in order to retain the existing landscape characteristics of the site (as viewed from public roadways) and screen the proposed development.

MM 4.14.1c. The County shall provide a policy in the General Plan that, to the maximum extent allowed by law, new telecommunication facilities and transmission lines shall not be located within view of any County designated scenic roadway unless they are sited and designed so as to blend with the existing landscape characteristics of the area.

MM 4.14.2a. As part of planned roadway improvements identified under the Circulation Element, the County shall include a General Plan policy that requires the installation of landscaping with major roadway improvements (e.g., widening of Highway 12 in Jamieson Canyon) in areas identified where vehicle headlights would generate glare on existing residences.

MM 4.14.2b. The County shall provide a policy in the General Plan that street lighting on County roadways shall be limited to the minimum amount needed for public safety and shall be

designed to focus light where it is needed (e.g., intersections). Street lights shall consist of fixtures that are designed to block illumination of adjoining properties and prohibit light rays emitted from the fixture at angles above the horizontal plane.

MM 4.14.2c. The County shall provide a policy in the General Plan that requires the design of buildings visible from County designated scenic roadways that avoid the use of reflective building materials that could cause glare.

MM 4.14.2d. The County shall provide a policy in the General Plan that nighttime lighting associated with new development shall be designed to limit upward and sideways spillover of light. Standards shall be as specified in the most recent update of the “Nonresidential Compliance Manual for California’s 2005 Energy Efficiency Standards” or the “Residential Compliance Manual for California’s 2005 Energy Efficiency Standards” published by the state.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have a less than significant impact on aesthetics with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause aesthetic impacts. As such, the proposed project would not result in new significant impacts to aesthetics that were not previously evaluated in the certified GPU FEIR.

The Project Site is adjacent to a segment of Highway 29 designated as a scenic corridor by the County. However, as noted above, no development of the Project Site is proposed at this time. If a concrete industrial development proposal is submitted to the County in the future, it would be subject to discretionary review through the County’s Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.14.1a through 4.14.1c and 4.14.2a through 4.14.2d. These policies include, but are not limited to the following:

- **Policy CC-8:** Scenic roadways which shall be subject to the Viewshed Protection Program are those shown in Figure CC-3, or designated by the Board of Supervisors in the future.
- **Policy CC-10:** Consistent with the County’s Viewshed Protection Program, new developments in hillside areas should be designed to minimize their visibility from the County’s scenic roadways and discourage new encroachments on natural ridgelines. The County shall continue implementation of the Viewshed Protection Program and shall apply the protective provisions of the program to all public projects.
- **Policy CC-11:** The County will work with the City of American Canyon to explore the possibility of jointly developing a Scenic Highway 29 Corridor plan within our respective jurisdictions to develop the Highway 29 Corridor in a comprehensive and aesthetically pleasing manner.

- **Policy CC-13:** The County’s roadway construction and maintenance standards and other practices shall be designed to enhance the attractiveness of all roadways and in particular scenic roadways. New roadway construction or expansion shall retain the current landscape characteristics of County-designated scenic roadways, including retention of existing trees to the extent feasible and required re-vegetation and re-contouring of disturbed areas.
- **Policy CC-14:** To the extent allowed by law, telecommunications facilities and transmission lines shall not be located within view of any scenic roadway unless they are sited and designed so as to be virtually invisible to the naked eye from the roadway, are designed to appear as a natural feature of the environment and do not block views or disrupt scenic vistas, or are so well architecturally-integrated into an existing building as to effectively be unnoticeable.
- **Policy CC-16:** Adjacent to scenic roadways, utilities shall be placed underground where possible.
- **Policy CC-32:** Street lighting on County roadways shall be limited to the minimum amount needed for public safety and shall be designed to focus light only where it is needed.
- **Policy CC-33:** The design of buildings visible from the County’s designated scenic roadways shall avoid the use of reflective surfaces which could cause glare.
- **Policy CC-34:** Consistent with Building Code requirements for new construction in rural areas, nighttime lighting associated with new developments shall be designed to limit upward and sideways spillover of light. Standards shall be as specified in the most recent update of the “Nonresidential Compliance Manual for California’s 2005 Energy Efficiency Standards” or the “Residential Compliance Manual for California’s 2005 Energy Efficiency Standards” published by the State of California. Light timers and motion sensors shall be used wherever feasible

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant aesthetic impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to aesthetics exists showing that the Project would have any new or substantially more severe aesthetic impacts relative to impacts identified in the GPU EIR.

- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce aesthetics impacts identified in the GPU EIR that the applicant declines to adopt.

Agricultural and Forestry Resources

As summarized below, the GPU EIR evaluated the agricultural and forestry resources impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to conflicts with agricultural zoning and Williamson Act Contracts. All other impacts related to agricultural and forestry resources under Alternative A would be less than significant or less than significant with mitigation incorporated. (See GPU EIR, p. 4.1-27.) As described in the GPU EIR, because the Hess Vineyard would retain its industrial land use designation under this alternative, it could potentially be re-zoned and developed as an industrial area, resulting in a loss of important farmland. (GPU EIR, p. 4.1-23.) Further, while Alternative A would not result in any expansion of non-agricultural uses beyond the areas designated on the General Plan Land Use Map, since there are agriculturally zoned parcels within areas designated for nonagricultural uses on the Land Use Map, development under this alternative could conflict with agricultural zoning. Alternative A would not allow development in conflict with current Williamson Act contracts, however, the potential that development could occur on agriculturally zoned parcels within the so called “urban bubbles” (because the General Plan Update would not preclude re-zonings in these areas) would be considered significant and unavoidable. (GPU EIR, p. 4.1-31.)

With the implementation of the following mitigation measures, GPU EIR concluded that most agricultural and forestry resources impacts would be mitigated to less than significant under Alternative A; conflicts with agricultural zoning would be significant and unavoidable:

- MM 4.1.1.a, which requires the County to evaluate individual rezoning, development and public projects to determine the potential for impacts on farmlands of concern under CEQA and avoid converting farmland where feasible.
- MM 4.1.1.b, which requires the County to require (at minimum) long-term preservation of one acre of existing farmland of equal or higher quality for each acre of state designated Prime Farmland, Farmland of Statewide Importance and Unique Farmland that would be converted to non-agricultural uses, where conversion of farmlands of concern under CEQA cannot be avoided.

(See GPU EIR, pp. 4.1-27.)

Alternative E- The GPU EIR concluded that the (i) conversion of agricultural lands to non-agricultural uses and (ii) agricultural/urban interface conflicts under Alternative E would be less-than-significant with the implementation of mitigation measures MM 4.1.a and 4.1.1b and less-

than-significant with no mitigation, respectively. (See GPU EIR, p. 6.0-37.) Alternative E would result in significant and unavoidable impacts related to the loss of General Plan designated agricultural lands, as it would result in the highest loss of County designated agricultural lands. Alternative E also would result in a significant and unavoidable impact related to conflict with agricultural zoning and Williamson Act contracts, as it would not preclude rezoning and redevelopment of land that is zoned agricultural. Mitigation measure related to agriculture and forestry resources are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.1.1a. As part of consideration of subsequent projects, the County shall evaluate individual rezoning, development and public projects to determine the potential for impacts on farmlands of concern under CEQA (defined as Prime Farmland, Unique Farmland and Farmland of Statewide Importance as mapped by the State Farmland Mapping and Monitoring Program) and avoid converting farmland where feasible.

MM 4.1.1b. Where conversion of farmlands of concern under CEQA cannot be avoided, the County shall require (at minimum) long-term preservation of one acre of existing farmland of equal or higher quality for each acre of state designated Prime Farmland, Farmland of Statewide Importance and Unique Farmland that would be converted to non-agricultural uses. This protection may consist of the establishment of farmland easements or other similar mechanism. The farmland to be preserved shall be located within the County and the preservation of such farmland shall occur prior to the conversion of the subject lands. The County shall recommend that this measure be implemented by cities and LAFCO as part of the consideration of annexations that involve farmlands of concern under CEQA.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstance would have a less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impact on agricultural and forestry resources under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause agricultural and forestry resources impacts. As such, the proposed project would not result in new significant impacts to agricultural and forestry resources that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Agricultural uses are permitted by-right in the IP zone, and any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable

County general plan policies that help implement GPU MMs 4.1.1a and 4.1.1b. These policies include, but are not limited to the following:

- **Policy AG/LU-9:** The County shall evaluate discretionary development projects, re-zonings, and public projects to determine their potential for impacts on farmlands mapped by the State Farmland Mapping and Monitoring Program, while recognizing that the state’s farmland terminology and definitions are not always the most relevant to Napa County, and shall avoid converting farmland where feasible. Where conversion of farmlands mapped by the state cannot be avoided, the County shall require long-term preservation of one acre of existing farm land of equal or higher quality for each acre of state-designated farmland that would be converted to nonagricultural uses. This protection may consist of establishment of farmland easements or other similar mechanism, and the farmland to be preserved shall be located within the County and preserved prior to the proposed conversion. The County shall recommend this measure for implementation by the cities and town and LAFCO as part of annexations involving state-designated farmlands.
- **Policy AG/LU-15.5:** Where proposed residential, commercial or industrial development abuts lands devoted to agriculture production, the non-agricultural uses shall be required to incorporate buffer areas to mitigate potential land use conflicts as conditions of approval for subdivision or use permit. The type and width of buffer areas shall be determined based on the character, intensity and sensitivity of the abutting land uses.
- **Policy AG/LU-40:** The properties known as the “Hess Vineyards” shall be designated Agriculture, Watershed & Open Space, but shall be considered for redesignation to an Industrial designation if Flosden/Newell Road is ever extended north of Green Island Road, through the property
- **Policy E-5:** The County shall periodically assess the demand for industrial land and determine appropriate strategies to ensure an adequate supply of industrially designated land to support the agricultural industry’s need for warehousing and support functions without converting the county’s farmland to accommodate these uses.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant agricultural and forestry impacts relative to impacts identified in the GPU EIR resulting

from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.

- No new information related to agricultural and forestry resources exists showing that the Project would have any new or substantially more severe agricultural and forestry resources impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce agricultural and forestry resources impacts identified in the GPU EIR that the applicant declines to adopt.

Air Quality

As summarized below, the GPU EIR evaluated the air quality impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to consistency with air quality regulations and conflicts with particulate matter attainment efforts. All other impacts related to air quality under Alternative A would be less than significant or less than significant with mitigation incorporated. Under Alternative A, the rate of VMT growth would still be expected to exceed Metropolitan Transportation Commission (MTC) forecasts, resulting in a significant and unavoidable impact. (GPU EIR, p. 4.8-22.)

Alternative A could result in (i) new odor sensitive land uses (e.g., residences) near sources of existing and future odors and establishment of new odor sources in proximity to existing residences, (ii) sensitive land uses (e.g., residences) near future sources of TACs, and (iii) temporary emissions of ozone, particulate matter and toxic air pollutants (diesel, lead, asbestos), but with implementation of mitigation measures, the impacts would be less-than-significant. (GPU EIR, p. 4.8-28, -30, -32.) Carbon monoxide concentrations along major roadways would not exceed the 1-hour or 8-hour carbon monoxide standards of NAAQS or CAAQS, resulting in less-than-significant impacts. (GPU EIR, p. 4.8-34.)

With the implementation of the following mitigation measures, GPU EIR concluded that most air quality impacts would be mitigated to less than significant under Alternative A:

- MM 4.8.1a, which requires the County to include policy provisions in the General Plan to provide incentives and opportunities for the use of energy-efficient forms of transportation such as public transit, carpooling, walking, and bicycling.
- MM 4.8.1b, which requires the County to adopt a general plan policy mandating that the County shall support intergovernmental efforts directed at stringent tailpipe emissions standards and inspection and maintenance programs for all feasible vehicle classes and revisions to the Air Quality Attainment Plan to accelerate and strengthen market-based strategies consistent with the General Plan.

- MM 4.8.1c, which requires the County to adopt a general plan policy that requires the evaluation of potential project-specific air quality impacts of new development projects and will require appropriate design, construction, operational features, and/or participation in Bay Area Air Quality Management District air quality improvement programs to reduce emissions.
- MM 4.8.1d, which requires the County to include a General Plan policy that requires all new County vehicles to conform with applicable emission standards. The County will also purchase the lowest emitting vehicles commercially available.
- MM 4.8.2, which requires the County to adopt a policy in the General Plan that mandates the County to seek to reduce particulate emissions and avoid exceedances of state PM standards.
- MM 4.8.3a, which requires the County to adopt a policy in the General Plan that requires dust control measures be applied to discretionary projects as appropriate.
- MM 4.8.3b, which requires the County to adopt a policy in the General Plan that requires that applicants seeking demolition permits to demonstrate compliance with applicable BAAQMD requirements.
- MM 4.8.3c, which requires the County to adopt a policy in the General Plan that requires the development of maps identifying areas known and/or suspected to contain naturally occurring asbestos and shall require the use of enhanced dust suppression requirements and air quality monitoring for grading and construction projects consistent.
- MM 4.8.3d, which requires the County to adopt a policy in the General Plan that requires the utilization of construction emission control measures recommended by BAAQMD. These measures shall be made conditions of approval and/or mitigation to projects to ensure implementation.
- MM 4.8.4, which requires the County to adopt a policy in the General Plan that requires adequate buffer distances to be provided when new development would be a source of odor near residences or sensitive receptors and when new residential or other sensitive receptors are proposed near existing sources of odors.
- MM 4.8.5, which requires the County to adopt a policy in the General Plan that requires buffer distances to be provided when new development would be a source of TACs near residences or sensitive receptors and when new residential or other sensitive receptors are proposed near existing sources of TACs.
- MM 4.4.1a through MM 4.4.1g, which can be found in the Transportation and Traffic section of this Appendix.

(See GPU EIR, pp. 4.8-22, -23, -26, -28, -29, -32.)

Alternative E- The GPU EIR concluded that the air quality impacts of development under Alternative E related to (i) grading and temporary construction and (ii) odors would be less than

significant with the implementation of mitigation measures MM 4.8.3a through d and MM 4.8.4, respectively. (See GPU EIR, p. 6.0-53.) Alternative E would result in less than significant impacts to carbon monoxide concentrations along roadways. (See GPU EIR, p. 6.0-54).

The GPU EIR concluded that Alternative E would result in significant and unavoidable impacts related to (i) consistency with air quality regulations, (ii) conflicts with particulate matter attainment efforts, and (iii) exposure to air toxic contaminants. Mitigation measures would reduce these impacts, but not to a level of insignificance. The mitigation measures related to air quality are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.8.1a. The County shall include policy provisions in the General Plan to provide incentives and opportunities for the use of energy-efficient forms of transportation such as public transit, carpooling, walking, and bicycling. This will include the provision and/or the extension of transit to urban areas where development densities (residential and nonresidential) would support transit use, as well as bus turnouts/access, bicycle lockers, and carpool/vanpool parking.

MM 4.8.1b. The County shall include a policy in the General Plan that the County shall support intergovernmental efforts directed at stringent tailpipe emissions standards and inspection and maintenance programs for all feasible vehicle classes and revisions to the Air Quality Attainment Plan to accelerate and strengthen market-based strategies consistent with the General Plan.

MM 4.8.1c. The County shall include a policy in the General Plan that requires the evaluation of potential project-specific air quality impacts (based on the Bay Area Air Quality Management District's CEQA Guidelines) of new development projects and will require appropriate design (e.g., provision of energy efficiency features in building design), construction (e.g., use of reduced emission construction equipment), operational features (e.g., provision of alternative forms of transportation and use of reduced emission vehicles and equipment), and/or participation in Bay Area Air Quality Management District air quality improvement programs to reduce emissions.

MM 4.8.1d. The County shall include a policy in the General Plan that requires all new County vehicles to conform with applicable emission standards at the time of purchase and throughout their use. The County will also purchase the lowest emitting vehicles commercially available to the maximum feasible to meet County vehicle needs.

MM 4.8.2. The County shall include the following as a policy in the General Plan:

The County shall seek to reduce particulate emissions and avoid exceedances of state PM standards by:

- a) Providing information regarding low emitting fireplaces to property owners who are constructing or remodeling homes;

- b) Fireplaces or wood stoves in new developments with densities greater than one residential home per acre, shall comply with current EPA emission standards for wood-burning stoves or be fueled by natural gas;
- c) Disseminating information in support of the BAAQMD's "Spare the Air Tonight" program when particulate matter exceedances are projected to occur;
- d) Disseminating information regarding agricultural burn requirements established by the BAAQMD;
- e) Enforcing the winter grading deadlines established to protect water quality; and
- f) Requiring implementation of dust control measures during construction and grading activities and enforcing winter grading deadlines.

MM 4.8.3a. The County shall include a General Plan policy that requires the following dust control measures be applied to discretionary projects as appropriate. These measures are consistent with those recommended for use by the BAAQMD.

- a) For all construction and similar earth disturbing activities:
 - Apply water on all active construction areas at least twice daily and more often when conditions warrant.
 - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites daily as needed to control dust.
 - Sweep all paved access roads, parking areas, and staging areas at construction sites and sweep streets daily if visible soil materials is carried onto adjacent public streets.
 - Implement the Napa County Conservation Regulations (Chapter 18.108 of County Code) where these regulations are applicable.
- b) For sites greater than 4 acres in size:
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
 - Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)

- Limit traffic speeds on unpaved roads to 15 miles per hour.
 - Install appropriate erosion control measures to prevent silt runoff to public roadways.
 - Replant soil stabilizing vegetation in disturbed areas as quickly as possible.
- c) For sites that are located adjacent to sensitive receptors or warrant additional controls:
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
 - Suspend grading activities when winds exceed 25 miles per hour (mph) and visible dust clouds cannot be prevented from extending beyond active construction areas.
 - Limit the area subject to excavation, grading and other construction activities at any one time.

MM 4.8.3b. The County shall include a General Plan policy that requires that applicants seeking demolition permits to demonstrate compliance with applicable BAAQMD requirements involving lead paint and asbestos containing materials (ACMs) designed to mitigate exposure to lead paint and asbestos.

MM 4.8.3c. The County shall include a General Plan policy that requires the development of maps identifying areas known and/or suspected to contain naturally occurring asbestos and shall require the use of enhanced dust suppression requirements and air quality monitoring (if determined necessary by the County and BAAQMD) for grading and construction projects consistent with applicable BAAQMD requirements to protect the public from exposure.

MM 4.8.3d. The County shall include a General Plan policy that requires the utilization of construction emission control measures recommended by BAAQMD that are appropriate for the specifics of the project (e.g., length of time of construction and distance from sensitive receptors). This may include the utilization of low emission construction equipment, restrictions on the length of time of use of certain heavy-duty construction equipment, and utilization of methods to reduce emissions from construction equipment (alternative fuels, particulate matter traps and diesel particulate filters). These measures shall be made conditions of approval and/or mitigation to projects to ensure implementation.

MM 4.8.4. The County shall include a General Plan policy that requires:

- When new development that would be a source of odors is proposed near residences or sensitive receptors, either adequate buffer distances shall be provided (based on recommendations and requirements of the California Air Resources Control Board and BAAQMD), or filters or other equipment shall be

provided to reduce the potential exposure to acceptable levels. Potential mitigation associated with this policy requirement will be coordinated with any required permit conditions from BAAQMD.

- When new residential or other sensitive receptors are proposed near existing sources of odors, either adequate buffer distances shall be provided (based on recommendations and requirements of the California Air Resources Control Board and BAAQMD), or filters or other equipment shall be provided to the source to reduce the potential exposure to acceptable levels.

MM 4.8.5. The County shall include a General Plan policy that requires:

- When new development that would be a source of TACs is proposed near residences or sensitive receptors, either adequate buffer distances shall be provided (based on recommendations and requirements of the California Air Resources Control Board and BAAQMD), or filters or other equipment shall be provided to reduce the potential exposure to acceptable levels. Potential mitigation associated with this policy requirement will be coordinated with any required permit conditions from BAAQMD.
- When new residential or other sensitive receptors are proposed near existing sources of TACs, either adequate buffer distances shall be provided (based on recommendations and requirements of the California Air Resources Control Board and BAAQMD), or filters or other equipment shall be provided to the source to reduce the potential exposure to acceptable levels.

MM 4.4.1a through MM 4.4.1g. can be found in the Transportation and Traffic section of this Appendix.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have in some circumstances less than significant impacts with mitigation incorporated and in other circumstances would have significant and unavoidable impacts on air quality under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause air quality impacts. As such, the proposed project would not result in new significant impacts to air quality that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject

to the requirements of applicable County general plan policies that help implement GPU MMs 4.8.1a through 4.8.1d, 4.8.2, 4.8.3a through 4.8.3d, 4.8.4, 4.8.5, and 4.4.1a through 4.4.1g. These policies include, but are not limited to the following:

- **Policy CIR-26:** As a major employer, the County of Napa shall demonstrate leadership in the implementation of programs encouraging the use of transit, walking, and bicycling by its employees, as well as the use of alternative fuels. Example programs may include:
 - Preferential carpool parking and other ridesharing incentives;
 - Flexible working hours or telecommuting where consistent with job duties and customer service needs;
 - A purchasing program that favors hybrid, electric, or other non-fossil fuel vehicles;
 - Assisting in the development of demonstration projects for alternative fuel technologies such as ethanol, hydrogen, and electricity;
 - Secure bicycle parking; and
 - Transit incentives.
- **Policy CIR-27:** The County shall encourage the use of alternative transportation by tourists, visitors and commuters, and will work with wineries, the local hospitality industry, public and private employers, and the cities and town to develop incentives that encourage the use of these options and the development of private transit services.
- **Policy CON-69:** The County shall provide incentives and opportunities for the use of energy-efficient forms of transportation such as public transit, carpooling, walking, and bicycling. This shall include the provision and/or the extension of transit to urban areas where development densities (residential and nonresidential) would support transit use, as well as bus turnouts/access, bicycle storage, and carpool/vanpool parking where appropriate.
- **Policy CON-78:** The County shall support intergovernmental efforts directed at stringent tailpipe emission standards and inspection and maintenance programs for all feasible vehicle classes, and revisions to BAAQMD's Ozone Attainment Plan to accelerate and strengthen market-based strategies consistent with the General Plan.
- **Policy CON-77:** All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions.
- **Policy CON-79:** The County shall ensure that all County vehicles conform with applicable emission standards at the time of purchase and throughout their use. To the extent

feasible, the County shall purchase the lowest emitting vehicles commercially available to meet County vehicle needs.

- **Policy CON-80:** The County shall seek to reduce particulate emissions and avoid exceedances of state particulate matter (PM) standards by:
 - a) Providing information regarding low emitting fireplaces to property owners who are constructing or remodeling homes.
 - b) Fireplaces or wood stoves for new development shall comply with current local and state emission standards for wood-burning stoves or shall be fueled by natural gas.
 - c) Disseminating information in support of the BAAQMD’s “Spare the Air Tonight” program (and other related programs) when PM exceedances are projected to occur.
 - d) Disseminating information regarding agricultural burn requirements established by the BAAQMD.
 - e) Requiring implementation of dust control measures during construction and grading activities and enforcing winter grading deadlines.
- **Policy CON-81:** The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD.
- **Policy CON-82:** The County shall require applicants seeking demolition permits to demonstrate compliance with any applicable BAAQMD requirements, particularly those related to asbestos-containing materials (ACMs) and exposure to lead paint.
- **Policy CON-83:** The County shall prepare and disseminate maps showing areas where soils are known to contain naturally occurring asbestos and shall require enhanced dust suppression measures for grading and construction projects in these areas consistent with BAAQMD requirements.
- **Policy CON-85:** The County shall utilize construction emission control measures required by CARB or BAAQMD that are appropriate for the specifics of the project (e.g., length of time of construction and distance from sensitive receptors). These measures shall be made conditions of approval and/or adopted as mitigation to ensure implementation.
- **Policy CC-54:** The County shall either require that adequate buffers be maintained between air pollution or odor sources and sensitive receptors such as residences, or that filters or other mitigation be provided to reduce potential exposures to acceptable levels consistent with regulatory requirements.
 - a) New sources of toxic air contaminants or odors proposed near residences or sensitive receptors within screening distances recommended by the California Air Resources Board (CARB) or BAAQMD shall be evaluated and adequate buffers or filters or other equipment shall be provided.

- b) New residences or other sensitive receptors proposed near sources of toxic air contaminants or odors within screening distances recommended by CARB or BAAQMD shall be evaluated and adequate buffers shall be established or mitigations such as filters or other equipment shall be required.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant air quality impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to air quality exists showing that the Project would have any new or substantially more severe air quality impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce air quality impacts identified in the GPU EIR that the applicant declines to adopt.

Biological Resources

As summarized below, the GPU EIR evaluated the biological resources impacts, including impacts to fisheries, of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR determined that development associated with Alternative A was projected to result in a housing increase of 2,235 housing units and 16,014,000 square feet of non-residential uses. The GPU EIR found that Alternative A would have a significant and unavoidable impact related to the loss of sensitive biotic communities. All other impacts related to biological resources, including fisheries, under Alternative A would be less than significant with mitigation incorporated. Urban/rural development and continued vineyard expansion under Alternative A would contribute to direct and indirect impacts to sensitive biotic communities, which would result in significant and unavoidable impacts. (GPU EIR, p. 4.5-64.) Additionally, the addition of 2,235 dwelling units and 16,014,000 square feet of non-residential uses as well as between 10,000 and 12,500 acres of new vineyard development could contribute to direct and indirect impacts to wildlife movement and plant dispersal opportunities.

Alternative A would (i) contribute to further demand for groundwater supply that could impact surface water flows that provide habitat for fisheries and (ii) generate nutrients and contaminants in County waterways from development activities, resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.6-26, -30.)

Alternative A could (i) contribute to soil erosion from development activities and result in sediment/siltation of streams and rivers, (ii) impact fisheries and associated habitat in County waterways, (iii) result in loss of riparian habitat as well as loss of instream rearing habitat features, (iv) result in the creation of barriers for fish passage, (v) result in direct and indirect impacts to special status plant and animal species due to disturbance or conversion of natural habitats, and (vi) result in the loss of wildlife movement and plant dispersal opportunities, resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.6-23, -28, -31, -33, -61, -66.)

With the implementation of Napa County Conservation Regulations and the following mitigation measures, GPU EIR concluded that most biological resources impacts would be mitigated to less than significant under Alternative A:

- MM 4.5.1a, which requires the County to adopt a general plan policy that requires a biological resources evaluation for discretionary projects in areas identified to contain or possibly contain listed plant and/or wildlife species.
- MM 4.5.1b, which requires the County to adopt a general plan policy that requires all discretionary residential, commercial, industrial and recreational projects, wineries and new vineyards, and water development projects that identify special-status species in a biological resources evaluation to avoid impacts to special-status species and their habitat to the maximum extent feasible.
- MM 4.5.1c, which requires the County to adopt a general plan policy that requires the development of a Noxious Weed Ordinance.
- MM 4.5.2a, which requires the County to adopt a general plan policy that requires the development of CEQA standards that require disclosure of impacts to all sensitive biotic communities and oak woodlands during review of discretionary projects.
- MM 4.5.2b, which requires the County to provide a policy in the General Plan that requires all public and private projects shall be required to avoid impacts to wetlands if feasible.
- MM 4.5.2c, which requires the County to adopt a General Plan related to stream setback requirements, education, and incentives.
- MM 4.5.3a, which requires the County adopt a policy in the General Plan that requires individual projects retain movement corridor(s) adequate to allow for continued wildlife use based on the species anticipated to use the corridor.
- MM 4.5.3b, which requires all new vineyards to only be allowed to fence individual vineyard blocks. All existing vineyards shall be required to reduce their existing fencing

to just vineyard blocks at any point in which they obtain a discretionary permit for any activity.

- MM 4.6.1a, which requires the County to adopt a policy in the General Plan that requires the establishment of fishery monitoring program(s).
- MM 4.6.1b, which requires the County to provide a policy in the General Plan that requires the County to develop or modify the County Code related to construction related activities within 0.25 miles of a stream or other drainage course that have a potential for excess soil erosion.
- MM 4.6.5a, which requires the County to provide a policy in the General Plan that requires the County to modify County Code or establish an ordinance that protects riparian vegetation and ensures the restoration of historic riparian vegetation.
- MM 4.6.5b, which requires the County to provide a policy in the General Plan that requires the County to develop CEQA standards that require disclosure of gravel removal that results in adverse effects to native fisheries during project review.
- MM 4.6.5c, which requires the County to provide a policy in the General Plan that requires the County to modify County Code or establish an ordinance related to construction activities and potential spawning habitat for special-status fish species.
- MM 4.6.6, which requires the County to provide a policy in the General Plan that requires that subsequent development activities and roadway improvements not directly disturb the bed and bank of any waterway known or suspected to contain fishery resources to the maximum extent feasible.
- MM 4.11.2a and b, MM 4.11.3a and b, MM 4.11.4, MM 4.11.5e, and MM 4.11.9, which can be found in the Hydrology and Water Quality section of this Appendix.

(See GPU EIR, pp. 4.5-62 through -63, -65, -67, 4.6-24 through -25, -27, -29, -32, -34.)

Alternative E- The GPU EIR concluded that the biological resources impacts of development under Alternative E related to (i) disturbance or loss of special status plant and animal species, (ii) loss of wildlife movement and plant dispersal opportunities, and (iii) conflict with biological plans, ordinances or policies, would be less-than-significant with the implementation of mitigation measures MM 4.5.1a through c, MM 4.5.2a through c, MM 4.5.3a and b, MM 4.6.1b, MM 4.6.5a through c, MM 4.11.1, MM 4.11.2a and b, MM 4.11.3a and b, MM 4.11.4, MM 4.11.5e, and implementation of the Napa County Conversation Regulations. (See GPU EIR, p. 6.0-41.)

The GPU EIR concluded that the fishery impacts of development under Alternative E related to (i) sediment impacts to fisheries, (ii) other water quality impacts to fisheries, (iii) hydrologic alteration impacts to fisheries, (iv) groundwater interactions with surface water flows, (v) direct impacts to habitat, and (vi) substantial interference with movement or migratory corridors,

would be less-than-significant with the implementation of mitigation measures MM 4.6.1a and b, MM 4.6.5a through c, MM 4.6.6, MM 4.11.2a and b, MM 4.11.3a and b, MM 4.11.4, MM 4.11.9 and b, and implementation of the Napa County Conservation Regulations.

Alternative E would result in significant and unavoidable impacts related to loss of sensitive biotic communities. (See GPU EIR, p. 6.0-40.) Mitigation measures related to biological resources are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.5.1a The County shall provide a policy in the General Plan that requires a biological resources evaluation for discretionary projects in areas identified to contain or possibly contain listed plant and/or wildlife species based upon data provided in the Baseline Data Report (BDR) or other technical materials. This evaluation shall be conducted prior to the authorization of any earthmoving activities.

MM 4.5.1b. The County shall provide a policy in the General Plan that requires all discretionary residential, commercial, industrial and recreational projects, wineries and new vineyards, and water development projects that identify special-status species in a biological resources evaluation to avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction (if applicable) including, but not limited to, the following strategies:

- Preservation of habitat and connectivity of adequate size, quality and configuration to support the special-status species identified in a manner generally consistent with the provisions of County Code Chapter 18.108. Connectivity shall be determined based on the specifics of the species needs.
- Provision of supplemental planting and maintenance of grasses, shrubs and trees of similar quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife.
- Provide protection for habitat and the known locations of special-status species through adequate buffering or other means.
- Provide replacement habitat of like quantity and quality on- or off-site for special-status species.
- Enhance existing special-status species habitat values through restoration and replanting of native plant species.

- Provision of temporary or permanent buffers of adequate size (based on the specifics of the special-status species) to avoid nest abandonment by nesting migratory birds and raptors associated with construction and site development activities.
- Incorporation of the provisions or demonstration of compliance with applicable recovery plans for federally listed species.

MM 4.5.1c. The County shall provide a policy in the General Plan that requires the development of a Noxious Weed Ordinance. The Noxious Weed Ordinance shall include regulatory standards for construction activities that occur adjacent to natural areas to inhibit the establishment of noxious weeds through accidental seed import.

MM 4.5.2a. The County shall provide a policy in the General Plan that requires the development of CEQA standards that require disclosure of impacts to all sensitive biotic communities and oak woodlands during review of discretionary projects. The County, in its discretion, shall require mitigation that results in the following standards:

- SENSITIVE BIOTIC COMMUNITIES – For all sensitive biotic communities that are listed on DEIR page 4.5-8 and -11 or are designated by the County, ensure no net loss through restoration or creation where a qualified biologist determines that restoration or creation are ecologically feasible; or preserve like habitat at a 2:1 ratio.
- OAK WOODLAND - Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity and wildlife habitat through the following measures:
 - Preserve, to the maximum extent possible, oak trees and other significant vegetation that occur near the heads of drainages or depressions on north facing slopes to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
 - Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain to the maximum extent feasible existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial and industrial approvals.
 - Provide appropriate replacement of lost oak woodlands or preservation at a 2:1 ratio for habitat loss.

MM 4.5.2b. The County shall provide a policy in the General Plan that requires all public and private projects shall be required to avoid impacts to wetlands if feasible. If avoidance is not

feasible, projects shall achieve no net loss of wetlands, consistent with state and federal regulations.

MM 4.5.2c. The County shall provide a policy in the General Plan that requires: (1) continued implementation of the intermittent and perennial stream setback requirements set forth in the Napa County Conservation Regulations (County Code Chapter 18.108); (2) provides education and information regarding the importance of stream setbacks; and the active management of native vegetation within setbacks; and development of incentives to encourage greater stream setbacks where appropriate.

MM 4.5.3a. The County shall provide a policy in the General Plan that requires individual projects retain movement corridor(s) adequate (both in size and in habitat quality) to allow for continued wildlife use based on the species anticipated to use the corridor. This may be accomplished through continued implementation of the Napa County Conservation Regulations associated with vegetation retention (Sections 18.108.027 and 18.108.0100) setbacks from waterways (Section 18.108.025).

MM 4.5.3b. All new vineyards shall only be allowed to fence individual vineyard blocks. All existing vineyards shall be required to reduce their existing fencing to just vineyard blocks at any point in which they obtain a discretionary permit for any activity (vineyard, winery, other use) on a parcel which has vineyard fencing to the extent the nexus between the fencing (existing and/or proposed) and identified adverse effects to wildlife movement.

MM 4.6.1a. The County shall provide a policy in the General Plan (in coordination with Mitigation Measure MM 4.11.2b) that requires the establishment of fishery monitoring program(s) in coordination with the Regional Water Quality Control Boards, California Department of Fish and Game, U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration National Marine Fisheries Service in order to track the current condition of special status fisheries and associated habitats in the County's watersheds. This will include tracking of the effectiveness of BMPs for individual projects in the watersheds and the implementation of corrective actions for identified water quality issues that are identified as adversely impacting fisheries.

MM 4.6.1b. The County shall provide a policy in the General Plan that requires the County shall develop or modify the County Code to ensure that all construction related activities within 0.25 miles of a stream or other drainage course that have a potential for excess soil erosion due to winter rains have protective measures in place or occur before September 30th. In addition, the County shall ensure enforceable fines are levied upon violators and violators are required to perform all necessary remediation activities.

MM 4.6.5a. The County shall provide a policy in the General Plan that requires the County to modify County Code or establish an ordinance that protects riparian vegetation and ensures the restoration of historic riparian vegetation where feasible for projects requiring discretionary approval. The County shall develop a stream and wetlands protection program in coordination

with Regional Water Quality Control Boards, California Department of Fish and Game, U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration National Marine Fisheries Service and other coordinating resource agencies that identifies essential stream and stream reaches necessary for the health of populations of native fisheries and other sensitive aquatic organisms within the County's watersheds. Where avoidance of impacts to riparian habitat is infeasible along stream reaches, appropriate measures will be undertaken to ensure that mitigation, restoration and enhancement activities will occur within these identified stream reaches that support or could support native fisheries and other sensitive aquatic organisms to ensure a no net loss of aquatic habitat functions and values within the county's watersheds.

MM 4.6.5b. The County shall provide a policy in the General Plan that requires the County to develop CEQA standards that require disclosure of gravel removal that results in adverse effects to native fisheries during project review. The County shall require mitigation that results in no net adverse effects to stream bed attributes necessary for native fisheries health. This may include restoration and improvement of impacted habitat areas (e.g., gravel areas and pools woody debris areas).

MM 4.6.5c. The County shall provide a policy in the General Plan that requires the County to modify County Code or establish an ordinance that prohibits construction activities within the channel of any waterway identified (based on information in the BDR and Appendix G of the DEIR) to contain existing or potential spawning habitat for special-status fish species during limited time periods of spawning activities.

MM 4.6.6. The County shall provide a policy in the General Plan that requires that subsequent development activities and roadway improvements not directly disturb the bed and bank of any waterway known or suspected to contain fishery resources to the maximum extent feasible. If avoidance is determined to be infeasible by the County, then BMPs and/or habitat restoration shall be incorporated (in consultation with California Department of Fish and Game, U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration National Marine Fisheries Service) into the project design that demonstrates no adverse impacts to fishery resources and allows for fish passage.

MM 4.11.2a and b, MM 4.11.3a and b, MM 4.11.4, MM 4.11.5e, and MM 4.11.9, which can be found in the Hydrology and Water Quality section of this Appendix.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have in some circumstances less than significant impacts with mitigation incorporated and in other circumstances would have significant and unavoidable impacts on biological resources, including fisheries, under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not

change the current state of the property in a way that would cause biological resources impacts. As such, the proposed project would not result in new significant impacts to biological resources that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies designed to avoid, minimize, and mitigate impacts to special status species and protected water resources, in accordance with GPU MMs 4.51.a through c, 4.5.2a through c, 4.5.3a and b, 4.6.1a and b, 4.6.5a through c, 4.6.6, 4.11.2a and b, 4.11.3a and b, 4.11.4, MM 4.11.5e, 4.11.9, and Napa County Conservation Regulations. Relevant policies include, but are not limited to those listed below. In combination, these policies would ensure that any impacts to special status species, such as Swainson's hawk or California red-legged frog, associated with any development that may be proposed on the Project site in the future would be minimized and mitigated. For example, General Plan Policy CON-16 would require completion of a biological resources evaluation prior to ground disturbance. Consistent with GPU EIR MM 4.5-1b, General Plan Policy Con-13 would also require development of mitigation measures and management plans to maintain essential habitat characteristics for fish and wildlife resources, provide replacement habitat for special status species impacted by development, and enhance existing habitat for such species. Relevant General Plan policies include, but are not limited to the following:

- **Policy CON- 16:** The County shall require a biological resources evaluation for discretionary projects in areas identified to contain or potentially contain special-status species based upon data provided in the Baseline Data Report (BDR), California Natural Diversity Database (CNDDDB), or other technical materials. This evaluation shall be conducted prior to the approval of any earthmoving activities. The County shall also encourage the development of programs to protect special-status species and disseminate updated information to state and federal resource agencies.
- **Policy CON-13:** The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:
 - a) Maintain the following essentials for fish and wildlife resources:
 - 1) Sufficient dissolved oxygen in the water.
 - 2) Adequate amounts of proper food.
 - 3) Adequate amounts of feeding, escape, and nesting habitat.

- 4) Proper temperature through maintenance and enhancement of streamside vegetation, volume of flows, and velocity of water.
 - b) Ensure that water development projects provide an adequate release flow of water to preserve fish populations.
 - c) Employ supplemental planting and maintenance of grasses, shrubs and trees of like quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife and special-status species and maintain the watersheds, especially stream side areas, in good condition.
 - d) Provide protection for habitat supporting special-status species through buffering or other means.
 - e) Provide replacement habitat of like quantity and quality on- or off-site for special-status species to mitigate impacts to special-status species.
 - f) Enhance existing habitat values, particularly for special-status species, through restoration and replanting of native plant species as part of discretionary permit review and approval.
 - g) Require temporary or permanent buffers of adequate size (based on the requirements of the subject special-status species) to avoid nest abandonment by birds and raptors associated with construction and site development activities.
 - h) Demonstrate compliance with applicable provisions and regulations of recovery plans for federally listed species.
- **Policy CON-23:** The County shall work with local resource and land management agencies to develop a comprehensive approach to controlling the spread of non-native invasive species and reducing their extent on both public and private land, including developing an invasive weed ordinance. The Invasive Weed Ordinance shall include among other things regulatory standards for construction activities that occur adjacent to natural areas, including riparian and/or intermittent streams or watercourses, to inhibit the establishment of noxious weeds through accidental seed import.
 - **Policy CON-24:** Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:
 - a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
 - b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak

woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.

- c) Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.
 - d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
 - e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.
 - f) Encourage and support the County Agricultural Commission's enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.
- **Policy CON-30:** All public and private projects shall avoid impacts to wetlands to the extent feasible. If avoidance is not feasible, projects shall mitigate impacts to wetlands consistent with state and federal policies providing for no net loss of wetland function.
 - **Policy CON-27:** The County shall enforce compliance and continued implementation of the intermittent and perennial stream setback requirements set forth in existing stream setback regulations, provide education and information regarding the importance of stream setbacks and the active management and enhancement/restoration of native vegetation within setbacks, and develop incentives to encourage greater stream setbacks where appropriate. Incentives shall include streamlined permitting for certain vineyard proposals on slopes between 5 and 30 percent and flexibility regarding yard and road setbacks for other proposals.
 - **Policy CON-18:** To reduce impacts on habitat conservation and connectivity:
 - a) In sensitive domestic water supply drainages where new development is required to retain between 40 and 60 percent of the existing (as of June 16, 1993) vegetation onsite, the vegetation selected for retention should be in areas designed to maximize habitat value and connectivity.
 - b) Outside of sensitive domestic water supply drainages, streamlined permitting procedures should be instituted for new vineyard projects that voluntarily retain valuable habitat and connectivity, including generous setbacks from streams and buffers around ecologically sensitive areas.
 - c) Preservation of habitat and connectivity of adequate size, quality, and configuration to support special-status species should be required within the project area. The size of habitat and connectivity to be preserved shall be determined based on the specific needs of the species.

- d) The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.
 - e) The County shall require new vineyard development to be designed to minimize the reduction of wildlife movement to the maximum extent feasible. In the event the County concludes that such development will have a significant impact on wildlife movement, the County may require the applicant to relocate or remove existing perimeter fencing installed on or after February 16, 2007 to offset the impact caused by the new vineyard development.
 - f) The County shall disseminate information about impacts that fencing has on wildlife movement in wild land areas of the County and encourage property owners to use permeable fencing.
 - g) The County shall develop a program to improve and continually update its database of biological information, including identifying threats to wildlife habitat and barriers to wildlife movement.
 - h) Support public acquisition, conservation easements, in-lieu fees where on-site mitigation is infeasible, and/or other measures to ensure long-term protection of wildlife movement areas.
- **Policy CON-11:** The County shall maintain and improve fisheries habitat through a variety of appropriate measures, including the following as well as best management practices developed over time (also see Water Resource Policies, below):
 - a) Consider the feasibility of using reclaimed wastewater as a means of maintaining adequate water flow to support fish life and reduce pollution of the Napa River.
 - b) Consider all feasible ways to maintain and restore sufficient flows and channel characteristics necessary for fish passage consistent with state and federal guidelines.
 - c) Undertake and publicize water use conservation strategies necessary to protect and prolong the duration of in-stream flows for aquatic resources including migrating anadromous fish such as steelhead and Chinook salmon.
 - d) Encourage and support programs and efforts related to fishery habitat restoration and improvement including steelhead presence surveys, development and utilization of hydraulic modeling, and removal of fish barriers.
 - e) Manage the removal of invasive vegetation and the retention of other riparian vegetation to reduce the potential for increased water temperatures and siltation and to improve fishery habitat.
 - f) Pursue consolidated and streamlined regulatory review of fisheries and wildlife habitat restoration projects.
 - g) Encourage the retention of large woody debris in streams to the extent consistent with flood control considerations.

- h) Encourage the use of effective vegetated buffers between urban runoff and local storm drains.
 - i) Promote and support forest management efforts and fire reduction practices in coordination with the California Department of Forestry and Fire Protection that reduce fuel loads and provide protection for water quality and fish habitat.
 - j) Require mitigation of gravel removal activities so they result in no net adverse effects to streambed attributes, temperature, habitat, and water quality necessary for native fisheries health. This may include restoration and improvement of impacted areas (e.g., gravel areas and pools and woody-debris areas). Gravel removal that results in adverse impacts to native fisheries shall be determined to have a significant impact under CEQA.
 - k) Implement sediment reduction measures in sand and gravel operations and other high sediment-producing land uses.
 - l) Control gravel removal and degradation from stream beds to minimize the adverse effects upon the spawning and feeding areas of fish.
 - m) Control sediment production from mines, roads, development projects, agricultural activities, and other potential sediment sources.
 - n) Implement road construction and maintenance practices to minimize bank failure and sediment delivery to streams.
 - o) Enforce boat speed limits to reduce damage to warm water game fish fisheries.
- **Action Item CON NR-2:** The County shall seek grant funding and other support and establish a fisheries monitoring program(s) consistent with the efforts of the Watershed Information Center and Conservancy of Napa County in order to track the current condition of special-status fisheries and associated habitats in the County's watersheds. Programs will include tracking the effectiveness of BMPs, mitigation measures and ongoing restoration efforts for individual projects in the watersheds, and the implementation of corrective actions for identified water quality issues that are identified as adversely impacting fisheries. Monitoring programs shall be conducted in coordination with the State and Regional Water Boards, California Department of Fish and Game, U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration National Marine Fisheries Service to the extent necessary.
 - **Policy CON-50:** The County will take appropriate steps to protect surface water quality and quantity, including the following:
 - a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County's Conservation Regulations (also see Policy CON-27 which retains existing stream setback requirements).

- b) Encourage flood control reduction projects to give full consideration to scenic, fish, wildlife, and other environmental benefits when computing costs of alternative methods of flood control.
 - c) The County shall require discretionary projects 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.
 - d) Maintain minimum lot sizes of not less than 160 acres in Agriculture, Watershed, and Open Space (AWOS) designated areas to reflect desirable densities based on access, slope, productive capabilities for agriculture and forestry, sewage disposal, water supply, wildlife habitat, and other environmental considerations.
 - e) In conformance with National Pollution Discharge Elimination System (NPDES) requirements, prohibit grading and excavation unless it can be demonstrated that such activities will not result in significant soil erosion, silting of lower slopes or waterways, slide damage, flooding problems, or damage to wildlife and fishery habitats.
 - f) Adopt development standards, in conformance with NPDES Phase II requirements, for post-construction storm water control.
 - g) Address potential soil erosion by maintaining sections of the County Code that require all construction-related activities to have protective measures in place or installed by the grading deadlines established in the Conservation Regulations. In addition, the County shall ensure enforceable fines are levied upon code violators and shall require violators to perform all necessary remediation activities.
 - h) Require replanting and/or restoration of riparian vegetation to the extent feasible as part of any discretionary permit or erosion control plan approved by the County, understanding that replanting or restoration that enhances the potential for Pierce's Disease or other vectors is considered infeasible.
 - i) Encourage management of reservoir outflows (bypass flows) to maintain fish life and riparian (streamside) vegetation.
 - j) Encourage minimal use of chemical treatment of reservoirs to prevent undue damage to fish and wildlife resources.
 - k) Prohibit new septic systems in areas where sewage treatment and disposal systems are available and encourage new sewage treatment and disposal systems in urbanized areas where there is high groundwater recharge potential and existing concentrations of septic systems.
- **Action Item CON NR-3:** The County shall amend its Local Procedures for Implementing CEQA to require gravel removal projects to result in no net adverse effects to stream temperature, bed attributes, or habitat necessary for native fisheries' health. This may include restoration and improvement of impacted habitat areas (e.g., gravel areas and pools and woody-debris areas).

- **Action Item CON NR-4:** The County shall adopt an ordinance that prohibits construction activities within the channel of any waterway identified to contain existing or potential spawning habitat for special-status fish species during limited time periods of spawning activities.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant biological resources impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to biological resources exists showing that the Project would have any new or substantially more severe biological resources impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce biological resources impacts identified in the GPU EIR that the applicant declines to adopt.

Cultural Resources

As summarized below, the GPU EIR evaluated the cultural resources impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to historic architectural resources. All other impacts related to cultural and paleontological resources under Alternative A would be less than significant with mitigation incorporated. Under Alternative A, it was projected that there would be an additional 2,235 dwelling units and 16,014,000 square feet of non-residential uses in the unincorporated portion of the County, which could impact cultural and paleontological resources resulting in less-than-significant impacts with implementation of mitigation measures (GPU EIR, p. 4.12-17.) While most of development under Alternative A is expected to occur in previously-disturbed areas, and is not likely to affect historic resources, nothing in the General Plan would preclude damage or removal of historic resources and structures, resulting in significant and unavoidable impacts. (GPU EIR, p. 4.12-20.)

With the implementation of the following mitigation measures, GPU EIR concluded that one cultural resource impacts would be mitigated to less than significant under Alternative A; conflicts with historic resources and structures would be significant and unavoidable:

- MM 4.12.1, which requires the County to adopt a general plan policy that requires all discretionary projects involving ground disturbing activity to comply with standards related to archival research and/or pre-construction cultural resource investigations.
- MM 4.12.2, which requires the County to adopt a general plan policy that requires all discretionary projects involving potential historic architectural resources to undergo an evaluation of the eligibility of potential architectural resources prior to issuance of any permits.

(See GPU EIR, pp. 4.12-18 and -21.)

Alternative E- The GPU EIR concluded that the cultural resources impacts of development under Alternative E related to archaeological (prehistoric and historic) resources, human remains, and paleontological resources, would be less-than-significant with the implementation of mitigation measure MM 4.12.1. (See GPU EIR, p. 6.0-63.) Alternative E would result in significant and unavoidable impacts to historic architectural resources. (See GPU EIR, p. 6.0-63.) Mitigation measures related to cultural resources are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.12.1. The County shall provide a policy in the General Plan that requires all discretionary projects involving ground disturbing activity to comply with the following standards:

- Retain the services of a qualified archaeologist to conduct archival research and/or pre-construction cultural resource investigations on sites identified as having cultural resource sensitivity in Baseline Data Report Map 14-3, which may be updated from time to time. Where archaeological resources are discovered that are determined to be eligible for the California Register of Historic Resources, implement measures for the protection of the identified archaeological resources consistent with the provisions of Public Resources Code Section 21083.2. These measures may include, but are not limited to: excavation of the archaeological resource by qualified archaeologists leading to curation of recovered materials and publication of resulting information and analysis, and avoidance or capping of the cultural resource site. The results of archival research and/or pre-construction investigations shall be provided to the County for review, along with recommendations regarding construction measures (e.g. excavation and recovery or avoidance), prior to the commencement of construction.
- The Napa County Planning Department shall be notified immediately if any prehistoric or historic artifacts or paleontological resources (e.g., fossils) are uncovered during construction. All construction shall stop in vicinity of the discovery and a qualified

archaeologist shall be retained to evaluate the finds and recommend appropriate action prior to commencement of construction. Appropriate action may include data collection, and/or recovery of significant artifacts, project redesign to avoid the resource, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources.

- The Napa County Planning Department shall be notified immediately if any human remains are uncovered during construction. All construction shall stop in vicinity of any uncovered human remains, and the County Coroner shall be notified according to Section 7050.5 of California’s Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.
- If the project area is determined sensitive for paleontological resources, a qualified paleontologist shall be retained to recommend appropriate actions. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources.

MM 4.12.2. The County shall provide a policy in the General Plan that requires all discretionary projects involving potential historic architectural resources meet the following requirements prior to issuance of any permits:

- Require an evaluation of the eligibility of potential architectural resources for inclusion in the NRHP and the CRHR by a qualified architectural historian. When historic architectural resources that are either listed in or determined eligible for inclusion in the NRHP or the CRHR are proposed for demolition or modification, require an evaluation of the proposal by a qualified preservation architect to determine whether it complies with the Secretary of the Interior’s Standards for Preservation Projects. In the event that the proposal is determined not to comply with the Secretary of the Interior’s standards, the preservation architect shall recommend modifications to the project design for consideration by the County and for consideration and possible implementation by the project proponent. These recommendations may include modification of the design, re-use of the structure, or avoidance of the structure.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have in some circumstances less than significant impacts with mitigation incorporated and in other circumstances would have significant and unavoidable impacts on cultural resources under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause aesthetic impacts. As such, the proposed project

would not result in new significant impacts to cultural resources that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.12.1 and 4.12.2. These policies include, but are not limited to the following:

- **Policy CC-23:** The County supports continued research into and documentation of the county's history and prehistory, and shall protect significant cultural resources from inadvertent damage during grading, excavation, and construction activities.
 - Action Item CC-23.1: In areas identified in the Baseline Data Report as having a significant potential for containing significant archaeological resources, require completion of an archival study and, if warranted by the archival study, a detailed on-site survey or other work as part of the environmental review process for discretionary projects.
 - Action Item CC-23.2: Impose the following conditions on all discretionary projects in areas which do not have a significant potential for containing archaeological or paleontological resources:
 - The Planning Department shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.
 - All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.
- **Policy CC-26.5:** When discretionary projects involve potential historic architectural resources, the County shall require an evaluation of the eligibility of the potential resources for inclusion in the NRHP and the CRHR by a qualified architectural historian. When historic architectural resources that are either listed in or determined eligible for inclusion in the NRHP or the CRHR are proposed for demolition or modification, the County shall require an evaluation of the proposal by a qualified preservation architect to determine whether it complies with the Secretary of the Interior's Standards for Preservation Projects. In the event that the proposal is determined not to comply with

the Secretary of the Interior's Standards, the preservation architect shall recommend modifications to the project design for consideration by the County and for consideration and possible implementation by the project proponent. These recommendations may include modification of the design, re-use of the structure, or avoidance of the structure.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant cultural resources impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to cultural resources exists showing that the Project would have any new or substantially more severe cultural resources impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce cultural resources impacts identified in the GPU EIR that the applicant declines to adopt.

Geology and Soils

As summarized below, the GPU EIR evaluated the geology and soils impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to seismic ground shaking, seismic-related ground failure, landslides, and subsidence and settling. All other impacts related to geology and soils under Alternative A would be less than significant. Under Alternative A, it was projected that there would be an additional 2,235 dwelling units and 16,014,000 square feet of non-residential uses in the unincorporated portion of the County, as well as additional agricultural development (e.g., 10,000 to 12,500 acres of new vineyard development by year 2030 and associated wineries). This increase in population, employment and development could expose people, structures, and development to (i) ground shaking as a result of seismic activity, (ii) seismic related ground failure, (iii) damage from landslides, (iv) damage from subsidence and settling, resulting in significant and unavoidable impacts. (GPU EIR, p. 4.10-26, -30, -33, -36.)

Alternative A would not expose substantial number of people to the low potential of danger associated with tsunamis or seiches, resulting in less than significant impacts. (GPU EIR, p. 4.10-32.) Housing and development growth in existing urban areas, though slow, would (i) be exposed to expansive soil constraints and (ii) involve the expanded use of septic systems in the County, resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.10-37, -38.)

With the adherence to the Uniform Building Code (UBC) and California Building Code (CBC), compliance with provisions of Title 13, Division II of the County Code, and implementation of the following mitigation measures, GPU EIR concluded that some geology and soils impacts would be mitigated to less than significant under Alternative A, while others would remain significant and unavoidable:

- MM 4.10.1, which requires the County to adopt a general plan policy that requires detailed geologic/seismic evaluation for all public and private projects located in or near known geologic/seismic hazards.
- MM 4.10.2, which requires the County to adopt a general plan policy that the County shall not accept dedication of roads that would require an excessive degree of maintenance and repair costs.
- MM 4.10.4a, which requires the County to adopt a general plan policy that as part of the review and approval of development and public work projects, the planting of vegetation on unstable slopes shall be incorporated into the project design.
- MM 4.10.4b, which requires the County to adopt a general plan policy that no extensive grading shall be permitted on slopes over 15 percent where landslides or other geologic hazards are present unless the hazard(s) are eliminated or reduced to a safe level to the satisfaction of the County.
- MM 4.10.4c, which requires the County to adopt a general plan policy that lots on hillsides formed for resale as lots shall be large enough to provide flexibility in finding a stable buildable site and driveway location.

(See GPU EIR, pp. 4.10-27, -31, -34.)

Alternative E- The GPU EIR concluded that the geology and soils impacts of development under Alternative E related to tsunamis and seiches, expansive soils, and septic system operation would be less than significant. (See GPU EIR, p. 6.0-56 through -58.) Additionally, the GPU EIR determined that Alternative E would result in significant and unavoidable impacts related seismic ground shaking, seismic related ground failure, landslides, and subsidence and settling. (See GPU EIR, p. 6.0-56 through -57.) Mitigation measures related to geology and soils are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.10.1. The County shall provide a policy in the General Plan that requires detailed geologic/seismic evaluation for all public and private projects (including modifications to existing projects and structures) located in or near known geologic/seismic hazards. The evaluation shall identify site design (such as setbacks from active faults and avoidance of on-site soil/geologic conditions that could become unstable or fail during a seismic event) and structural measures to prevent injury, death and catastrophic damage to structures and infrastructure improvements (such as pipelines, roadways and water surface impoundments not subject to regulation by the Division of Safety of Dams of the California Department of Water Resources) from seismic events or failure from other natural circumstances. This may include additional structural provisions beyond what is required by the Uniform Building Code (UBC) and the California Building Code (CBC).

MM 4.10.2. The County shall provide a policy in the General Plan that the County shall not accept dedication of roads (a) on or jeopardized by landslides, (b) in hilly areas or (c) in areas subject to liquefaction, subsidence or settlement, which, in the opinion of the Napa County Public Works Department, would require an excessive degree of maintenance and repair costs.

MM 4.10.4a. The County shall provide a policy in the General Plan that as part of the review and approval of development and public work projects, the planting of vegetation on unstable slopes to protect structures at lower elevations or other appropriate measures shall be incorporated into the project design. Native plants should be considered for landscaping in the hills, to eliminate the need for supplemental watering which can promote earth movement. This shall be done in combination with implementation of applicable County Code provisions (e.g., Conservation Regulations).

MM 4.10.4b. The County shall provide a policy in the General Plan that (in combination with the implementation of County Code Chapter 18.108 [Conservation Regulations]) no extensive grading shall be permitted on slopes over 15 percent where landslides or other geologic hazards are present unless the hazard(s) are eliminated or reduced to a safe level to the satisfaction of the County.

MM 4.10.4c. The County shall provide a policy in the General Plan that lots on hillsides formed for resale as lots, rather than as part of a subdivision development, shall be large enough to provide flexibility in finding a stable buildable site and driveway location.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have in some circumstances less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impact on geology and soils under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause geology and soils impacts. As such, the proposed

project would not result in new significant impacts to geology and soils that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from Aw to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.10.1, 4.10.2, 4.10a through c, provisions of UBC and CBC, and County Code Chapter 18.88, and Title 13, Division II of the County Code. These policies include, but are not limited to the following:

- **Policy SAF-7.1: Require a geotechnical study for new projects and modifications along known hazard areas.** Consistent with county ordinances, require a geotechnical study for new projects and modifications of existing projects or structures located in or near known geologic hazard areas, and restrict new development atop or astride identified active seismic faults in order to prevent catastrophic damage caused by movement along the fault. Geologic studies shall identify site design (such as setbacks from active faults and avoidance of on-site soil-geologic conditions that could become unstable or fail during a seismic event) and structural measures to prevent injury, death, and catastrophic damage to structures and infrastructure improvements (such as pipelines, roadways, and water surface impoundments not subject to regulation by the Division of Safety of Dams of the California Department of Water Resources) from seismic events or failure from other natural circumstances.
- **Policy SAF-7.5: Prohibit road dedication where geological hazards would require excessive county maintenance.** The County shall not accept dedication of roads: (a) on or jeopardized by landslides; (b) in hilly areas; or (c) in areas subject to liquefaction, subsidence, or settlement, which, in the opinion of the Public Works Department, would require an excessive degree of maintenance and repair costs.
- **Policy SAF-7.2: Plant native vegetation on unstable slopes to minimize erosion and landslide potential.** As part of the review and approval of development and public works projects, planting of vegetation on unstable slopes shall be incorporated into project designs when this technique will protect structures at lower elevations and minimize the potential for erosion or landslides. Native plants should be considered for this purpose, since they can reduce the need for supplemental watering that can promote earth movement.
- **Policy SAF-7.3: Prohibit extensive grading where geological hazards are present.** No extensive grading shall be permitted on slopes over 15 percent where landslides or other geologic hazards are present, unless the hazard(s) are eliminated or reduced to a safe level.

- **Policy SAF-7.4: Require new hillside parcels be large enough for site flexibility.** Newly created hillside parcels shall be large enough to provide flexibility in finding a stable buildable site and driveway location.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant geology and soils impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to geology and soils exists showing that the Project would have any new or substantially more severe geology and soils impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce geology and soils impacts identified in the GPU EIR that the applicant declines to adopt.

Greenhouse Gas Emissions

As summarized below, the GPU EIR evaluated the greenhouse gas emissions impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to potential increase in long-term atmospheric greenhouse gas (GHG) emissions. Because the anticipated continued growth within the unincorporated portion of the County is likely to lead to more GHG emissions, impacts to long-term atmospheric greenhouse gas emissions are significant and unavoidable even with mitigation. (GPU EIR, p. 4.8-37.)

Even with the implementation of the following mitigation measure, GPU EIR concluded that greenhouse gas emission impacts would be significant and unavoidable under Alternative A:

- MM 4.8.7a, which requires the County to adopt a policy in the General Plan that requires the County to conduct a greenhouse gas emission inventory analysis of all major emission sources by the year 2008 in a manner consistent with Assembly Bill 32,

and then to seek reductions such that emissions are equivalent to year 1990 levels by the year 2020.

- MM 4.8.1a through d, described above in the Air Quality section of this Appendix.

(See GPU EIR, pp. 4.8-38.)

Alternative E- The GPU EIR concluded that the potential increase in long-term atmospheric greenhouse gas emissions would be significant and unavoidable even with implementation of mitigation measures under Alternative E. (See GPU EIR, p. 6.0-54.) Mitigation measures related to greenhouse gases are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.8.7a. The County shall include a policy in the General Plan that requires the County to conduct a greenhouse gas emission inventory analysis of all major emission sources by the year 2008 in a manner consistent with Assembly Bill 32, and then to seek reductions such that emissions are equivalent to year 1990 levels by the year 2020.

MM 4.8.1a through d are described above in the Air Quality section.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have significant and unavoidable impact on greenhouse gas emissions under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause greenhouse gas emissions impacts. As such, the proposed project would not result in new significant impacts to greenhouse gas emissions that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.8.7a and MM 4.8.1a through d. These policies include, but are not limited to the following:

- **Action Item CON CPSP-2:** The County shall conduct a GHG emission inventory analysis of all major emission sources in the County by the end of 2008 in a manner consistent with Assembly Bill 32, and then seek reductions such that emissions are equivalent to year 1990 levels by the year 2020. Development of a reduction plan shall include

consideration of a “green building” ordinance and other mechanisms that are shown to be effective at reducing emissions.

- See relevant air quality policies above in the Air Quality section of this Appendix.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant greenhouse gas emissions impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to greenhouse gas emissions exists showing that the Project would have any new or substantially more severe greenhouse gas emissions impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce greenhouse gas emissions impacts identified in the GPU EIR that the applicant declines to adopt.

Hazards and Hazardous Materials

As summarized below, the GPU EIR evaluated the hazards and hazardous materials impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A impacts related to the release and exposure to hazardous materials would be less than significant with mitigation incorporated under Alternative A. All other impacts related to hazards and hazardous materials under Alternative A would be less than significant, including through compliance with federal, state and local regulations regarding the handling, transportation, disposal, and clean-up of hazardous materials. (GPU EIR, p. 4.9-26.) Development under Alternative A would not conflict with emergency response or evacuation plans, and it would also comply with development standards and restrictions regarding structure design, fuel modification zone design, adequacy of emergency access, water for fire fighting and other associated standards, as well as the “Napa Firewise” program, resulting in less-than-significant impacts. (GPU EIR, pp. 4.9-31-32.)

With the implementation of the following mitigation measures, GPU EIR concluded that hazards and hazardous materials impacts would be mitigated to less than significant under Alternative A:

- MM 4.9.2, which requires the County to adopt a general plan policy that requires all development projects that consist of sites that are suspected or known to contain hazardous materials and/or are identified in a hazardous material/waste search to be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.
- MM 4.8.5, which can be found in the Air Quality section of this Appendix.

(See GPU EIR, pp. 4.9-29.)

Alternative E- The GPU EIR concluded that (i) release and exposure to hazardous materials, (ii) airport hazards, and (iii) interference with and adopted emergency response or evacuation plan would be less than significant with the implementation of mitigation measures MM 4.8.5 and 4.9.2. (GPU EIR, p. 6.0-54, -55.) Routine transport of hazardous materials would have less than significant impacts under Alternative E through compliance with applicable local, state, and federal regulations. (GPU EIR, p. 6.0-54.)

The mitigation measure related to hazards and hazardous materials is set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.9.2. The County shall include a General Plan policy that requires that all development projects that consist of sites that are suspected or known to contain hazardous materials (such as data contained in the BDR) and/or are identified in a hazardous material/waste search to be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations. The County shall require written confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for land uses proposed prior to the County approving site development or provide an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. This documentation will specify the extent of development allowed on the remediated site as well as any special conditions and/or restrictions on future land uses.

MM 4.8.5 can be found in the Air Quality section of this Appendix.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact with mitigation incorporated and in other circumstances would have less

than significant impacts regarding hazards and hazardous materials under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause hazards and hazardous materials impacts. As such, the proposed project would not result in new significant impacts to hazards and hazardous materials that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to applicable local, state, and federal regulations regarding hazardous materials, as well as the requirements of applicable County general plan policies that help implement GPU MM 4.9.2. These policies include, but are not limited to the following:

- **Policy SAF-8.4: Review and remedy sites suspected or known to be contaminated by hazardous materials.** All development projects proposed on sites that are suspected or known to be contaminated by hazardous materials and/or are identified in a hazardous material/ waste search shall be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.
 - **Action Item SAF-8.4a:** Require confirmation of remediation of contaminated sites from applicable government agencies. The County shall require written confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for the land uses proposed prior to the County approving site development or require an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. This documentation will specify the extent of development allowed on the remediated site as well as any special conditions and/or restrictions on future land uses.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant hazards and hazardous materials impacts relative to impacts identified in the GPU EIR resulting

from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.

- No new information related to on hazards and hazardous materials exists showing that the Project would have any new or substantially more severe on hazards and hazardous materials impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce hazards and hazardous materials impacts identified in the GPU EIR that the applicant declines to adopt.

Hydrology and Water Quality

As summarized below, the GPU EIR evaluated the hydrology and water quality impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to groundwater level decline and overdraft, as it was projected that there would be an additional 2,235 dwelling units and 16,014,000 square feet of non-residential uses as well as between 10,000 and 12,500 acres of new vineyard development in the unincorporated portion of the County, which would contribute to further demand for groundwater supply. All other impacts related to hydrology and water quality under Alternative A would be less than significant or less than significant with mitigation incorporated.

Alternative A would contribute to non-point pollution sources; however, because subsequent development would be subject to existing County Code provisions (e.g., Section 16.28.100), the impact would be less-than-significant. (GPU EIR, p. 4.11-45.) Alternative A also would result in the (i) development of new well facilities that could conflict with existing wells in operation, (ii) alteration of drainage patterns from changes in overland flow conditions, and (iii) alteration of drainage conditions and features that could result in flooding impacts, resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.11-66, -70, -72.) Additionally, Alternative A could (i) contribute to soil erosion from construction activities and (ii) result in water quality impacts associated with soil erosion and other pollutants (e.g., nutrients, pesticides, and herbicides), resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.11-47, -53.) The development of dwelling units and non-residential uses and other resource extraction activities (e.g., timber harvesting and mineral extraction) would result in drainage impacts from the alteration of drainage patterns and features, resulting in less-than-significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.11-68.)

The development of dwelling units and non-residential uses would be subject to the County Floodplain Management Ordinances and the Code of Federal Regulations for the National Flood Insurance Program ensuring that structures placed within the designated 100-year floodplain are designed to avoid flooding impacts. Thus, the impacts would be less-than-significant. (GPU EIR, p. 4.11-74.)

With the implementation of the following mitigation measures, GPU EIR concluded that most hydrology and water quality impacts would be mitigated to less than significant under Alternative A:

- MM 4.11.2a, which requires the County to adopt a general plan policy to continue implementation of Napa County Conservation Regulations and the Stormwater Management and Discharge Control Ordinance.
- MM 4.11.2b, which requires the County to adopt a general plan policy that requires the establishment of water quality monitoring program(s).
- MM 4.11.3a, which requires the County to adopt a general plan policy that requires post development conditions not to increase 2-, 10-, 50- and 100-year events above pre-development peak flow rates.
- MM 4.11.3b, which requires the County to adopt a general plan policy that requires continued implementation of Napa County Conservation Regulations in order to mitigate surface water quality impacts from land use activities.
- MM 4.11.4, which requires that the County adopt a provision allowing new vineyard development projects meeting certain criteria to participate in a streamlined permitting process.
- MM 4.11.5a, which requires the County to adopt a general plan policy that requires the continued demonstration of adequate groundwater supply for new projects prior to approval of well and groundwater permits as well as protective provisions for certain groundwater basins.
- MM 4.11.5b, which requires the County to adopt a general plan policy that requires that all projects located within identified areas of groundwater recharge to be designed to (at minimum) maintain a site's pre-development groundwater recharge potential.
- MM 4.11.5c, which requires the County to adopt a general plan policy that requires the use of water conservation measures on urban development projects to improve water use efficiency and reduce overall water demand.
- MM 4.11.5d, which requires the County to adopt a general plan policy that maximize the use of recycled water as an irrigation (non-potable) water source for vineyards, agricultural activities and other irrigation opportunities in the County.
- MM 4.11.5e, which requires the County to adopt a general plan policy that requires pump tests or hydrogeologic studies be conducted for all new high-capacity wells, including high-capacity agricultural production wells, where there may be a potential to adversely affect existing adjacent domestic or water system wells.

- MM 4.11.9, which requires the County to adopt a general plan policy that requires that subsequent projects to include drainage improvements that ensure no new or increased flooding impacts on adjoining parcels or upstream and downstream areas.

(See GPU EIR, pp. 4.11-48, -54, -64 through -65.)

Alternative E- The GPU EIR concluded that the (i) construction-related soil erosion and sedimentation, (ii) agricultural and resource uses, (iii) water quality impacts associated with proposed ministerial process, (iv) well competition and adverse well interference, (v) changes to drainage patterns leading to increased runoff and streambank erosion, (vi) changes to drainage patterns leading to increased runoff and hillside erosion, (vii) increased flood risk from drainage system alteration, and (viii) new vineyard development and 100-year flooding, would be less than significant with the implementation of mitigation measure MM 4.11.2a and b, MM 4.11.3a and b, MM 4.11.4, 4.11.5e, and MM 4.11.9. Alternative E would result in less than significant effects related to (i) non-point source pollution from urban runoff and (ii) 100-year flood hazard areas. (See GPU EIR, p. 6.0-58, -62.)

Alternative E would result in significant and unavoidable impacts related to groundwater level and decline and overdraft. (See GPU EIR, p. 6.0-60.) Mitigation measures related to hydrology and water quality are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.11.2a. The County shall provide a policy in the General Plan that requires continued implementation of Napa County Conservation Regulations (Chapter 18.108 of the County Code) and the Stormwater Management and Discharge Control Ordinance (Chapter 16.28 of the County Code) in order to mitigate surface water quality impacts consistent with and in compliance with applicable Basin Plans and Basin Plan amendments associated with implementation of the Napa River TMDL for sediment. Construction associated with subsequent projects and development activity in the County shall comply through the submittal of technical reports (e.g., erosion control plans and stormwater pollution prevention plans) that demonstrate mitigation of soil erosion impacts to either (at a minimum) pre-development conditions or in compliance with the Basin Plan requirements and are protective to municipal water supply watersheds prior to construction commencing. These technical reports shall meet the requirements of County Code and will provide detailed information regarding site-specific geologic, soil, and hydrologic conditions and how proposed BMPs will function under site-specific conditions.

MM 4.11.2b. The County shall provide a policy in the General Plan that requires the establishment of water quality monitoring program(s) in order to track the effectiveness of temporary and permanent BMPs in the watersheds and implement corrective actions for identified water quality issues (in violation of Basin Plans and/or associated TMDLs) identified during monitoring.

MM 4.11.3a. The County shall provide a policy in the General Plan that requires post development conditions not to increase 2-, 10-, 50- and 100-year events above pre-development peak flow rates. Subsequent projects in the County shall comply through the submittal of technical reports (e.g., associated with compliance with the County Conservation Regulations [Chapter 18.108 of the County Code]) that demonstrates compliance with this requirement.

MM 4.11.3b. The County shall provide a policy in the General Plan that requires continued implementation of Napa County Conservation Regulations (Chapter 18.108 of the County Code) in order to mitigate surface water quality impacts from land use activities consistent with and in compliance with applicable Basin Plans and Basin Plan amendments associated with implementation of the Napa River TMDL for sediment, pathogens and nutrients. Subsequent projects and development activity in the County shall comply through the submittal of technical reports (e.g., erosion control plans) that demonstrate mitigation of potential water quality impacts to either (at a minimum) pre-development conditions or in compliance with the Basin Plan requirements and are protective to municipal water supply watersheds prior to construction commencing. These technical reports shall meet the requirements of County Code and will provide detailed information regarding site-specific geologic, soil, and hydrologic conditions and how proposed vineyard site design and management (e.g., proposed layout of vineyard, setbacks from waterways, drainage system and use of drip irrigation to apply fertilizers) and BMPs will function under site-specific conditions and their projected effectiveness in addressing sediment, nutrient, pesticides and other sources of water quality pollution.

MM 4.11.4. The County shall include the following into the General Plan and/or County Code Chapter 18.108, which will allow new vineyard development projects meeting criteria below to participate in a streamlined permitting process. The permit process shall require that an erosion control plan be developed and implemented for all disturbed lands where new cultivation is proposed. This permit process will require only County determination of “completeness,” and no discretionary review. Conditions for participation in this ministerial permit process are described in County Code Chapter 18.108.

MM 4.11.5a. The County shall include a policy in the General Plan that requires the continued demonstration of adequate groundwater supply for new projects prior to approval of well and groundwater permits as well as protective provisions for the MST, Pope Valley, Chiles Valley, Capell Valley and Carneros groundwater basins set forth under County Code Chapter 13.12 (Wells) and 13.15 (Groundwater Conservation). This technical information shall be provided in combination with other County required application submittals (e.g., erosion control plan applications as required under County Code Chapter 18.108.

MM 4.11.5b. The County shall include a policy in the General Plan that requires that all projects located within identified areas of groundwater recharge to be designed to (at minimum) maintain a site’s pre-development groundwater recharge potential. Implementation could

include limitations on impervious surfaces, project design characteristics, water impoundments (retention/detention structures), use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.

MM 4.11.5c. The County shall include a policy in the General Plan that requires the use of water conservation measures on urban development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand through conservation measures, including but not limited to, the following:

- a) Work cooperatively with all water providers and developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).
- b) Coordinate with water providers to continue to develop and implement water drought contingency plans to assist citizens and businesses in reducing water use during periods of water shortages and emergencies.
- c) Revise the County Code to include a Water-Efficient Landscape Ordinance to encourage, or as appropriate, require the use of water-efficient landscaping consistent with AB 325.

MM 4.11.5d. The County shall include a policy in the General Plan that maximize the use of recycled water as an irrigation (non-potable) water source for vineyards, agricultural activities and other irrigation opportunities in the County.

MM 4.11.5e. The County shall include a policy in the General Plan that requires pump tests or hydrogeologic studies be conducted for all new high-capacity wells, including high-capacity agricultural production wells, where there may be a potential to adversely affect existing adjacent domestic or water system wells. The County shall not allow the operation of any new wells for which pump tests or hydrogeologic studies show the potential for significant adverse well interference or substantial reductions in groundwater discharge to surface waters that would alter critical flows to sustain riparian habitat and fisheries. The County shall also not allow the drilling or operation of any new wells in known areas of saltwater intrusion until such time as a program has been approved and funded which will minimize or avoid expansion of salt water intrusion into useable groundwater supplies.

MM 4.11.9. The County shall include a policy in the General Plan that requires that subsequent projects to include drainage improvements that ensure no new or increased flooding impacts on adjoining parcels or upstream and downstream areas.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impacts on hydrology and water quality under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause hydrology and water quality impacts. As such, the proposed project would not result in new significant impacts to hydrology and water quality that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.11.2a and b, 4.11.3a and b, 4.11.4, 4.11.5a through e, and 4.11.9. These policies include, but are not limited to the following:

- **Policy CON-38:** The County shall identify, improve, and conserve Napa County's sand and gravel resources, preventing removal of streambed sand and gravel in any manner that would cause adverse effects on water quality, fisheries, riparian vegetation, or flooding.
- **Policy CON-47:** The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken:
 - a) Monitoring water quality in impaired waterbodies identified by the Regional Water Quality Control Board(s).
 - b) Addressing failing septic systems in the vicinity of Murphy, Browns Valley, and Salvador Creeks and throughout the County, should they be found to exist.
 - c) Retrofitting County-maintained roads to reduce sediment caused by runoff.
 - d) Supporting voluntary habitat restoration and bank stabilization efforts, with particular focus on the main stem and main tributaries of the Napa River.
 - e) Ensuring continued effectiveness of the National Pollution Discharge Elimination System (NPDES) program and storm water pollution prevention.
 - f) Ensuring continued effectiveness of the County's Conservation Regulations related to vineyard projects and other earth-disturbing activities.
 - g) Addressing effects related to past and current mining, grazing, and other activities to the extent feasible.

- h) Amending the County’s Conservation Regulations or County Code to address excessive sediment delivered to waterways as required by state law, particularly as it relates to private roads and rural unimproved (i.e., dirt or gravel) roads.
- i) Developing outreach and education programs to inform land owners and managers about improving surface water quality (e.g., rural and private road maintenance, soil and vegetation retention, construction site management, runoff control, etc.) and cooperating with other governmental and non-governmental agencies seeking to establish waiver or certification programs. [Implemented by Action Item CON WR-4]
- **Policy CON-48:** Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain pre-development sediment erosion conditions or at minimum comply with state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County’s sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.
- **Policy CON-49:** The County shall develop and implement a water quality monitoring program (or programs) to track the effectiveness of temporary and permanent Best Management Practices (BMPs) to control soil erosion and sedimentation within watershed areas and employ corrective actions for identified water quality issues (in violation of Basin Plans and/or associated TMDLs) identified during monitoring.
- **Policy CON-50:** The County will take appropriate steps to protect surface water quality and quantity, including the following:
 - a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County’s Conservation Regulations (also see Policy CON-27 which retains existing stream setback requirements).
 - b) Encourage flood control reduction projects to give full consideration to scenic, fish, wildlife, and other environmental benefits when computing costs of alternative methods of flood control.
 - c) The County shall require discretionary projects 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.
 - d) Maintain minimum lot sizes of not less than 160 acres in Agriculture, Watershed, and Open Space (AWOS) designated areas to reflect desirable densities based on

access, slope, productive capabilities for agriculture and forestry, sewage disposal, water supply, wildlife habitat, and other environmental considerations.

- e) In conformance with National Pollution Discharge Elimination System (NPDES) requirements, prohibit grading and excavation unless it can be demonstrated that such activities will not result in significant soil erosion, silting of lower slopes or waterways, slide damage, flooding problems, or damage to wildlife and fishery habitats.
 - f) Adopt development standards, in conformance with NPDES Phase II requirements, for post-construction storm water control.
 - g) Address potential soil erosion by maintaining sections of the County Code that require all construction-related activities to have protective measures in place or installed by the grading deadlines established in the Conservation Regulations. In addition, the County shall ensure enforceable fines are levied upon code violators and shall require violators to perform all necessary remediation activities.
 - h) Require replanting and/or restoration of riparian vegetation to the extent feasible as part of any discretionary permit or erosion control plan approved by the County, understanding that replanting or restoration that enhances the potential for Pierce's Disease or other vectors is considered infeasible.
 - i) Encourage management of reservoir outflows (bypass flows) to maintain fish life and riparian (streamside) vegetation.
 - j) Encourage minimal use of chemical treatment of reservoirs to prevent undue damage to fish and wildlife resources.
 - k) Prohibit new septic systems in areas where sewage treatment and disposal systems are available and encourage new sewage treatment and disposal systems in urbanized areas where there is high groundwater recharge potential and existing concentrations of septic systems.
- **Policy CON-54:** The County shall maintain or enhance infiltration and recharge of groundwater aquifers by requiring all projects in designated groundwater deficient areas as identified in the County's groundwater ordinance (County Code Chapter 13.15) be designed (at minimum) to maintain a site's predevelopment groundwater recharge potential, to the extent feasible, by minimizing impervious surfaces and promoting recharge (e.g., via the use of water retention/detention structures, use of permeable paving materials, bioswales, water gardens, cisterns, and other best management practices).
 - **Policy CON-60:** The County shall promote cost-effective water conservation and water efficiency measures that reduce water loss, waste, and water demand through the following measures:
 - a) Taking a leadership role in water conservation efforts, by monitoring and publicly reporting on the County's water use, using low flow fixtures, drought-tolerant

landscaping, drip irrigation, recycled water use where available and appropriate, periodic water use “audits” and other strategies to conserve water at all County-owned and operated facilities.

- b) Requiring the use of water conservation measures in areas served by municipal supplies to improve water use efficiency and reduce overall demand including, but not limited to, working cooperatively with all water providers and with developers to incorporate water conservation measures into project designs (e.g., as recommended by the California Urban Water Conservation Council), and coordination with water providers to continue to develop and implement water drought contingency plans to assist County citizens and businesses in reducing water use during periods of water shortages and emergencies.
 - c) Seeking cooperative partnerships with government agencies, non-profit organizations, private industry groups, and individuals in furthering water conservation strategies in Napa County.
- **Action Item CON WR-6:** Establish and disseminate standards for well pump testing and reporting and include as a condition of discretionary projects that well owners provide to the County upon request information regarding the locations, depths, yields, drilling and well construction logs, soil data, water levels and general mineral quality of any new wells.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant hydrology and water quality impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to hydrology and water quality exists showing that the Project would have any new or substantially more severe hydrology and water quality impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce hydrology and water quality impacts identified in the GPU EIR that the applicant declines to adopt.

Land Use and Planning

As summarized below, the GPU EIR evaluated the land use impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU EIR concluded that Alternative A would have a less than significant impact on land use because it would not introduce any new land uses that would conflict with existing land uses in the County or adjoining communities or conflict with relevant land use plans, policies or regulations. (GPU EIR, p. 4.2-20, -22.)

Alternative E- The GPU EIR concluded that the division of established communities and conflicts with relevant land use plans, policies or regulations under Alternative E would be less than significant with the implementation of mitigation measures MM 4.2.1 and 4.2.2 and mitigation measures under Section 4.7 (Noise) and Section 4.8 (Air Quality) of the EIR. (GPU EIR, p. 6.0-38.) Mitigation measures related to land use are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.2.1. The County shall adopt development standards for the Pacific Coast/Boca and the Napa Pipe sites which shall include, but not be limited to, buffering and visual screening features from existing industrial uses and Syar Quarry, design features that include, physical buffers (e.g. installation of plantings, landscape features, or walls in unique circumstances) to building placement and orientation in a manner that physically separates these sites from incompatible operations of adjacent uses (e.g., truck traffic, odors, stationary noise sources) and implementation of other measures to address noise and vibration (see MM 4.7.1c and MM 4.7.2b)

MM 4.2.2. Residential development at the Napa Pipe site could conflict with the Airport Land Use Compatibility Plan if it occurred within the “D” Zone, which essentially covers the southern one third (about 50 acres) of the site. To reduce this impact to less than significant, the County would ensure that any future development plan for the Napa Pipe property does not include residential use or other incompatible uses in the D Zone.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have a less than significant impact on land use, in some circumstances with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause land use impacts. As such, the proposed project would not result in new significant impacts to land use that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Agricultural uses are permitted by-right in the IP zone, and any future industrial development proposal submitted to the County, it would be subject to discretionary review through the County’s Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies. These policies include, but are not limited to the following:

- **Policy AG/LU-15.5:** Where proposed residential, commercial or industrial development abuts lands devoted to agriculture production, the non-agricultural uses shall be required to incorporate buffer areas to mitigate potential land use conflicts as conditions of approval for subdivision or use permit. The type and width of buffer areas shall be determined based on the character, intensity and sensitivity of the abutting land uses.
 - **Action Item AG/LU-15.5.1:** The County will prepare and adopt guidelines and regulations to assist in the determination of the appropriate type and scope of agricultural buffer areas needed in circumstances that warrant the creation of such buffer.
- **Policy AG/LU-37:** The County will locate industrial areas adjacent to major transportation facilities. Necessary utilities and services, including child care centers, will be planned to meet the needs of the industrially zoned areas.
- **Policy AG/LU-40:** The properties known as the “Hess Vineyards” shall be designated Agriculture, Watershed & Open Space, but shall be considered for redesignation to an Industrial designation if Flosden/Newell Road is ever extended north of Green Island Road, through the property.
- **Policy AG/LU-49:** The County shall use zoning to ensure that land uses in airport approach zones comply with applicable Airport Land Use Compatibility policies. If necessary, the County shall acquire development rights in airport approach zones. This policy shall apply to the Napa County Airport and Angwin Airport (Parrett Field).
 - Action Item AG/LU 49.1: Refer General Plan land use changes, proposed rezonings, and proposed developments in Airport Approach Zones to the Napa County Airport Land Use Commission for review and comment.
- **Policy AG/LU-51:** The following standards shall apply to lands designated as Industrial on the Land Use Map of this General Plan.
 - Intent: To provide an environment exclusively for and conducive to the development and protection of a variety of industrial uses such as warehouses, manufacturing, wineries and food processing facilities that are industrial in character, and research and development. Administrative facilities, research

institutions, limited office and commercial uses and related facilities which are ancillary to the primary industrial uses may also be accommodated.

- General Uses: Industry, limited commercial and related facilities which are ancillary to the primary industrial uses, agriculture, wineries. No residential uses.
- Minimum Parcel Size: 1/2 acre to 40 acres depending on proximity and access to utilities, airport, highways, rail service and service roads.
- Maximum Building Density: 50% coverage

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant land use impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to land use exists showing that the Project would have any new or substantially more severe land use impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce land use impacts identified in the GPU EIR that the applicant declines to adopt.

Mineral Resources

As summarized below, the GPU EIR evaluated the mineral resources impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have a less than significant impact to mineral resources. Alternative A would retain the current land use patterns and would not result in the expansion of substantial new rural or urban land uses in the County that would preclude future mineral extraction, resulting in less-than-significant impacts. (GPU EIR, p. 4.10-40.) Thus, no mitigation measures are required under Alternative A.

Alternative E- The GPU EIR concluded that mineral resources would result in less than significant impacts without mitigation measures. (GPU EIR, p. 6.0-58.) Thus, no mitigation measures are required under Alternative E.

Relevant GPU EIR Mitigation Measures

Mineral resources impacts do not require implementation of mitigation measures.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have less than significant impact on mineral resources under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause transportation and traffic impacts. As such, the proposed project would not result in new significant impacts to mineral resources that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies. These policies include, but are not limited to the following:

- **Goal CON-7:** Identify and conserve areas containing significant mineral deposits for future use and promote the reasonable, safe, and orderly operation of mining and extraction and management activities, where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately addressed.
- **Policy CON-37:** The County shall identify, improve, and conserve mineral and aggregate resources and ensure the long-term production and supply as follows:
 - a) The County shall request that the State Department of Conservation conduct a countywide study to assess the location and value of mineral and aggregate resources.
 - b) Identify known mineral resources on the General Plan Land Use Map or in the Baseline Data Report, based on mapping prepared by the State of California.
 - c) Apply zoning for mineral resource areas and appropriate surrounding areas to allow for resource management and future resource availability.

- d) Fulfill the County's responsibilities under the Surface Mining and Reclamation Act (SMARA).
- e) Encourage compatible use of resource areas such as low density recreation, wildlife habitat, or agriculture and protect resource areas from incompatible uses.
- f) Continue to enforce established policy on geothermal energy exploration and development (Napa County Code Title 16), considering the potential adverse environmental effects such as noise pollution, air pollution, water pollution, and poorly located transmission lines that can accompany improper geothermal development.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant mineral resources impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to mineral resources exists showing that the Project would have any new or substantially more severe mineral resources impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce mineral resources impacts identified in the GPU EIR that the applicant declines to adopt.

Noise

As summarized below, the GPU EIR evaluated the noise impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have significant and unavoidable impacts related to project-generated traffic noise volume increases. All other impacts related to noise under Alternative A would be less than significant or less than significant with mitigation incorporated. New development would result in the development and operation of new agricultural, commercial and industrial uses that could become substantial new stationary noise sources and impact existing residential and other noise-sensitive land uses; however, the Noise Ordinance includes noise performance standards that are intended to protect residential and other noise-sensitive land uses generally consistent with the noise-related compatibility of

the General Plan. . (GPU EIR, p. 4.7-24, -35.) No new groundborne vibration exposure would occur, resulting in less than significant impacts. (GPU EIR, p. 4.7-26.) Alternative A would result in traffic noise increases considered significant and unavoidable, but non-transportation and project generated construction noise impacts would be considered less than significant, including through compliance with the County’s Noise Ordinance. (GPU EIR, p. 4.7-28, -35, -36.) Compliance with mitigation measures will ensure less than significant impacts from aircraft generated noise. (GPU EIR, p. 4.7-37.)

With the implementation of the following mitigation measures, GPU EIR concluded that noise impacts would be mitigated to less than significant under Alternative A:

- MM 4.7.1a, which requires the County to retain noise policies in the current General Plan requiring land use decisions to conform to noise-related computability criteria and noise standards, establish recommended interior noise levels for sensitive land uses, and not approve the placement of residential or other noise-sensitive land uses in areas that exceed these noise standards without the provision of noise attenuation features.
- MM 4.7.1b, which requires the County to continue to incorporate a policy in the General Plan that requires prospective residents to be notified of agricultural-related noises and the County’s “Right to Farm” Ordinance.
- MM 4.7.7, which requires the County to incorporate a policy in the General Plan that requires disclosure statements to inform new development within an airport influence area.

(See GPU EIR, pp. 4.7-25, -38.)

Alternative E- The GPU FEIR concluded that Alternative E would have would have less than significant impacts with the implementation of mitigation measures MM 4.7.1a through c and 4.7.7 related to (i) land use compatibility (including aircraft) and (ii) new development exposure to groundborne vibration.7 (See GPU EIR, p. 6.0-45, -52.)

Alternative E would result in significant and unavoidable impacts related to project-generated traffic noise volume increases and roadway improvement impacts to noise-sensitive uses. (GPU EIR, pp. 6.0-46, -52.) Impacts related to non-transportation and construction generated noise would be less than significant. (GPU EIR, p. 6.0-52.)Mitigation measures related to noise are set forth in full below.

Relevant GPU EIR Mitigation Measures

MM 4.7.1a. The County shall (at a minimum) retain noise policies in the current General Plan requiring land use decisions to conform to noise-related compatibility criteria and noise standards as shown in Draft EIR Tables 4.7-8 and 4.7-10, and establishing recommended interior noise levels for sensitive land uses (e.g., residences, schools, daycares, hospitals and

other similar uses) as shown in Draft EIR Table 4.7-11. County shall (through retention of these current noise policies) not approve the placement of residential or other noise-sensitive land uses in areas that exceed these noise standards without the provision of noise attenuation features that result in noise levels meeting the current standards of the County for exterior and interior noise exposure.

MM 4.7.1b. The County shall continue to incorporate a policy in the General Plan that requires that prospective residents be notified of agricultural-related noises and the County’s “Right to Farm” Ordinance in each parcel map approved for locations in or adjacent to designated agricultural areas.

MM 4.7.7. The County shall include a policy in the General Plan that requires the use of aviation easements, disclosure statements or other appropriate disclosure measures to ensure that new development within any airport influence area are informed of the presence of the airport and its potential for creating current and future noise.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have a less than significant impact on noise with mitigation incorporated and in other circumstances would have significant and unavoidable impact on noise under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause noise impacts. As such, the proposed project would not result in new significant impacts to noise that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County’s Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.7.1a and b and 4.7.7. These policies include, but are not limited to the following:

- **Policy CC-36:** Residential and other noise-sensitive activities shall not be located where noise levels exceed the standards contained in this Element without provision of noise attenuation features that result in noise levels meeting the current standards of the County for exterior and interior noise exposure.
- **Policy CC-38:** The following are the County’s standards for maximum exterior noise levels for various types of land uses established in the County’s Noise Ordinance. Additional standards are provided in the Noise Ordinance for construction activities (i.e., intermittent or temporary noise).

EXTERIOR NOISE LEVEL STANDARDS
(LEVELS NOT TO BE EXCEEDED MORE THAN 30 MINUTES IN ANY HOUR)

Land Use Type	Time Period	Noise Level (dBA) by Noise Zone Classification		
		Rural	Suburban	Urban
Single-Family Homes and Duplexes	10 p.m. to 7 a.m.	45	45	50
	7 a.m. to 10 p.m.	50	55	60
Multiple Residential 3 or More Units Per Building (Triplex +)	10 p.m. to 7 a.m.	45	50	55
	7 a.m. to 10 p.m.	50	55	60
Office and Retail	10 p.m. to 7 a.m.	60		
	7 a.m. to 10 p.m.	65		
Industrial and Wineries	Anytime	75		

- a) For the purposes of implementing this policy, standards for residential uses shall be measured at the housing unit in areas subject to noise levels in excess of the desired levels shown above.
 - b) Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction at the industrial use.
 - c) Where projected noise levels for a given location are not included in this Element, site-specific noise modeling may need to be conducted in order to apply the County's Noise policies.
 - d) For further information, see the County Noise Ordinance.
- **Policy CC-39:** The following are noise compatibility guidelines for use in determining the general compatibility of planned land uses:

**NOISE COMPATIBILITY GUIDELINES
(EXPRESSED AS A 24-HOUR DAY-NIGHT AVERAGE OR LDN)**

<i>Land Use</i>	<i>Completely Compatible</i>	<i>Tentatively Compatible</i>	<i>Normally Incompatible</i>	<i>Completely Incompatible</i>
<i>Residential</i>	<i>Less than 55 dBA</i>	<i>55-60 dBA</i>	<i>60-75 dBA</i>	<i>Greater than 75 dBA</i>
<i>Commercial</i>	<i>Less than 65 dBA</i>	<i>65-75 dBA</i>	<i>75-80 dBA</i>	<i>Greater than 80 dBA</i>
<i>Industrial</i>	<i>Less than 70 dBA</i>	<i>70-80 dBA</i>	<i>80-85 dBA</i>	<i>Greater than 85 dBA</i>

See Policy CC-43 for the definitions of these four levels of compatibility.

- **Policy CC-42:** The following are the County’s standards for acceptable indoor intermittent noise levels for various types of land uses. These standards should receive special attention when projects are considered in “Tentatively Compatible” or “Normally Incompatible” areas as determined by Policies CC-39 and CC-43, and new uses shall incorporate design features to ensure that these standards are met.

INTERIOR NOISE LEVEL CRITERIA FOR INTERMITTENT NOISE

Land Use Type	Acceptable Noise Level (dBA CNEL)
Residential (Single- and Multi-Family)	
Living Areas, Daytime	60 dBA
Living Areas, Nighttime	55 dBA
Sleeping Areas	45 dBA
School Classrooms or Library	55 dBA
Church Sanctuary	45 dBA
Commercial, Educational, Office, Light and Heavy Industrial, Warehousing	Conform with applicable state and federal workplace safety standards

Note: Standards for public schools are set and enforced by the State of California and are not regulated by the County.

- **Policy CC-44:** The County shall require that appropriate noise mitigation measures be included when new residential developments are to be built in close proximity to significant noise sources.
- **Policy CC-45:** Development in the area covered by any Airport Land Use Compatibility Plan (ALUCP) shall be consistent with the noise levels projected for the airport. Where necessary, noise insulation or other measures shall be included to maintain desired interior noise levels.

- **Action CC-45.1:** The County shall use avigation easements, disclosure statements, and other appropriate measures to ensure that residents and businesses within any airport influence area are informed of the presence of the airport and its potential for creating current and future noise.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant noise impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to noise exists showing that the Project would have any new or substantially more severe noise impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce noise impacts identified in the GPU EIR that the applicant declines to adopt.

Population and Housing

As summarized below, the GPU EIR evaluated the population and housing impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have a significant and unavoidable impact related to population, housing, and employment increases and jobs housing balance. Alternative A would not introduce any new land use or other physical feature that would displace existing residential communities, resulting in less than significant impacts. (GPU EIR, p. 4.3-17.). Because population and employment growth would substantially exceed regional projections of The Association of Bay Area Governments (ABAG) under Alternative A, the impacts would be significant and unavoidable. (GPU EIR, p. 4.3-12.) Projected job growth would have an indirect effect on cities and neighboring counties, since a portion of the new workers would likely reside in urban areas in Napa, Solano, Sonoma and Contra Costa counties, resulting significant and unavoidable impacts. (GPU EIR, p. 4.3-14.)

Even with the implementation of the following mitigation measure, GPU EIR concluded that it is unclear if population and housing impacts would be mitigated to less than significant under Alternative A:

- MM 4.3.2, which requires the County to adopt a policy in the General Plan requiring new employment-generating development to either produce adequate housing or pay an in-lieu fee to meet the housing demand related to new employment.

(See GPU EIR, pp. 4.3-15)

Alternative E- The GPU FEIR found that Alternative E would have a significant and unavoidable impact related to population, housing, and employment. Alternative E would have less than significant impacts related to jobs and housing balance and displacement of persons or housing.

The mitigation measure related to population and housing is set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.3.2. To ensure that job growth in the unincorporated County does not substantially outpace dwelling unit production, the County shall adopt and implement a policy requiring new employment-generating development either to produce on- or off-site housing adequate to meet the demand for Napa County housing associated with the new employment, or to pay an in-lieu housing fee to assist the County with the development of subsidized housing for the neediest segment of the workforce.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact and in other circumstances would have significant and unavoidable impact, even with mitigation measures, on population and housing under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause population and housing impacts. As such, the proposed project would not result in new significant impacts to aesthetics that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject

to the requirements of applicable County general plan policies that help implement GPU MM 4.3.2. These policies include, but are not limited to the following:

- **Policy AG/LU-30:** The County shall use a variety of strategies to address its long-term housing needs and to meet the state and regional housing requirements in its cyclical updates of the Housing Element. In addition to working with the state and ABAG to reduce the County’s regional allocation, these strategies shall include:
 - Consider re-use of former industrial sites designated as Study Area on the Land Use Map to provide for a mix of uses, including affordable and market rate work force housing as appropriate.
 - Use of overlay designations to permit/facilitate multi-family housing on specific sites within designated urbanized areas shown on the Land Use Map.
 - Collection and disbursement of housing impact fees to subsidize construction of affordable housing.
 - Cooperative agreements with incorporated agencies within the County where these jurisdictions are able to accept additional housing requirements in exchange for other considerations.
 - Actions that provide housing to farm workers and their families.
 - Use of County-owned land for affordable housing where this land is no longer needed to meet the County’s operational requirements and would be appropriate for housing.
 - Other policies and programs which address the need for workforce housing.
 - **Action Item AG/LU-30.1:** Develop a Workforce Housing Ordinance, including revisions to the current Inclusionary Housing Ordinance, to define workforce housing and establish additional workforce and inclusionary housing requirements for all multifamily housing proposals consisting of eight or more units constructed in the unincorporated County. Such an ordinance could also require on-site workforce housing in place of in-lieu fees for any large commercial or institutional projects constructed outside of areas where housing would be inconsistent with the applicable airport land use compatibility plan.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.

- The Project would not result any new or substantially more severe significant population and housing impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to population and housing exists showing that the Project would have any new or substantially more severe population and housing impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce population and housing impacts identified in the GPU EIR that the applicant declines to adopt.

Public Services

As summarized below, the GPU EIR evaluated the public services impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have less than significant impacts or less than significant impacts with mitigation incorporated regarding public services. Alternative A would increase demands for fire protection services County-wide and would potentially require the construction of new facilities, resulting in less than significant impacts with implementation of mitigation measures. (GPU EIR, p. 4.13-7.) Though additional law enforcement officers and associated equipment would be required under Alternative A, impacts would be less than significant with implementation of mitigation measures. (GPU EIR, p. 4.13-13.) Public school facilities and social services would have less than significant impacts under Alternative A. (GPU EIR, p. 4.13-64, -76.)

With compliance with County Code (Chapters 15.32 and 18.84) and Public Resources Code Sections 4290 and 4291 and the implementation of the following mitigation measures, GPU EIR concluded that public services impacts would be mitigated to less than significant under Alternative A:

- MM 4.9.4, which requires the County to adopt a general plan policy that requires subsequent development proposals in certain unincorporated communities to include provisions for adequate emergency access for evacuation and emergency vehicles.
- MM 4.13.1.1a, which requires the County to adopt a general plan policy related to access and fire suppression requirements for facilities constructed in caves.
- MM 4.13.1.1b, which requires the County to adopt a general plan policy that requires all new development to comply with established fire safety standards.
- MM 4.13.1.1c, which requires the County to adopt a general plan policy that water wells and other critical infrastructure intended for emergency use shall be provided with a source of alternate power.

- MM 4.13.2.1a, which requires the County to adopt a general plan policy that requires consultation with County law enforcement regarding special services and/or additional facilities for new multifamily residential developments and non-residential developments resulting in substantial concentrations of populations.
- MM 4.13.2.1b, which requires the County to locate new public safety facilities within already developed areas of the County.

(See GPU EIR, pp. 4.13-8 through -9, -14.)

Alternative E- The GPU EIR concluded that (i) fire protection and emergency medical services and (ii) law enforcement service and standards would be less than significant with the implementation of mitigation measures MM 4.13.1.1a through c and 4.13.2.1a and b, and compliance with County Code (Chapters 15.32 and 18.84) and Public Resources Code Sections 4290 and 4291. (GPU EIR, p. 6.0-63.) Public school facilities and social services would have less than significant impacts under Alternative E. (GPU EIR, p. 6.0-65.)

Mitigation measures related to public services are set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.13.1.1a. The County shall include a General Plan policy that requires that facilities constructed in caves shall be required to conform to access and fire suppression requirements as determined by the Napa County Fire Department base on the cave’s use or occupancy.

MM 4.13.1.1b. The County shall include a General Plan policy that requires that all new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment to verify compliance with applicable requirements as to:

- Adequacy of water supply for firefighting.
- Site design for fire department access in and equipment in and around structures.
- Ability for a safe and efficient fire department response.
- Site-specific built-in fire protection features.

MM 4.13.1.1c. The County shall include a General Plan policy that requires that water wells and other critical infrastructure intended for emergency use shall be provided with a source of alternate power.

MM 4.13.2.1a. The County shall include a General Plan policy that requires that all new multifamily residential developments and non-residential developments resulting in substantial concentrations of daytime or nighttime populations to consult with County law enforcement to determine the need for special services and/or additional facilities, and to determine how those services and/or facilities can be provided prior to project approval. If the proposed project is

adjacent to or within an incorporated city/town, consultation with their law enforcement agency shall also be required.

MM 4.13.2.1b. New public safety facilities shall be located within already developed (i.e. non-agricultural) areas of the County and the County shall require site specific analysis of new public safety facilities prior to their construction.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have a less than significant impact on public services with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause public services impacts. As such, the proposed project would not result in new significant impacts to public services that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.13.1.1a through c, 4.13.2.1a and b, and 4.13.9.1a through c. These policies include, but are not limited to the following:

- **Policy AG/LU-67:** The County will continue to maintain a road network to service the needs of Angwin residents and provide accessibility to emergency vehicles.
- **Policy SAF-10.8:** Ensure new development complies with fire safety standards. All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County Code that meet these minimum requirements. Fire protection plans shall be referred to the appropriate fire agency and other public agencies for comment as to:
 - Risk analysis
 - Location of expected water supply
 - Adequacy of water supply for new development (i.e., maintenance and long-term integrity)
 - Adequacy of fire flow (gallons per minute) to extinguish a fire at the proposed development

- Fire response capabilities including site design for fire department access in and around structures
 - Ability for a safe and efficient fire department response
 - Traffic flow and ingress/egress for residents and emergency vehicles
 - Fire safety requirements including site-specific built-in fire protection, defensible space, infrastructure, building ignition resistance, and fuel modification
 - Mitigation measures and design considerations for non-conforming fuel modification (i.e., fuel modification out of compliance with the county's and CAL FIRE's Fire Safety Standards)
 - Potential impacts on emergency services and fire department response
 - Maintenance of vegetative clearance on public and private roads
 - Wildfire education maintenance and limitations
- **Policy SAF-2.3:** Maintain structural and operational integrity of essential public services. The County will seek to maintain the structural and operational integrity of essential public services during flooding events and other natural disasters, including through the location of new essential public facilities outside of flood hazard zones when feasible. All critical public infrastructure intended for emergency use shall be provided with a source of alternate power.
 - **Policy SAF-8.7:** Review commercial and multi-family development for public safety. All new commercial and multi-family development shall be referred to the Sheriff's Department for review of public safety issues. If the proposed project is adjacent to or within an incorporated city/town, consultation with their law enforcement agency shall also be required.
 - **Policy AG/LU-20.5:** New public safety facilities shall be located within existing urbanized (i.e. nonagricultural) areas of the County and the County shall require site-specific analysis of new public safety facilities prior to their construction.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant public services impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.

- No new information related to public services exists showing that the Project would have any new or substantially more severe public services impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce public services impacts identified in the GPU EIR that the applicant declines to adopt.

Recreation

As summarized below, the GPU EIR evaluated the recreation impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have less than significant impacts with mitigation incorporated regarding parks and recreational facilities. An increase in demand for recreation opportunities would exist under Alternative A, resulting in less than significant with implementation of mitigation measures. (GPU EIR, p. 4.13-79.)

With the implementation of the following mitigation measure, GPU EIR concluded that recreation impacts would be mitigated to less than significant under Alternative A:

- MM 4.13.9.1a, which requires the County to adopt a general plan policy that increase the amount of dedicated open space available for nature-based recreation.
- MM 4.13.9.1b, which requires the County to adopt a general plan policy that increases the number and length of non-motorized, off-street trails available for walkers, joggers, bicyclists and equestrians.
- MM 4.13.9.1c, which requires the County to adopt a general plan policy that ensures that the majority of Napa County residents live within close proximity of parks.

(See GPU EIR, pp. 4.13-80.)

Alternative E- The GPU EIR concluded that parks and recreation would be less than significant with the implementation of mitigation measures MM 4.13.9.1a through c. (See GPU EIR, pp. 6.0-65.)

Mitigation measures related recreation are set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.13.9.1a. The County shall include a policy in the General Plan that increases (by the year 2030) the amount of dedicated open space available, improved and managed for nature-based recreation by the general public by improving access to existing public lands and by selective

public acquisition from willing landowners of fee title ownership, easements, and/or license agreements over high priority open space lands.

MM 4.13.9.1b. The County shall include a policy in the General Plan that increases (by the year 2030) the number and length of non-motorized, off-street trails available for walkers, joggers, bicyclists and equestrians. This will include provisions for the completion of the San Francisco Bay Trail through the County and sections of the Bay Area Ridge Trail.

MM 4.13.9.1c. The County shall include a policy in the General Plan that (by the year 2030) that ensures that the majority of Napa County residents live within close proximity of parks offering a variety of nature-based recreation opportunities by at least doubling the acreage of publicly accessible open space within a 15-minute driving time of each of the county's four cities and one town.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have a less than significant impact on recreation with mitigation incorporated under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause recreation impacts. As such, the proposed project would not result in new significant impacts to recreation that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.13.9.1a through c. These policies include, but are not limited to the following:

- **Policy ROS-11:** Increase by 2030 the amount of dedicated open space available, improved, and managed for nature-based recreation by the general public by improving access to existing public lands and by selective public acquisition from willing landowners of fee title ownership, easements, and/or license agreements over high priority open space lands.
- **Policy ROS-12:** By 2030, increase the number and length of non-motorized, off-street trails available for walkers, joggers, bicyclists, and equestrians.
 - **Action Item ROS-2.1:** In partnership with the Napa County Regional Parks and Open Space District, establish numeric objectives for increased off-street trails and acreage of dedicated open space accessible to the public.

- **Policy ROS-14:** The priority of the County, working in cooperation with the Napa County Regional Park and Open Space District, shall generally be to provide parks outside of the cities and town that are focused on nature-based recreation, recognizing that the County's cities and town generally provide neighborhood and community parks and urban recreation.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant recreation impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to recreation exists showing that the Project would have any new or substantially more severe recreation impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce recreation impacts identified in the GPU EIR that the applicant declines to adopt.

Transportation and Traffic

As summarized below, the GPU EIR evaluated the transportation and traffic impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have a significant and unavoidable impact related to travel demand. All other impacts related to transportation under Alternative A would be less than significant with mitigation incorporated. Alternative A and associated growth of the incorporated cities and regional traffic growth would result in traffic increases in peak hour volume to capacity ratio and LOS; this increase in traffic would also be significant on roadways within and adjacent to the cities of American Canyon, St. Helena, Calistoga, Napa and the Town of Yountville, as well as Yolo, Solano, Lake and Sonoma counties, resulting in significant and unavoidable impacts. (See GPU EIR, pp. 4.4-49.) Increase in (i) demand on transit services and facilities and pedestrian and bicycle facilities, (ii) total VMT, and (iii) new development requiring new parking facilities under Alternative A would result in less than significant impacts with implementation of mitigation measures. (See GPU EIR, pp. 4.4-54, -55, -56.)

With compliance with the County Code (Chapters 15.32 and 18.84) and Public Resources Code Sections 4290 and 4291 and the implementation of the following mitigation measures, GPU EIR concluded that most transportation and traffic systems impacts would be mitigated to less than significant under Alternative A:

- MM 4.4.1a, which requires the County to adopt a general plan policy establishing a standard for adequate level of service on roads and intersections to be applied to all discretionary projects reviewed by the County.
- MM 4.4.1b, which requires the County to adopt a general plan policy that requires new developments with the potential to significantly affect traffic operations to prepare a traffic analysis prior to discretionary approval of the project.
- MM 4.4.1c, which requires the County to adopt a general plan policy that requires new development projects to mitigate their impacts and to pay their fair share of countywide traffic improvements they contribute the need for.
- MM 4.4.1d, which requires the County to adopt a general plan policy that requires new residential and commercial development to be concentrated within already developed areas and areas planned for development where sufficient densities can support transit services and development of pedestrian and bicycle facilities.
- MM 4.4.1e, which requires the County to adopt a general plan policy that seeks to maintain total trips in the County and supports programs to reduce single-occupant vehicle use and encourage carpooling, transit use, and alternative modes.
- MM 4.4.1f, which requires the County to adopt a general plan policy that requires the County of Napa to demonstrate leadership in implementation of programs encouraging the use of alternative modes of transportation by its employees, as well as the use of alternative fuels.
- MM 4.4.1g, which requires the County to adopt a general plan policy that requires all developments along fixed transit routes to provide amenities designed to encourage carpooling, bicycle, and transit use in coordination with NCTPA.
- MM 4.4.1h, which requires the County to adopt a general plan policy that states where sufficient right of way is available, bicycle lanes shall be added to county roadways when repaving or upgrading of the roadway occurs as feasible.
- MM 4.4.1i, which requires the County to adopt a general plan policy that requires that abandoned rail right-of-way shall be used for alternative uses.
- MM 4.4.1j, which requires the County to adopt a general plan policy that requires that pedestrian and bicycle access shall be integrated into all parking lots and considered in the evaluation of development proposals and public projects.
- MM 4.4.4.a, which requires the County to adopt a general plan policy that requires new development projects to provide adequate, but not an excess of, parking.

- MM 4.4.4b, which requires the County to adopt a general plan policy that requires roadway improvement projects expected to result in the loss of parking for an existing use to provide replacement parking if required meeting County Zoning Code parking requirements.
- MM 4.9.4 and MM 4.13.1.1a and b, which can be found in the Public Services section of this Appendix.

(See GPU EIR, pp. 4.4-50 through -51, -56.)

Alternative E- The GPU EIR concluded that travel demand impacts (LOS, increases in VMT, and travel delay) would be significant and unavoidable even with the implementation of mitigation measures MM 4.4.1a through j. (GPU EIR, p. 6.0-40.) The GPU EIR also concluded that (i) roadway safety and emergency access, (ii) conflicts with existing alternative transportation policies and programs, and (iii) creation of additional demand for parking facilities impacts would be less than significant with implementation of mitigation measures MM 4.9.4, 4.13.1.1a and b, 4.4.1d through g, and 4.4.4a and b and compliance with applicable provisions of County Code (Chapters 15.32 and 18.84). (GPU EIR, p. 6.0-40, -41.)

Mitigation measures related to transportation and traffic are set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.4.1a. The County shall provide a policy in the General Plan establishing a standard for adequate level of service on roads and intersections to be applied to all discretionary projects reviewed by the County.

MM 4.4.1b. The County shall include a policy in the General Plan that requires new developments with the potential to significantly affect traffic operations to prepare a traffic analysis prior to discretionary approval of the project.

MM 4.4.1c. The County shall include a policy in the General Plan that requires new development projects to mitigate their impacts and to pay their fair share of countywide traffic improvements they contribute the need for, including improvements identified in DEIR Table 4.4-17. A countywide traffic impact fee shall be developed in cooperation with NCTPA.

MM 4.4.1d. The County shall include a policy in the General Plan that requires new residential and commercial development to be concentrated within already developed areas and areas planned for development where sufficient densities can support transit services and development of pedestrian and bicycle facilities.

MM 4.4.1e. The County shall include a policy to the General Plan that supports programs to reduce single-occupant vehicle use and encourage carpooling, transit use, and alternative modes such as bicycling, walking, and telecommuting. In addition, the County shall seek to

maintain total trips in the County using travel modes other than private vehicles (transit, walking, bicycling, public transit, etc.) at 2006 levels.

MM 4.4.1f. The County shall provide a policy in the General Plan that requires the County of Napa to demonstrate leadership in implementation of programs encouraging the use of alternative modes of transportation by its employees, as well as the use of alternative fuels. Example programs shall include:

- Preferential carpool parking and other ridesharing incentives,
- Flexible working hours,
- A purchasing program that favors hybrid, electric or other non-gasoline vehicles,
- Secure bicycle parking,
- Transit incentives

MM 4.4.1g. The County shall include a policy in the General Plan that requires all developments along fixed transit routes to provide amenities designed to encourage carpooling, bicycle, and transit use in coordination with NCTPA. Typical features would include bus turnouts/access, bicycle lockers, and carpool/vanpool parking.

MM 4.4.1h. The County shall include a policy in the General Plan that states where sufficient right of way is available, bicycle lanes shall be added to county roadways when repaving or upgrading of the roadway occurs as feasible.

MM 4.4.1i. The County shall provide a policy in the General Plan that requires that abandoned rail right-of-way shall be used for alternative uses such as public transit routes, bicycle paths, or pedestrian/hiking routes when feasible.

MM 4.4.1j. The County shall provide a policy in the General Plan that requires that pedestrian and bicycle access shall be integrated into all parking lots and considered in the evaluation of development proposals and public projects.

MM 4.4.4a. The County shall provide a policy in the General Plan Update that new development projects shall provide adequate parking to meet their anticipated parking demand and shall not provide excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity. The required parking supply shall be based on compliance with County Zoning Code parking requirements.

MM 4.4.4b. The County shall provide a policy in the General Plan Update that requires roadway improvement projects expected to result in the loss of parking for an existing use to provide replacement parking if required meeting County Zoning Code parking requirements.

MM 4.9.4 and MM 4.13.1.1a and b can be found in the Public Services section of this Appendix.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impact on transportation and traffic under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause transportation and traffic impacts. As such, the proposed project would not result in new significant impacts to transportation and traffic that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.4.4.1a through j, 4.4.4a and b, MM 4.9.4, and MM 4.13.1.1a and b. These policies include, but are not limited to the following:

- **Policy CIR-6:** Applicants requesting discretionary approval for projects with the potential to significantly affect the transportation system shall fund the County's preparation of a Transportation Analysis prior to consideration of their project by the County. If the Transportation Analysis results in identification of adverse impacts as defined in the County's Transportation Impact Study Guidelines, the applicants shall mitigate their projects' impacts and pay their fair share of the full cost of countywide cumulative transportation improvements, based on their projects' contribution to the need for these improvements. Analysis should be consistent with the most current version of the County's Transportation Impact Study Guidelines, including a County review of site plans with a particular focus on project frontage, consistency with the Countywide Pedestrian Plan and Countywide Bicycle Plan, and multi-modal circulation.
 - **Action Item CIR-6.1:** In cooperation with the NVTA, develop a countywide transportation impact fee to address cumulative (i.e., not project-specific) impacts associated with new development.
- **Policy CIR-3:** Consistent with urban-centered growth policies in the Agricultural Preservation and Land Use Element, new residential and commercial development shall be concentrated within existing cities and towns and urbanized areas, particularly within Priority Development Areas (PDAs), where higher population densities can have access to utilize transit services and pedestrian and bicycle facilities.

- **Policy CIR-23:** The County strongly supports Transportation Demand Management (TDM) strategies as a means of accommodating economic growth while moderating the negative effects of personal vehicle travel on the County's transportation infrastructure and on the quality of life of County residents and visitors. Nonresidential development in the County shall include TDM strategies to reduce single-occupant vehicle use, thereby encouraging more energy-efficient forms of transportation and contributing to the County's greenhouse gas emission reduction goals. The County may require ongoing monitoring of vehicle trips to non-residential developments, in order to evaluate the effectiveness of the TDM strategies employed. TDM strategies to be considered include but are not limited to:
 - Subsidized transit passes or other incentives for transit usage;
 - Participation in a neighborhood or employer-sponsored shuttle program;
 - Provision of multi-modal connections to nearby transit stops, neighboring properties, or other destinations;
 - On-site accommodation for bicyclists (such as bicycle parking facilities and showers/lockers for employees who bicycle);
 - Incentives for carpool/vanpool participation, and/or priority parking for carpool/vanpool users;
 - Alternative work schedules/telecommuting;
 - Participation in a subsidized car share or ride share program; and,
 - Modifications to parking policies, such as parking pricing, reduced supply, or financial incentives for employees who do not use a single occupant vehicle or transportation network company.

- **Policy CIR-26:** As a major employer, the County of Napa shall demonstrate leadership in the implementation of programs encouraging the use of transit, walking, and bicycling by its employees, as well as the use of alternative fuels. Example programs may include:
 - Preferential carpool parking and other ridesharing incentives;
 - Flexible working hours or telecommuting where consistent with job duties and customer service needs;
 - A purchasing program that favors hybrid, electric, or other non-fossil fuel vehicles;
 - Assisting in the development of demonstration projects for alternative fuel technologies such as ethanol, hydrogen, and electricity;
 - Secure bicycle parking; and
 - Transit incentives.

- **Policy CIR-11:** All developments along fixed transit routes shall provide appropriate amenities designed to support transit use, such as bus turnouts or other access points

located in coordination with NVTAs, bus shelters, and comfortable routes for transit users to walk or bicycle between the development and the nearest bus stop. The County shall require installation of relevant amenities as a condition of approval of discretionary permits.

- **Policy CIR-34:** Bicycle and pedestrian facilities consistent with the Countywide Bicycle and Pedestrian Plans shall be added to County roadways when repaving or upgrading of the roadway occurs. Where existing right-of-way is insufficient or the facility is off-street, the County shall require dedication of adequate right-of-way for and, if appropriate, installation of the facilities as conditions of discretionary permit approval. In certain locations where it would not conflict with the rural character of the area, the County may require low-level or pedestrian-scale lighting as part of the installation of the facility. The County shall encourage Caltrans to follow these same guidelines on state highways in Napa County.
- **Policy CIR-35:** Where they are not needed for other transportation purposes and where such use would implement the Countywide Bicycle Plan or other County-adopted master plan, rail rights-of-way shall be considered for alternative uses such as public transit routes, bicycle paths, or pedestrian/hiking routes, provided that they are compatible with adjacent uses and sufficient funding is available for right-of-way acquisition, construction, and long-term maintenance.
- **Policy CIR-10:** Facilities supporting multi-modal access, including but not limited to designated areas for pick-up/drop-off activities, shall be integrated into the site layout of development projects, frontage improvements, and public projects, wherever such facilities are appropriate and can be physically accommodated. The Countywide Bicycle Plan and Countywide Pedestrian Plan shall be referenced in determining appropriate bicycle and/or pedestrian treatments at specific locations. Amenities serving public and private transportation providers and multi-modal connections between private properties are encouraged, particularly in circumstances where such amenities and connections could provide an alternative to single-occupant vehicle travel on public roadways and where the amenity or connection would reduce VMT.
- **Policy CIR-14:** Developers of new land uses shall provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand and shall not provide excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity. Consideration of shared parking opportunities is encouraged.
- **Policy CIR-16:** When parking is removed as a result of roadway improvement projects, surveys will be conducted before the project begins to evaluate demand for the parking that will be removed. County staff will review the survey results and will consider the level of parking demand, the nearby opportunities for shared parking options, and the applicable County Zoning Code parking standards in determining whether the parking lost due to the improvements must be replaced.

- **Policy CIR-31:** The County seeks to provide a roadway system that maintains current roadway capacities in most locations and is efficient in providing local access. The following list of improvements, illustrated as the County’s ultimate road network in Figure CIR-1, has been supported by policy makers within the County and all five incorporated cities/town. Some of these routes are controlled by other agencies (such as Caltrans or a city); in those cases, the County will coordinate with the other agencies to plan and implement these improvements.
 - Construct improvements at the intersection of State Route 12, Airport Boulevard, and State Route 29 (“Airport Junction”), within the most efficient footprint, to increase capacity and reduce vehicle conflicts.
 - Improve the intersection of SR 221/SR 12/SR 29 (“Soscol Junction”) to improve operation and reduce vehicle conflicts.
 - Improve the intersection of SR 12/SR 121/SR 29 (“Carneros Junction”) to improve operation and reduce vehicle conflicts.
 - Consider widening SR 221 between SR 12 and SR 121 to improve traffic flow.
 - In coordination with the City of American Canyon, consider widening, operational, and other multimodal and safety improvements to SR 29 between SR 221 and the Solano County line to improve traffic flow.
 - In coordination with the City of American Canyon, relieve traffic congestion along SR 29 by completing reliever routes; examples include the completion of Devlin Road between Soscol Ferry Road and Green Island Road, and evaluating the potential to connect Newell Road to South Kelly Road.
 - Work with relevant agencies to investigate options for synchronizing traffic signals to improve traffic flow and reduce vehicle emissions.
 - Explore opportunities for operational improvements along SR 29, Silverado Trail, and connecting crossroads to improve traffic flow and reduce conflicts for vehicles, bicyclists and pedestrians; examples may include center two-way left-turn lanes, additional turn lanes at intersections, roundabouts, and other measures that could reduce conflicts.
 - Consistent with the Countywide Pedestrian Plan and the Countywide Bicycle Plan, construct multimodal facilities and install safety-related improvements on rural roads and highways, such as new signals, bike lanes, multi-use paths, shoulder widening, or softening sharp curves.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant transportation and traffic impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to on transportation and traffic exists showing that the Project would have any new or substantially more severe on transportation and traffic impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce transportation and traffic impacts identified in the GPU EIR that the applicant declines to adopt.

Tribal Cultural Resources

The CEQA Guidelines were amended to require analysis of impacts to tribal cultural resources following certification of the GPU FEIR, and the GPU EIR therefore did not include analysis focused on impacts related to tribal cultural resources.¹ However, the GPU EIR did include an analysis of impacts to prehistoric and archaeological resources and considered potential impacts to resources important to Native Americans.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. [The County complied with SB 18's tribal consultation requirements in [Spring of 2024] and [summarize consultation.]

As noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies described above in the Cultural Resources section of this Appendix, as well as tribal consultation requirements under AB 52.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

¹ Amendments to the CEQA Guidelines do not qualify as "new information" that would trigger the need for subsequent CEQA review. *See, e.g., Concerned Dublin Citizens v City of Dublin* (2013) 214 Cal. App. 4th 1301, 1320 (new guidelines regarding GHG emissions analysis were not significant new information requiring further CEQA review).

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant tribal cultural resources impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to tribal cultural resources exists showing that the Project would have any new or substantially more severe tribal cultural resources impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce tribal cultural resources impacts identified in the GPU EIR that the applicant declines to adopt.

Utilities and Service Systems

As summarized below, the GPU EIR evaluated the utilities and service systems impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have a significant and unavoidable impact related to water supply impacts. All other impacts related to utilities and service systems under Alternative A would be less than significant or less than significant with mitigation incorporated. Because Alternative A would generate 842 acre-feet annually of residential water demand and 2,780 acre-feet annually for non-residential uses and water shortages are expected, the impacts are significant and unavoidable even with implementation of mitigation measures. (GPU EIR, p. 4.13-45.) Alternative A could result in an increase in sewer service demand of 0.99 mgd by the year 2030, with some of this demand occurring in areas serviced by the cities of American Canyon and Napa (e.g., anticipated job growth in the Airport Industrial Area), resulting in less than significant impacts with mitigation measures. (GPU EIR, p. 4.13-55.) Landfill facilities have adequate capacity for the increase of solid waste generated by Alternative A, resulting in less than significant impact. (GPU EIR, p. 4.13-59.) No infrastructure improvements have been identified by service providers that would be necessitated by the implementation of Alternative A, resulting in less than significant impacts. (GPU EIR, p. 4.13-72.)

With compliance with the County Code provisions under chapters 13.04, 13.08, 13.12 and 13.15 and the implementation of the following mitigation measures, GPU EIR concluded that most utilities and service systems impacts would be mitigated to less than significant under Alternative A:

- MM 4.13.3.1a, which requires the County to adopt a general plan policy that requires the County to periodically review its groundwater ordinance and discretionary projects proposing the use of groundwater.

- MM 4.13.3.1b, which requires the County to adopt a general plan policy that requires verification of adequate water supply and distribution facilities for development projects prior to their approvals.
- MM 4.13.4.1, which requires the County to adopt a general plan policy that requires verification of adequate wastewater service for development projects prior to their approvals.
- MM 4.11.4 and MM 4.11.5a through e, which can be found in the Hydrology and Water Quality section of this Appendix.

(See GPU EIR, pp. 4.13-46, -56.)

Alternative E- The GPU EIR concluded that water supply impacts would be significant and unavoidable even with the implementation of mitigation measures MM 4.11.4, 4.11.5a through e, and 4.13.3.1a and b and compliance with County Code (Chapters 13.04, 13.08, 13.12 and 13.15). (GPU EIR, p. 6.0-64.) Sewer treatment and conveyance impacts would be less than significant with implementation of mitigation measure MM 4.13.4.1 and compliance with County Code provisions associated with sewer system design and operation. (GPU EIR, p. 6.0-64.) Solid waste service and provision of electric and natural gas resources would have less than significant impacts under Alternative E. (GPU EIR, p. 6.0-64 through -65.)

Mitigation measures related to utilities are set forth below.

Relevant GPU EIR Mitigation Measures

MM 4.13.3.1a. The County shall include a policy in the General Plan that requires the County to periodically review its groundwater ordinance based on available studies and monitoring data, and shall review all discretionary projects proposing the use of groundwater to ensure they will not significantly impact groundwater availability or use over the long term. In some areas, this analysis may utilize quantitative standards based on technical studies and established by ordinance; in other areas, this analysis may involve comparing the projected rate of groundwater use to the calculated rate of recharge. The most detailed review and the most stringent standards will be applied in officially designated groundwater deficient areas, such as the MST.

MM 4.13.3.1b. The County shall include a policy in the General Plan that requires verification of adequate water supply and distribution facilities for development projects prior to their approvals. This will include (as applicable) coordination with the cities, public and private water purveyors to verify water supply adequacy and may be satisfied as part of compliance with County Code provisions and/or state law requirements (i.e., Senate Bill 610 and Senate Bill 221).

MM 4.13.4.1. The County shall include a policy in the General Plan that requires (as part of continued implementation of County Code Title 13 Division 2 provisions associated with sewer systems) verification of adequate wastewater service for development projects prior to their approvals. This will include coordination with wastewater service purveyors to verify adequate capacity and infrastructure either exists or will be available upon operation of the development project.

MM 4.11.4 and MM 4.11.5a through e can be found in the Hydrology and Water Quality section of this Appendix.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impact on utilities and service systems under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause utilities and service systems impacts. As such, the proposed project would not result in new significant impacts to utilities and service systems that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement GPU MMs 4.13.3.1a and b and 4.13.4.1. These policies include, but are not limited to the following:

- **Policy CON-58:** Recognizing the difficulty of assessing and resolving groundwater problems, the County shall periodically review and update groundwater policies and ordinances as new studies and monitoring data become available to protect the County's surface water and groundwater resources, and implement various protective recommendations outlined in the 2050 Napa Valley Water Resources Study as appropriate (West Yost & Assoc., 2005).
- **Policy CON-53:** The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code

“fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

- **Policy CON-62:** As stated in Policy AG/LU-74, the County supports the extension of recycled water to the Coombsville area to reduce reliance on groundwater in the MST groundwater basin and exploration of other alternatives. Also, the County shall identify and support ways to utilize recycled water for irrigation and non-potable uses to offset dependency on groundwater and surface waters and ensure adequate wastewater treatment capacity through the following measures:
 - Require (as part of continued implementation of County Code Title 13 Division 2 provisions associated with sewer systems) verification of adequate wastewater service for all development projects prior to their approvals. This requirement includes coordination with wastewater service purveyors to verify adequate capacity and infrastructure either exists or will be available prior to operation of the development project.
 - Use wastewater treatment and reuse facilities where feasible to reclaim, reuse, and deliver treated wastewater for irrigation and possible potable use depending on wastewater treatment standards.
 - Require proposals for non-residential construction in the Airport Industrial Area and lower Milliken-Sarco-Tulocay Creeks Area to incorporate dual plumbing to allow for the use of non-potable/recycled water when such water becomes available.
 - Encourage the use of non-potable/recycled water wherever recycled water is available and require the use of recycled water for golf courses where feasible.

Consistency with these policies would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant utilities and service systems impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to on utilities and service systems exists showing that the Project would have any new or substantially more severe on utilities and service systems impacts relative to impacts identified in the GPU EIR.

- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce utilities and service systems impacts identified in the GPU EIR that the applicant declines to adopt.

Wildfire

As summarized below, the GPU EIR evaluated wildfire impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternative A- The GPU FEIR found that Alternative A would have a less than significant impact to wildfire. Because subsequent development would be subject to County Code and Public Resources Code provisions provide development standards and restrictions regarding structure design, fuel modification zone design, adequacy of emergency access, water for fire fighting and other associated standards, as well as the “Napa Firewise” program, impacts would be less than significant. (See GPU EIR, pp. 4.9-32.)

Alternative E- The GPU EIR concluded that wildfire would result in less than significant impacts without mitigation measures. (GPU EIR, p. 6.0-55.) Thus, no mitigation measures are required under Alternative E.

Relevant GPU EIR Mitigation Measures

Wildfire impacts do not require implementation of mitigation measures.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU would have less than significant impact on wildfire under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause transportation and traffic impacts. As such, the proposed project would not result in new significant impacts to wildfire that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County’s Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies addressing wildfire. These policies include, but are not limited to the following:

- **Policy CON-6:** The County shall impose conditions on discretionary projects which limit development in environmentally sensitive areas such as those adjacent to rivers or streamside areas and physically hazardous areas such as floodplains, steep slopes, high fire risk areas and geologically hazardous areas.
- **Policy SAF-2.16:** Limit development to protect life and property from dam failure and wildfires. Review all new development proposals relative to dam failure inundation maps and areas subject to wildfire to recommend denial of or limits on development if necessary to protect life and property.
- **Policy SAF-10.2:** Maintain consistency with California codes. Maintain consistency with California Code of Regulations Title 14 Natural Resources Division 1.5 Department of Forestry Chapter 7 - Fire Protection.
 1. Action Item SAF-10.2a: Update municipal code per state fire protection code. Review and update the Napa County Municipal Code as necessary to bring the code into compliance with California Code of Regulations Title 14 Natural Resources Division 1.5 Department of Forestry Chapter 7 - Fire Protection.
- **Policy SAF-10.3:** Coordinate with fire agencies to plan for fire prevention and suppression needs. The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs, including identifying future water supply for fire suppression needs.
- **Policy SAF-10.4:** Minimize hazards in very high fire hazard severity zones. Avoid or minimize new residential development in the very high fire hazard severity zone (VHFHSZ). If new development occurs within the VHFHSZs, the County will ensure the most current state and local fire regulations and codes are applied, such as the State Fire Safe Regulations, Fire Codes, Defensible Space, and the most current State Home Hardening recommendations.
 1. Action Item SAF-10.4a: Create standards for development in high fire hazard severity areas. Develop site criteria and construction standards for development in high fire hazard severity zones and adopt standards to restrict urbanizing these areas as defined in Policy AG/LU-27 unless adequate fire services are provided.
 2. Action Item SAF-10.4b: Implement the Community Wildfire Protection Plan. Continue to implement the Board of Supervisors–approved Napa County Community Wildfire Protection Plan (CWPP) and ensure that the CWPP is supported and maintained through regular updates. Enable and fund the Napa Communities Firewise Foundation and other community organizations to continue to implement the CWPP through information and education programs, community outreach, and fuel modification.
- **Policy SAF-10.8:** Ensure new development complies with fire safety standards. All new development shall prepare a fire protection plan that complies with established fire safety standards. Ingress and egress will be constructed utilizing the most current State Fire Safe Regulations, Fire Code, Napa County Road and Street Standards, and/or County Code that meet these minimum requirements.

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

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

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe significant wildfire impacts relative to impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to wildfire exists showing that the Project would have any new or substantially more severe wildfire impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce wildfire impacts identified in the GPU EIR that the applicant declines to adopt.

Cumulative

As summarized below, the GPU EIR evaluated the cumulative impacts of redesignation of the Project Site for industrial development, including the potential for eventual industrial development on the Site.

Alternatives A and E- The GPU FEIR found that the GPU would have a significant and unavoidable cumulative impact with respect to Population, Housing and Employment, Transportation, Biological Resources, Noise, Air Quality, Geology and Soils, Hydrology and Water Quality (groundwater impacts), Cultural and Paleontological Resources, and Public Services and Utilities (water supply) under all alternatives. All other areas were found to be less than significant or less than significant with mitigation with respect to cumulative impacts. (GPU EIR, p. 5.0-7 through -29.)

The GPU found that all alternatives would further imbalance the ratio of jobs and housing in the County, resulting in cumulatively considerable impacts. (GPU EIR, p. 5.0-10.) Under all alternatives, the GPU would generate more regional trips and traffic, increasing congestion along the regional highways system; this increase in congestion would result in cumulatively considerable impacts. (GPU EIR, p. 5.0-12.) Under all alternatives, the GPU would (i) result in increased demand on groundwater supplies, (ii) increase the demand for additional sources of potable and irrigation water as well as additional or expanded treatment and distribution facilities, (iii) include increases to population, housing and employment in the County that would be in addition with anticipated growth of the cities of Napa County and region, (iv) contribute to significant impacts on local roadways and state highways, leading to groundwater decline and overdraft, (v) substantially contribute to cumulative impacts associated with significant effects to special-status plant and wildlife species, sensitive natural communities, and movement corridors, (vi) contribute to an increase in Greenhouse Gas (GHG) emissions from vehicle transportation, building energy use and possibly agricultural operations and may contribute to increases in atmospheric GHG concentrations, resulting in cumulatively considerable impacts. (GPU EIR, p. 5.0-10 through -13, -16, -19, -23.) Under all alternatives, the GPU could (i) result in the disturbance of cultural and paleontological resources and human remains, (ii) result in increased traffic noise along local and regional roadways and highways, (iii) conflict with existing regional efforts to achieve attainment of ambient air quality standards for ozone and particulate matter, (iv) result in cumulative impacts to geologic and seismic hazards by increasing population in a seismically active area, resulting in cumulatively considerable impacts. (GPU EIR, p. 5.0-14 through -17, -20.)

Under all alternatives, the GPU would not (i) result in a cumulatively considerable contribution to the conversion of the loss of Prime Farmland, Unique Farmland, Farmland of Statewide Importance to nonagricultural uses, (ii) conflict or contribute to a conflict with applicable land use plans, policies, or regulations of agencies with jurisdiction over parts of the County that provide for environmental protection, (iii) substantially contribute to cumulative impacts special-status fish species, (iv) result in cumulative hazardous material and human health risk impacts, (v) increase impervious surfaces and alter drainage conditions and rates in the County, (vi) increase the demand for fire protection and emergency response services, (vii) increase wastewater flows and require additional infrastructure and treatment capacity, (viii) increase solid waste generation and the demand for related services, (ix) increase the County's population and require new schools to accommodate residential growth, (x) increase energy use and the demand for electrical and natural gas facilities and related infrastructure, (xi) increase the demand for the social services, (xii) increase population that would result in an increase in

the demand for recreational opportunities and facilities, and (xiii) result in the further conversion of the County's rural landscape to residential, commercial, and other land uses, contributing to the alteration of the visual resources in the region, resulting in impacts that are either less than considerable or less than considerable with implementation of mitigation measures. (GPU EIR, p. 5.0-7, -8, -14, -16, -17, -20, -22, -24 through -29.) Under all alternatives, the GPU could (i) introduce additional non-point source pollutants to surface waters, resulting in less than cumulatively considerable impacts with implementation of mitigation measures. (GPU EIR, p. 5.0-19, -20.)

With the implementation of the following mitigation measures, GPU EIR concluded that most cumulative impacts would be mitigated to less than significant under all alternatives: MMs 4.2.2, 4.3.1, 4.3.2, 4.4.1a through j, 4.5.1a through c, 4.5.2a through c, 4.5.3a through c, 4.6.1a and b, 4.6.5a through c, 4.6.6, 4.7.1a, 4.7.4, 4.8.1a through d, 4.8.2, 4.8.7, 4.9.2, 4.9.4, 4.10.1, 4.10.2, 4.10.4a through c, 4.11.2a and b, 4.11.3a and b, 4.11.4, 4.11.4a, 4.11.5a through e, 4.11.9, 4.12.1, 4.12.2, 4.13.3.1a through c, 4.13.4.1, 4.13.9.1a through d, and 4.14.1a through f.

Relevant GPU EIR Mitigation Measures

Relevant GPU EIR mitigation measures are set forth in the sections above.

Analysis of Project in Relation to Alternatives A and E

The GPU FEIR found that the GPU in some circumstances would have a less than significant impact with mitigation incorporated and in other circumstances would have significant and unavoidable impact on utilities and service systems under Alternatives A and E. The proposed project is a planning level redesignation and rezoning only; no development of the property is proposed at this time, and the project therefore would not change the current state of the property in a way that would cause utilities and service systems impacts. As such, the proposed project would not result in new cumulatively significant impacts that were not previously evaluated in the certified GPU FEIR.

The Project includes a request to amend the General Plan to redesignate the project site from AWOS to I and to rezone the project site from AW to IP. However, as noted above, no development of the Project Site is proposed at this time. Any future industrial development proposal submitted to the County would be subject to discretionary review through the County's Conditional Use Permit (CUP) process (including additional CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162), and would be subject to the requirements of applicable County general plan policies that help implement mitigation measures set forth throughout this Appendix.

Consistency with general plan policies set forth in the sections above would ensure that any future industrial development on the Project Site would not cause impacts exceeding those analyzed in the GPU EIR.

For the reasons set forth above, with respect to Public Resources Code section 21166 and Guidelines section 15162:

- The Project does not include substantial changes relative to anticipated development previously analyzed in the GPU EIR, and will not be developed under substantially changed circumstances.
- The Project would not result any new or substantially more severe cumulative impacts identified in the GPU EIR resulting from substantially changed circumstances or substantial changes in the anticipated development previously analyzed.
- No new information related to cumulative impacts exists showing that the Project would have any new or substantially more severe cumulative impacts relative to impacts identified in the GPU EIR.
- There are no new or substantially different, feasible mitigation measures or alternatives that would substantially reduce cumulative impacts identified in the GPU EIR that the applicant declines to adopt.



A Tradition of Stewardship
A Commitment to Service

FILE # _____

NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

APPLICATION FOR A ZONE CHANGE

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ Date Filed: _____

REQUEST: _____ Date Published: _____

_____ Date Posted: _____

_____ ZA CDPC BS APPEAL

_____ Hearing: _____

_____ Action: _____

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Applicant's Name: Hess Persson Estates (Tim Persson) _____

Telephone #: (707) 255 - 1144 Fax#: () - Email: tpersson@hesspersson.com

Site Address: (See APN #) _____ Assessor's #(s): 057-090-065

No. Street City State zip

Mailing Address: (Same as Applicant, below) _____

No. Street City State Zip

Status of Applicant's interest in property: Property owner

Property Owner(s) Name: Hess Persson Estates (Tim Persson) _____

Telephone #: (707) 255 - 1144 Fax#: () - Email: tpersson@hesspersson.com

Mailing Address: 4411 Redwood Road, Napa, CA 94558

No. Street City State Zip

PLEASE ATTACH A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY

Agricultural Watershed

Zone Change: From (AW) To Industrial Park (IP) Text Change: N/A

Explain Fully the reason for zone change or zoning text change: The proposed project includes a request to amend the General Plan to change the Property's land use designation from AWOS to Industrial and a request to rezone the Property from AW to IP, consistent with GPU Policy AG/LU-40, the GPU EIR's Alternatives A and E, and the Property's prior existing industrial land use designation/zoning.

I certify that the above statements are correct and that the plot plan is accurate.

Timothy Persson
Signature of Applicant

8/1/2024
Date

Timothy Persson
Signature of the Property Owner

8/1/2024
Date

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

*Total Estimated Fees: \$ _____ Receipt No. _____ Received by: _____ Date: _____

***Total Fees will be based on actual time and materials**

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Timothy Persson
Applicant

Property Owner (if other than Applicant)

8/1/2024
Date

Hess Collection-Laird General Plan Amendment & Rezoning Project
Project Identification



FILE# _____

NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559
(707) 253-4417

APPLICATION FOR GENERAL PLAN OR SPECIFIC PLAN AMENDMENT

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Application for General Plan Amendment
Application for Specific Plan Amendment

Applicant's Name: The Hess Collection Winery ("HCW")

Telephone #: (707) 255 - 1144 Fax #: () - E-Mail: tpersson@Hesscollection.com

Mailing Address: 4411 Redwood Road Napa CA 94558
No. Street City State Zip

Status of Applicant's Interest in Property: Owner

Property Owner's Name: (same as applicant, see above)

Telephone #: () - Fax #: () - E-Mail: (same as applicant, see above)

Mailing Address: (same as applicant, see above)
No. Street City State Zip

Project Site Address/Location: (see APN, below)
No. Street City State Zip

Assessor's Parcel Number(s): 057-090-065

General Location and Acreage: 241.1 acres of land located northeast of the intersection of SR 29 and Green Island Road (the "Property").

Existing General Plan Or Specific Plan Designation: Agriculture, Watershed, and Open Space

Proposed General Plan Or Specific Plan Designation: Industrial

Change(s) Requested to Accomplish the Following: General Plan Amendment and Rezone to re-designate the Property to the County's "Industrial" land use designation and to rezone the Property to the County's "General Industrial" zoning district. Following re-designation and rezoning, development of the Property and the adjacent property (owned by Laird Family Estate) with up to 4.5 million square feet of industrial uses, which would include up to 1,250 employees, pursuant to a development agreement with the County.

See attached cover letter. See also the related General Plan Amendment Application submitted by Laird Family Estate.

SUPPORTING INFORMATION:

A. Describe what changes have occurred in the area or county which create the need for this change. County General Plan Policy AG/LU-40 provides that the Property, as part of "Hess Vineyards," may be re-designated to an "Industrial" designation if Flosden/ Newell Road is extended north of the previously-proposed Green Island Road alignment. The Watson Ranch Specific Plan, approved by the City of American Canyon in 2018, contemplates the extension of Newell Road northwards through the Property to connect to SR 29 at Green Island Road. The connection of Newell Road through the Property to SR 29 is necessary for completion of the the Newell Road extension. Further, HCW is willing to dedicate a portion of its Property for a preferred north-south alignment to South Kelly Road. The completed road extension would substantially improve traffic circulation in an already heavily congested area. See conceptual plans attached as Exhibit A.

B) Describe the natural characteristics of the land that make it suitable for the proposed change. The Property is predominantly flat, with direct access to SR 29 as well as the planned Newell Road extension. To the north, west, and south of the Property are existing and planned commercial and industrial uses. To the east of the Property are existing agricultural uses.

C) Describe how the proposed change relates to the goals and policies of the county's adopted General Plan or Specific Plan: Policy AG/LU-40 explicitly contemplates re-designating the Property to an Industrial designation as part of the Newell Road extension. The Property also is located in the County's "South County Industrial Area," which represents the largest urbanized area in the County. The County's General Plan supports continued development of industrial uses in this area. Re-designating the Property to an Industrial designation would be compatible with existing and planned development. The Property is specifically excluded from Measure J and Measure P. The proposed re-designation and rezoning of the Property may benefit from and be tiered off of the County's General Plan Update Environmental Impact Report, certified in June 2008, which analyzed the Property under an industrial designation and converting to industrial uses.

Submit a check or money order in the amount of \$ 5,000 Payable to the County of Napa, as a deposit toward actual costs, to the Planning, Building, and Environmental Services Department office.

Timothy Persson 3/24/21
Signature of Applicant Date
Timothy Persson
Print Name

Timothy Persson 3/24/21
Signature of Property Owner Date
Timothy Persson
Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

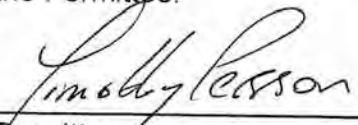
Receipt No. _____ Received by: _____ Date: _____

INDEMNIFICATION AGREEMENT

In consideration of the discretionary approval for the project identified below, Permittee agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding (collectively referred to as "proceeding") brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County's advisory agencies, appeal boards, zoning administrator, planning staff, planning commission, or board of supervisors, which action is brought within the applicable statute of limitations. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding that relate solely to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Permittee, the County and/or the parties initiating or bringing such proceeding. Permittee further agrees to indemnify the County for all the County's costs, fees, and damages, which the County incurs in enforcing this indemnification agreement.

Permittee further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County, its agents, officers, employees and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Permittee desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Permittee of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Permittee of the proceeding, or if County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorney's fees and costs, and defends the action in good faith. The Permittee shall not be required to pay or perform any settlement unless the settlement is approved by the Permittee.



Permittee

Property Owner (if other than Permittee)

24 MARCH 2021
Date

Project Identification



A Tradition of Stewardship
A Commitment to Service

FILE# _____

NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559
(707) 253-4417

APPLICATION FOR GENERAL PLAN OR SPECIFIC PLAN AMENDMENT

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Application for General Plan Amendment
Application for Specific Plan Amendment

Applicant's Name: Laird Family Estate ("Laird") (Ken Laird)

Telephone #: (707) 257 - 3910 Fax #: () - E-Mail: kejacklaird@aol.com

Mailing Address: 5055 Solano Avenue Napa CA 94558
No. Street City State Zip

Status of Applicant's Interest in Property: Owner

Property Owner's Name: (same as applicant, see above)

Telephone #: () - Fax #: () - E-Mail: (same as applicant, see above)

Mailing Address: (same as applicant, see above)
No. Street City State Zip

Project Site Address/Location: (see APN below)
No. Street City State Zip

Assessor's Parcel Number(s): 057-090-066

General Location and Acreage: 38 acres of land located east of the intersection of SR 29 and South Kelly Road (the "Laird Property").

Existing General Plan Or Specific Plan Designation: Agriculture, Watershed, and Open Space

Proposed General Plan Or Specific Plan Designation: Industrial

Change(s) Requested to Accomplish the Following: General Plan Amendment and Rezone to re-designate the Laird Property to the County's "Industrial" land use designation and to rezone the Laird Property to the County's "General Industrial" zoning district. Following re-designation and rezoning, development of the Laird Property and the adjacent property (owned by the Hess Collection Winery) with up to 4.5 million square feet of industrial uses, which would include up to 1,250 employees, pursuant to a development agreement with the County.

See attached cover letter. See also the related General Plan Amendment application submitted by the Hess Collection Winery.

SUPPORTING INFORMATION:

A. Describe what changes have occurred in the area or county which create the need for this change. The Laird Property is a portion of "Hess Vineyards", as identified in the County's General Plan. Pursuant to General Plan Policy AG/LU-40, Hess Vineyards, including the Laird Property, may be re-designated to an "Industrial" designation if Flosden/Newell Road is extended north of the previously-proposed Green Island Road alignment. The Watson Ranch Specific Plan, approved by the City of American Canyon in 2018, contemplates the extension of Newell Road northwards through Hess Vineyards to connect to SR 29 at Green Island Road. The connection of Newell Road through Hess Vineyards is necessary for completion of the Newell Road extension. Laird is willing to dedicate a portion of its property for a preferred north-south alignment to South Kelly Road, which would substantially improve traffic circulation in an already heavily congested area. See attached conceptual plans.

B) Describe the natural characteristics of the land that make it suitable for the proposed change. The Laird Property is predominantly flat, with direct access to SR 29 and South Kelly Road, as well as the proposed north-south Newell Road alignment option. To the north, west, and south of the Laird Property are existing and planned commercial and industrial uses. To the east are existing agricultural uses. The Laird Property is necessary to complete the proposed north-south Newell Road alignment option and connect to South Kelly Road.

C) Describe how the proposed change relates to the goals and policies of the county's adopted General Plan or Specific Plan: Policy AG/LU-40 explicitly contemplates re-designating the Laird Property, as part of Hess Vineyards, to an Industrial designation as part of the Newell Road extension. The Property is located in the County's "South County Industrial Area," which represents the largest urbanized area in the County. The County's General Plan supports continued development of industrial uses in this area. Re-designating the Laird Property to an Industrial designation would be compatible with existing and planned development. The Laird Property is specifically excluded from Measure J and Measure P. The proposed re-designation and rezoning of the Laird Property may benefit from and be tiered off of the County's General Plan Update Environmental Impact Report, certified in June 2008, which analyzed the Laird Property under an industrial designation and converting to industrial uses.

Submit a check or money order in the amount of \$ 5,000 Payable to the County of Napa, as a deposit toward actual costs, to the Planning, Building, and Environmental Services Department office.

Ken Laird 3/24/21
Signature of Applicant Date
Ken Laird
Print Name

Ken Laird 3/24/21
Signature of Property Owner Date
Ken Laird
Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Receipt No. _____ Received by: _____ Date: _____

INDEMNIFICATION AGREEMENT


In consideration of the discretionary approval for the project identified below, Permittee agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding (collectively referred to as "proceeding") brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County's advisory agencies, appeal boards, zoning administrator, planning staff, planning commission, or board of supervisors, which action is brought within the applicable statute of limitations. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding that relate solely to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Permittee, the County and/or the parties initiating or bringing such proceeding. Permittee further agrees to indemnify the County for all the County's costs, fees, and damages, which the County incurs in enforcing this indemnification agreement.

Permittee further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County, its agents, officers, employees and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Permittee desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Permittee of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Permittee of the proceeding, or if County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorney's fees and costs, and defends the action in good faith. The Permittee shall not be required to pay or perform any settlement unless the settlement is approved by the Permittee.



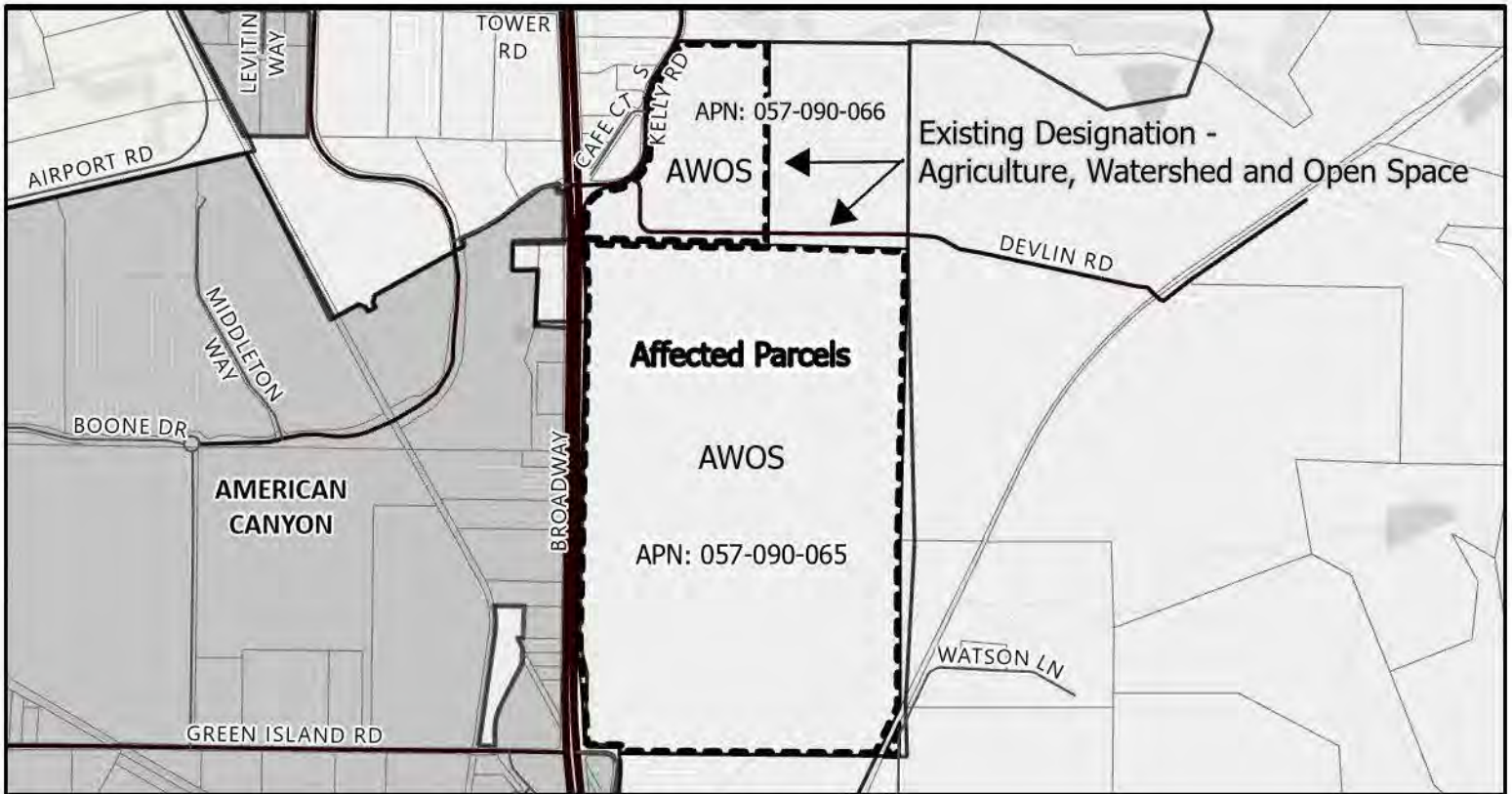
Permittee



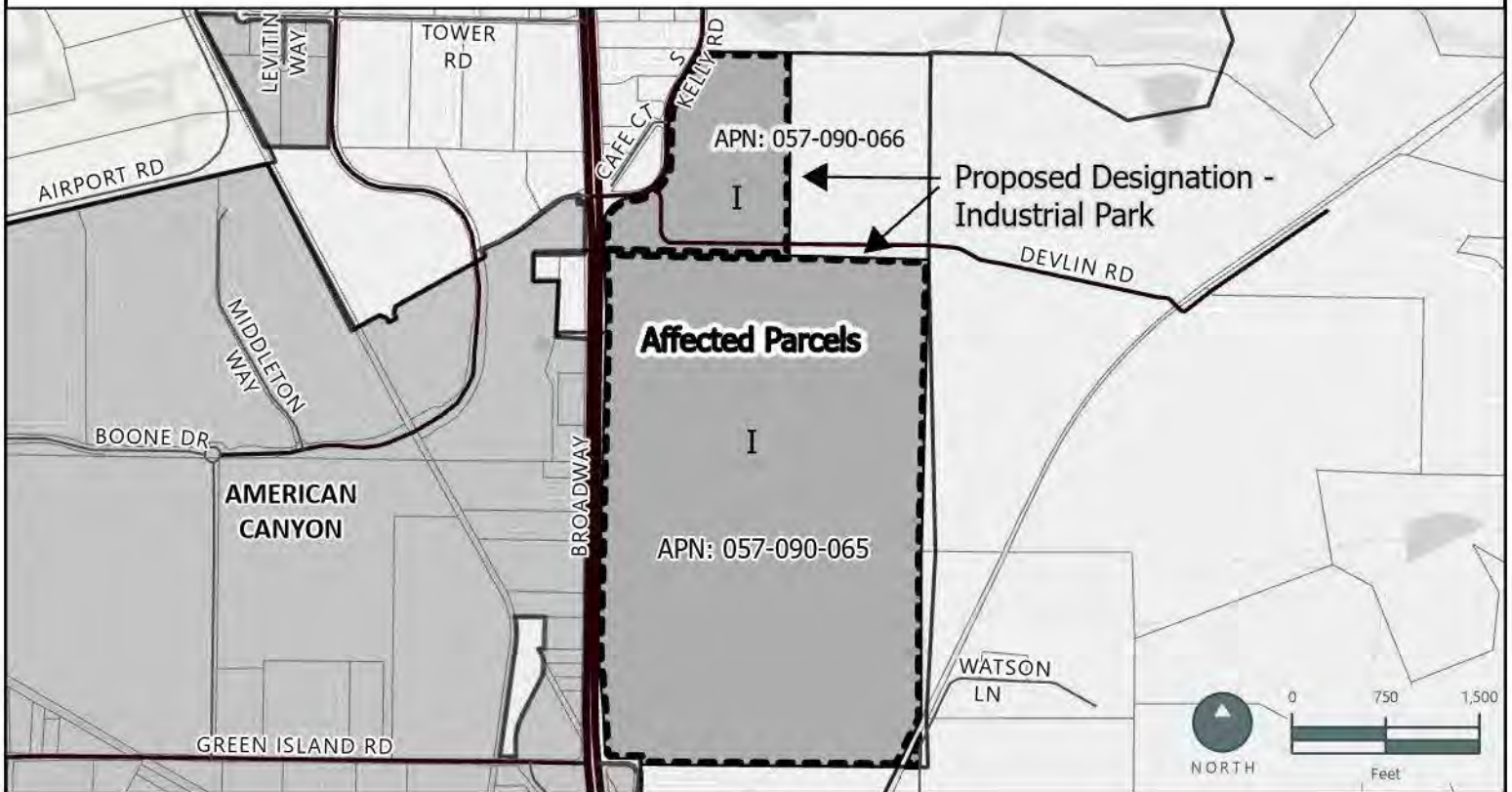
Property Owner (if other than Permittee)

Date

Project Identification



Existing Designation



Proposed Designation

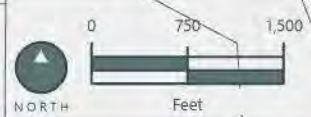
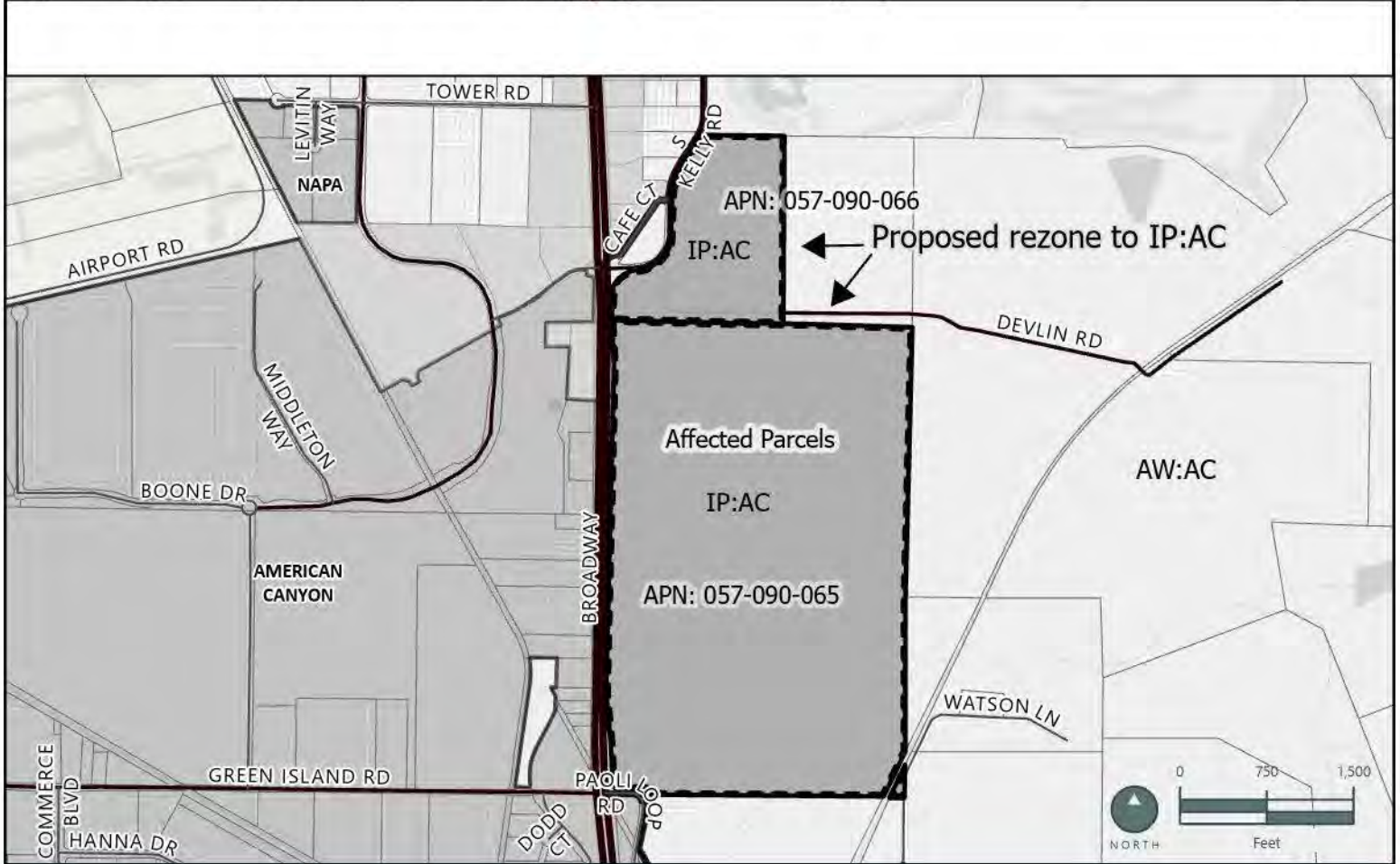
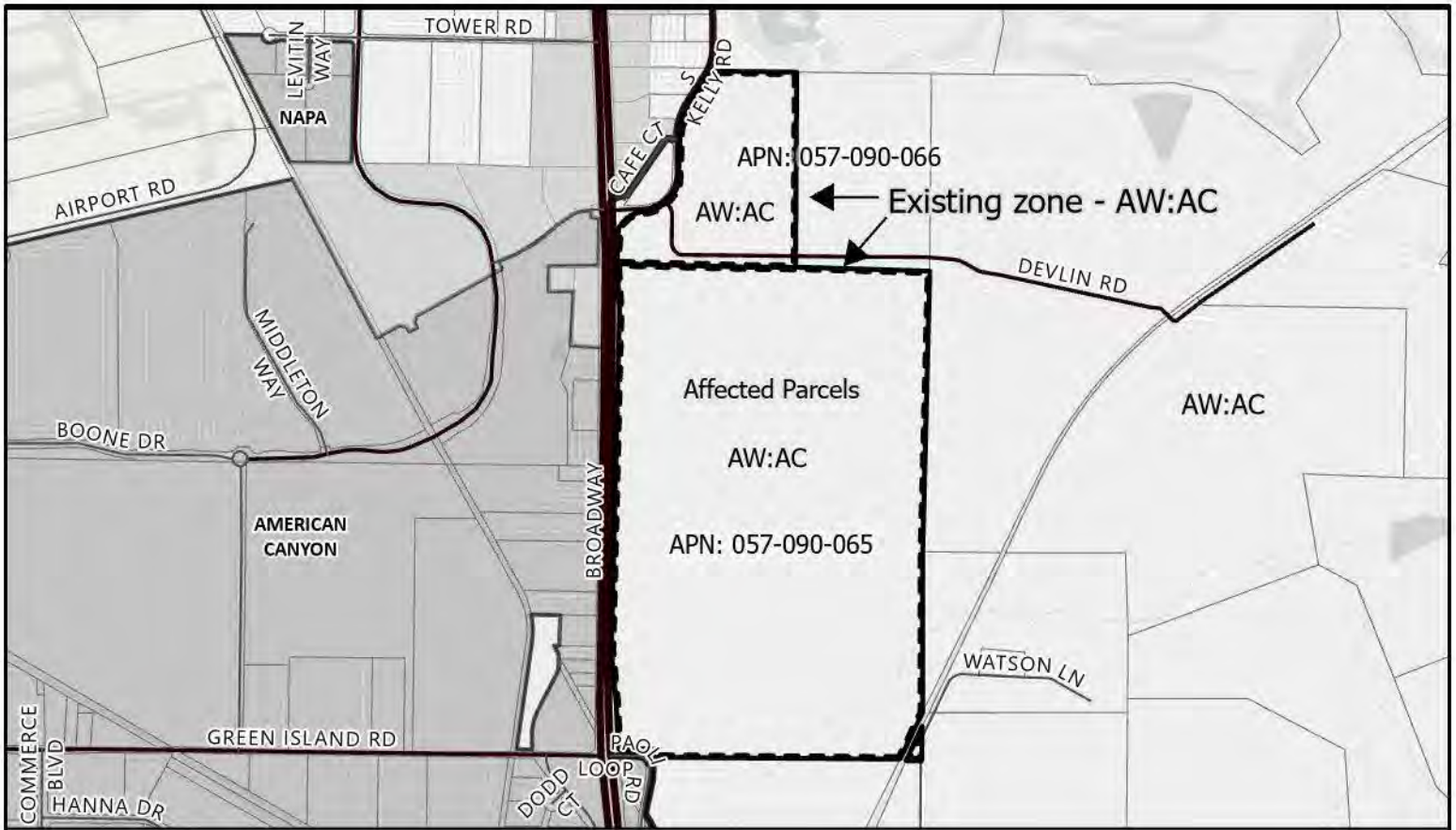
General Plan Amendment | P21-00055 Hess Collection - Laird

DATE PUBLISHED: 4/16/2024 DATE REVISED: AUTHOR: SC MAP SCALE: 1:18,000

Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated herein.

PLANNING, BUILDING &
ENVIRONMENTAL SERVICES
1195 THIRD STREET, SUITE 210
NAPA, CA 94559
(707) 253-4417





Rezoning | P21-00055 Hess Collection - Laird

PLANNING, BUILDING & ENVIRONMENTAL SERVICES
1195 THIRD STREET, SUITE 210
NAPA, CA 94559
(707) 253-4417



DATE PUBLISHED: 4/16/2024
DATE REVISED:

AUTHOR: SC
MAP SCALE: 1:18,000