



Preserve Lodi Lane
Appeal of Duckhorn Expansion
Napa County Board of Supervisors
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1. Planning Commission Review

2. Recirculation of MND

3. Need for EIR Due to:

- *Traffic Safety*
 - *Cumulative Impacts*
 - *Water Usage*
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Revised MND and Project Should Be Reviewed by Planning Commission

- Planning Commission is decision-making body for major modification of use permits (County Code 18.124.130.H)
- County's Local Procedures for Implementing CEQA provide for MND adoption by Planning Commission
- Precedent for reconsideration by Planning Commission

Recirculation of MND

- Duckhorn Project and MND revised after circulation
- CEQA Guidelines 15073.5 requires recirculation of MND when it has been substantially revised after previous comment period
- Substantial revision includes disclosure of impact requiring mitigation
 - Revised MND discloses for first time need for mitigation due to water supply impacts

Duckhorn Project Requires EIR

- CEQA requires preparation of an EIR instead of MND whenever “there is substantial evidence to support a fair argument that the project may have significant adverse environmental impacts.” (Pub. Resources Code 21151.)
 - Lack of analysis weighs in favor of EIR
 - Personal observations are substantial evidence
 - Contrary evidence is irrelevant
 - Exacerbation of existing impacts

Traffic Hazards on Lodi Lane

- Personal observations of existing hazardous conditions
 - Blind curves on Highway 29
 - Narrow bridge on Lodi Lane
 - No sidewalks or bike lanes
- Project impacts from increase in traffic on narrow rural road
 - New tanker truck use
 - LOS F in violation of Circulation Element
 - Failure to implement TIS recommendations
 - Failure to install left-turn lane

Cumulative Impacts

- CEQA requires analysis of incremental effects of an individual project in connection with the effects of past projects, other current projects, and probable future projects
 - Inn at the Abbey
 - Cumulative traffic congestion
 - Cumulative traffic safety impacts on Lodi Lane
 - Numerous other cumulative projects within 1/2 mile granted permit increases in last 5 years and proposed for expansions



thank you

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