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Draft Environmental Impact Report

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

Public Draft

INN AT THE ABBEY

Draft Environmental Impact Report (SCH#2020079021)

Prepared for
Napa County

April 2025

ESA

Public Draft

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

April 2025

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CHAPTER 1
Introduction

This Draft Environmental Impact Report (EIR), including the Initial Study, has been prepared pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines to analyze potential physical environmental impacts of the proposed Inn at the Abbey Project (Project).[1] A brief overview of the Project and the environmental review process, and a description of the purpose of this Draft EIR, including the Initial Study, and opportunities for public comment, are provided below, along with an explanation of how this Draft EIR is organized.

1.1 Project Overview

The Project is located on an approximately 15.13-acre site at Lodi Lane along SR 29, approximately 0.5 mile north of the city limits of St. Helena, in unincorporated Napa County. The Project is comprised of six parcels in two sections separated by Lodi Lane:

- The "North Parcel" is approximately 10.30 acres and consists of the four parcels located north of Lodi Lane. The four contiguous parcels are Assessor's Parcel Numbers [APNs] 022-130-027, 022-130-028, 022-130-023 and 022-130-024. The North Parcel is generally bounded by vineyards to the north, a commercial inn to the east, Lodi Lane to the south, and State Route (SR) 29 to the west.
- The "South Parcel" is approximately 4.83 acres and consists of the two parcels located south of Lodi Lane. The two contiguous parcels are APN 022-220-028 and 022-220-029. The South Parcel is bounded by Lodi Lane to the north, agricultural uses to the east and south, and SR 29 to the west.

The North Parcel and South Parcel are collectively referred to as the "Project site" in this document.

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

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

grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane, an on-site private fire truck, and the provision of affordable housing units for employees.

1.2 Environmental Review Process

1.2.1 Use of this EIR and Type of EIR

Consistent with CEQA, this Draft EIR, including the Initial Study, is a public information document that assesses the potential physical environmental impacts that could result from construction and use of the Inn at the Abbey Project, recommends mitigation measures to lessen or eliminate adverse impacts, and examines feasible alternatives to the Project. The Draft EIR's key purpose is to inform decision makers at Napa County (County) and other responsible agencies, as well as the public. The County is the Lead Agency for purposes of CEQA and will review and consider the information contained in this Draft EIR prior to taking action on the Project. CEQA requires that all State and local government agencies consider the environmental consequences of projects over which they have discretionary authority. This EIR provides information to be used in the planning and decision-making process. It is not the purpose of an EIR to recommend approval or denial of a project. The County has made this Draft EIR available for review and comment, as indicated in the Notice of Availability issued with this document and explained in Section 1.2.5, *Public Review of this Draft EIR*, below.

Furthermore, this Draft EIR is a focused EIR, in accordance with CEQA Guidelines section 15063(c). In accordance with section 15128, an Initial Study on the Project was prepared as part of this Draft EIR (see Draft EIR Appendix B, Initial Study) to identify which topics warrant more detailed environmental analysis. The Initial Study is attached to this Draft EIR.[2] This Draft EIR concentrates the environmental analysis on those topics (i.e., cultural resources, greenhouse gas emissions, noise, and hydrology and water quality, etc.) identified in the Initial Study with the potential to have significant impacts. The remaining environmental topics, as documented in the Initial Study, were determined not to have a significant impact on the environment, and these topics are not analyzed further in this Draft EIR.

1.2.2 Scope of the EIR

This Draft EIR describes the Project and the existing environmental setting and analyzes and discloses the direct and indirect potentially significant impacts that could result from construction and operation of the Project. The existing environmental setting (baseline) for the purpose of environmental review consists of conditions present on the Project site, its surroundings, and the region in July 2020, when the County published the Notice of Preparation (NOP) and began preparation of this Draft EIR. The NOP is included as Appendix A.

[2] Under CEQA Guidelines section 15128, the EIR must contain a brief statement indicating the reasons why certain effects were determined not to be significant and, thus, are not studied in detail in this Draft EIR.

Pursuant to CEQA Guidelines Section 15063(c)(3), through preparation of the Initial Study, the County concluded that additional environmental review in an EIR shall be conducted for the following topics:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The environmental analysis for these topics is presented in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures.*

The information and analysis presented in the Initial Study provides substantial evidence for the conclusion, for all the issues listed below (i.e., those not addressed in further detail in this Draft EIR), that: (1) CEQA standards triggering preparation of further environmental review do not exist for those issues; and (2) impacts under these topics would be less than significant with incorporation of appropriate mitigation measures. Topics not addressed in this Draft EIR in further detail are listed below. These topics are, however, analyzed for full disclosure of the environmental determination, in the Initial Study, included within Appendix B of this Draft EIR.

- Geology and Soils
- Hazards and Hazardous Materials
- Mineral Resources
- Recreation

1.2.3 Notice of Preparation and EIR Scoping

The County of Napa published a Notice of Preparation (NOP) on July 23, 2020, pursuant to CEQA Guidelines section 15082, indicating that an EIR would be prepared for the Inn at the Abbey Project and inviting comments on the scope of the Draft EIR's analysis. The public comment period regarding the scope of the Draft EIR began on July 23, 2020, and ended on August 24, 2020, resulting in a 32-day comment period. The NOP was sent to responsible and trustee government agencies, organizations, and individuals potentially interested in the Project. A notice was published in the Napa Valley Register. A copy of the NOP was sent to the Napa County Library (Napa and St. Helena branches), to the State Clearinghouse to solicit statewide agency participation in determining the scope of the EIR, and to the County Clerk, who posted the NOP for 30 days.

During the comment period, a public scoping session was conducted by the Napa County Planning Commission on August 5, 2020, to provide a forum for public agencies and interested persons or groups to offer comments regarding the scope of the EIR, including topics to be analyzed in the EIR. Oral and written comments received during the comment period addressed a range of topics including aesthetics; air quality; biological resources; geology, soils, and geohazards; greenhouse gas and climate change;

hazards and hazardous materials; hydrology and water quality; noise; population and housing; transportation and circulation; tribal cultural resources; and utilities and service systems.

The NOP and copies of all written scoping comments are included in **Appendix A**. All of the comments have been taken into consideration in preparation of this Draft EIR. A summary of scoping comments is provided in **Table 1-1** below and in the relevant environmental topic sections in Chapter 4 of this document.

TABLE 1-1
SUMMARY OF SCOPING COMMENTS

Topic	Comment
Aesthetics	• Evaluate the aesthetic impacts related to visual character • Analyze impacts on the eligible State Scenic Highway • Address light impacts
Air Quality	• Evaluate the air quality construction impacts
Biological Resources	• Provide sufficient descriptions for the environmental setting and impact analysis and mitigation measures for any potentially impacted biological resources • Evaluate potential impacts to roosting bats
Geology and Soils	• Address liquefaction, groundshaking, and surface fault rupture hazards
Hazards and Hazardous Materials	• Present more information on past land uses • Potential need for a Phase I Environmental Site Assessment[3]
Hydrology and Water Quality	• Address stormwater and flooding impacts • Analyze water demand, supply, availability, and usage for the Project
Noise	• Evaluate construction-related noise impacts • Address frequency of planned events and concerns related to operational traffic noise
Population and Housing	• Calculate employee generation • Address employee housing demand • Evaluate housing displacement
Transportation	• Address vehicular and pedestrian safety • Evaluate intersection safety and turning movements at Highway 29 and Silverado Trail from Lodi • Analyze cumulative transportation
Tribal Cultural Resources	• Include compliance with AB 52 tribal consultation requirements • Include mitigation measures to avoid or minimize impacts to tribal cultural resources
Utilities and Service Systems	• Evaluate water demand, supply, and availability for the Project particularly regarding the water agreement with the City of St. Helena • Address wastewater treatment and disposal

1.2.4 Public Review of this Draft EIR

This Draft EIR is available for public review and comment as set forth in the Notice of Availability and Notice of Completion circulated by the County. During the review and comment period, written comments (including email) regarding the Draft EIR may be submitted to the County at the address below.

[3] A Phase I Environmental Site Assessment Report is included as Appendix M.

Napa County Planning, Building, and Environmental Services Department
Attention: Trevor Hawkes, Project Manager
1195 Third Street, Suite 210
Napa, CA 94559
Email: Trevor.Hawkes@countyofnapa.org

All comments must be received by the Planning, Building and Environmental Services Department no later than 4:00 p.m. on May 26, 2025. Comments provided by email should include "Inn at the Abbey Draft EIR Comment" in the subject line, and the name and physical address of the commenter in the body of the email.

The Draft EIR, Notice of Availability, and other supporting documents, are available for public review at the offices of the County Planning, Building, and Environmental Services Department, 1195 Third Street, Suite 210, Napa, CA 94559, on the County's website at **https://www.countyofnapa.org/2876/Current-Projects-Explorer** and on the State Clearinghouse Website at **https://ceqanet.opr.ca.gov/Project/2020079021**.

The County Planning Commission will hold a public hearing on **May 7, 2025, at 9:00 a.m.**, during which verbal comments on the Draft EIR will be accepted. Readers should consult the Planning Commission's webpage for how they can listen and participate during the hearing. The webpage can be found at **https://napa.legistar.com/Calendar.aspx**.

1.2.5 Final EIR

Following the public review and comment period on this Draft EIR, the County will prepare responses to comments received on the environmental analysis. The comments, responses, and any necessary revisions to the text of this Draft EIR will be prepared as a Responses to Comments document and provided to all those who provided comments. The Draft EIR and its appendices, together with the Responses to Comments document will constitute the Final EIR, which shall be considered for certification by the Napa County Board of Supervisors. The Board of Supervisors is the decision-maker on because the Project includes a Development Agreement. The Planning Commission will make recommendations to the Board regarding certification of the EIR, adoption of an ordinance approving the Development Agreement and approval of the Use Permit Major Modification for the Project. Before approval of the Project, the County, as lead agency and the decision-making entity, is required to certify that this EIR has been completed in compliance with CEQA, that the information in the EIR has been considered, and that the EIR reflects the independent judgment of the County. CEQA requires decision makers to balance the benefits of a project against its unavoidable environmental consequences. If environmental impacts of a project are identified as significant and unavoidable, the County may still approve the project if it finds that social, economic, or other benefits outweigh the unavoidable impacts. The County would then be required to state in writing the specific reasons for approving the project, based on information in the EIR and other information sources in the administrative record. This reasoning is called a "statement of overriding considerations" (PRC Section 21081; CEQA Guidelines Section 15093).

In addition, the County as lead agency must adopt a mitigation monitoring and reporting program (MMRP) describing the measures that were made a condition of project approval to avoid or mitigate significant effects on the environment (PRC Section 21081.6; CEQA Guidelines Section 15097). The

MMRP is adopted at the time of project approval and is designed to ensure compliance with the project description and EIR mitigation measures during and after project implementation. If the County decides to approve the project, it would be responsible for verifying that the MMRP for this project is implemented.

The EIR will be used primarily by the County and other responsible agencies during approval of future discretionary actions and permits related to this project.

1.3 Organization of this Draft EIR

This Draft EIR document is organized as follows:

- **Chapter 1, Introduction** – This chapter describes a brief overview of the Project and the environmental review process, and a description of the purpose of this Draft EIR and opportunities for public comment, along with an explanation of how the Draft EIR is organized.
- **Chapter 2, Summary** – This chapter summarizes the Draft EIR, including a brief description of the Project based on the detailed description in Chapter 3 and summaries of the environmental impact findings from the Project analyses presented in Chapter 4 and the Initial Study (Appendix B). Pursuant to CEQA Section 15123, the Summary presents: (1) each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect; (2) areas of controversy known to the County including issues raised by agencies and the public; and (3) issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.
- **Chapter 3, Project Description** – This chapter describes the whole of the Project, including off-site improvements, and infrastructure proposed to support the Project. The chapter describes the physical location of the site, the site's boundaries, and the Project Applicant's objectives, as well as the proposed uses and the physical design of the Project, its operational characteristics, and its phasing and construction processes. Consistent with CEQA Guidelines Section 15124, this chapter also describes: (1) a list of the agencies that are expected to use the EIR in their decision making; (2) a list of permits and other approvals required to implement the Project; and (3) a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies.
- **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures** – This chapter starts with an introduction that describes key environmental analysis terms used in this document and the analysis, including the impact classifications; applicability of significance criteria; the organization of each technical section of Chapter 4; and the cumulative analysis approach and setting.

  Following the introduction of the chapter, the analysis of each environmental topic is presented in a separate subsection. Each topical subsection describes the existing environmental setting of the Project site area, as well as the regulatory framework, and the significance criteria and methodology used to analyze each environmental topic. The chapter then presents results of the environmental analysis, including potential environmental impacts of the Project and the level of significance associated with each impact. Mitigation Measures that would reduce the significance of potentially significant impacts to the extent feasible are described. The chapter then identifies the level of significance of each impact following incorporation of mitigation measures. This chapter also includes a cumulative analysis to evaluate whether the Project's incremental effect is cumulatively considerable when combined with other projects causing related impacts.

- **Chapter 5, Alternatives** – This chapter describes and evaluates alternatives that would feasibly attain most of the Project objectives as well as reduce or avoid significant environmental impacts associated with the Project. This chapter also describes alternatives that were considered but were rejected as infeasible and briefly explains the reasons underlying this determination.
- **Chapter 6, Other CEQA Considerations** – This chapter lists all Significant and Unavoidable Impacts and discusses Significant Irreversible Environmental Changes, Effects Found Not to be Significant, and Growth-Inducing Impacts.
- **Chapter 7, Report Preparers** – This chapter identifies the preparers of this Draft EIR. Persons and documents consulted during preparation of the analysis are listed at the end of each section in Chapter 4 and the Appendices.
- **Appendices** – A series of appendices includes supporting background information relevant to the impact analyses contained in this Draft EIR, including the Initial Study (Appendix B).

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CHAPTER 2
Summary

2.1 Introduction

As provided by Section 15123 of the California Environmental Quality Act (CEQA) Guidelines (CEQA *Guidelines*), this chapter provides a brief summary of the Inn at the Abbey Project (Project) and its consequences. This chapter is intended to summarize in a stand-alone section the Project described in Chapter 3, *Project Description*, the impacts and mitigation measures discussed in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, and the Initial Study (**Appendix B**), and the alternatives analysis presented in Chapter 5, *Alternatives to the Project*.

This Draft Environmental Impact Report (Draft EIR) has been prepared to evaluate the anticipated environmental effects of the Project in conformance with the provisions of CEQA and the CEQA *Guidelines*. The lead agency, Napa County (County), is the public agency that has the principal responsibility for implementing the Project, which includes the issuance of a major use permit modification and other approvals (referred to collectively hereafter as the Project).

2.2 Project Summary

2.2.1 Project Location

The Project site is located in unincorporated Napa County, approximately one-half mile north of the city limits of St. Helena. The Project is comprised of a 15.13-acre site composed of six parcels located at Lodi Lane along SR 29 (see Figures 3-1 and 3-2). The "North Parcel" is approximately 10.30 acres and consists of the four parcels located north of Lodi Lane. The four contiguous parcels are Assessor's Parcel Numbers [APNs] 022-130-027, 022-130-028, 022-130-023, and 022-130-024. The "South Parcel" is approximately 4.83 acres and consists of the two parcels located south of Lodi Lane. The two contiguous parcels are APN 022-220-028 and 022-220-029. The North Parcel and South Parcel are collectively referred to as the "Project site" in this document.

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

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

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

2.2.2 Project Description

The Inn at the Abbey Project (Project) would demolish three structures totaling approximately 10,048 square feet and include approximately 78,500 square feet of new construction. The existing Stone Building on the North Parcel has approximately 21,225 square feet of floor space split between the basement and ground levels and is currently used for winery, retail wine, and restaurant uses. The Project would not physically change the building's structure; however, minor renovations to the interior are proposed so that approximately 12,900 square feet may serve as the hotel's main lobby, which may include a retail component and meeting space on the ground level. The existing ground-floor restaurant kitchen and restaurant space would be retained. Current winery uses (barrel storage, wine lab, and bottle storage spaces) in the basement of the building would be removed, and this space would be converted to commercial uses (pre-function and events space, wine room, and event back-of-house needs). The existing commercial café use would remain.

The Project would construct a 79-room hotel that would be split between the North Parcel (50 rooms) and the South Parcel (29 rooms). The new North Hotel Building on the North Parcel would be located in approximately the same location as the existing restaurant building, which would be demolished. The North Hotel Building would have approximately 55,500 square feet of floor area, including approximately 21,450 square feet for the 50 guest rooms and the remaining 34,050 square feet would be for the spa, retail operations, a rooftop terrace, other public areas, circulation, and back-of-house uses. The North Hotel Building would be a split-level structure with four levels and maximum height of 45 feet.[1] The parking garage would be underground and the remaining structure and building levels would step down with the topography.

The construction on the South Parcel would include demolishing the existing commercial and five-room motel buildings and replacing them with a two-story South Hotel Main Building, a two-story South Hotel Barn Building, a freestanding single-story fitness studio, and two separate two-story bungalow buildings. The South Hotel Main Building would include 11 guest rooms (four on the ground floor and seven on the second floor), a support kitchen, a library, and back-of-house uses for a total of approximately 11,150 square

[1] County height requirements for both AW and CL zoning designations are 35 feet when measured from the mid-point of the cord of the roof to existing grade or to finished grade (Section 18.104.120(a) of the County's Zoning Code). Additionally, features such as antennae, utility structures, mechanical features and other similar appurtenances necessarily and normally attached to a structure may be constructed to a height of not more than fifteen feet above the maximum building height in the zoning district (Section 18.104.120(c)).

feet of floor area. The South Hotel Barn Building would include 12 guestrooms (six [6] on the ground floor and six [6] on the second floor) totaling approximately 7,500 square feet, back-of-house uses, and an adjacent plunge pool. The 350 square foot fitness studio would be proximate to the plunge pool. A lawn area would be located between the South Hotel Main Building and the South Hotel Barn Building. Each of the two bungalow buildings would include three rooms (two [2] on the ground floor and one [1] on the second floor) for a total of approximately 4,000 square feet between the two buildings. Buildings on the South Parcel would be connected by a series of walkways, breezeways, patios, courtyards, and landscaped areas. The South Parcel would also include six existing on-site residential dwelling units that would be used to house workers employed on the property.

The Project Applicant has also offered public benefits and improvements as terms of a Development Agreement including an at-grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane, an on-site private fire truck, and the provision of affordable housing units for employees.

Project construction is expected to occur over approximately 36 months.

2.2.3 Project Objectives

The Project Applicant has developed the following objectives for the Project:

1. Develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45;
2. Generate positive fiscal impacts for Napa County through redevelopment and use of the Project site;
3. Develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements;
4. Provide on-site affordable housing in existing residences;
5. Develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled; and
6. Implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand.

The County seeks to achieve the following objectives for the Project:

1. Ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and supporting industries to ensure the preservation of agricultural lands and envision additional commercial uses only within the portions of parcels zoned for commercial use.
2. Demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater, that obtains a minimum of LEED Gold Certification with the goal of achieving LEED Platinum Certification, and that maintains LEED certification through the life of the project.
3. Help create a wildfire resilient community by facilitating firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood.

4. Ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County.

2.3 Environmental Impacts and Mitigation Measures

As provided by the CEQA *Guidelines* Section 15123(b)(1), an EIR must provide a summary of the impacts, mitigation measures and significant impacts after mitigation for a proposed project. This information is presented in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of this EIR, and summarized in **Table 2-1** at the end of this chapter.

2.3.1 Impacts of the Project

The Project would not result in any significant and unavoidable impacts. The Project would result in some impacts that would not require measures to mitigate the impact – i.e., that would be "less than significant" – for several resources, including aesthetics; agriculture and forestry resources, energy; hydrology and water quality; land use and planning; population and housing; public services and recreation; and wildfire. The Project would result in less than significant impacts that would require mitigation measures – i.e., that would be "less than significant with mitigation" – related to air quality; biological resources; cultural resources; greenhouse gas emissions; noise and vibration; transportation; tribal cultural resources; and utilities and service systems. Mitigation measures that would reduce the significance of potentially significant impacts to less-than-significant levels are described in this EIR.

2.4 Summary of Alternatives

Chapter 5, *Alternatives*, analyzes a range of reasonable alternatives to the Project, including the No Project Alternative (Alternative A), the Reduced Development Alternative (Alternative B), and the North Parcel Alternative (Alternative C). The analysis of the alternatives, including a comparison of alternatives to the Project, is presented in Chapter 5, which provides a summary of impact levels within all environmental topic areas. Overall, the analysis shows that none of the alternatives considered would result in a significant and unavoidable impact, and all of the "build" alternatives would result in a similar degree of impact as the Project.

Based on the evaluation described in Chapter 5, the No Project Alternative would be environmentally superior to the Project. However, the No Project Alternative would not meet any of the basic objectives of the Project and would run counter to the requirements of State Law. CEQA requires that a second alternative be identified when the "No Project" alternative is the environmentally superior alternative (CEQA *Guidelines*, Section 15126.6(e)). Therefore, County has identified Alternative B (Reduced Development Alternative) as the environmentally superior alternative for the purpose of this analysis because it would reduce operational impacts related to vehicle miles traveled and vehicle trips and would result in the greatest potential for energy efficiency and incorporation of green building design features of the built alternatives through new construction, even though the impact conclusions would be the same as the Project.

2.5 Areas of Controversy Raised in Scoping Comments

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR summary identify areas of controversy known to the lead agency and relevant to CEQA, including those issues raised by other agencies and the public. Issues raised by the public have included concerns regarding aesthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, transportation, tribal cultural resources, and utilities and service systems. As a result, these issues are potential areas of controversy.

2.6 Issues to be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR present the issues to be resolved including the choice among alternatives and whether or how to mitigate identified significant effects. The major issues to be resolved for the Project include decisions by County of Napa, as the Lead Agency, as to whether:

- This EIR adequately describes the environmental impacts of the Project;
- Recommended mitigation measures should be adopted or modified;
- Additional mitigation measures need to be applied to the Project;
- Feasible alternatives exist that would achieve the basic objectives of the Project and reduce significant environmental impacts;
- Significant and unavoidable impacts would occur if the Project were adopted and implemented; and
- The Project should or should not be approved.

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.1, Aesthetics		
Impact AES-1: The Project would not have a substantial adverse effect on a scenic vista. *(Less than Significant)*	None required	Less Than Significant
Impact AES-2: The Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. *(Less than Significant)*	None required	Less Than Significant
Impact AES-3: The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. *(Less than Significant)*	None required	Less Than Significant
Impact AES-4: The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. *(Less than Significant)*	None required	Less Than Significant
Impact AES-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on aesthetics. *(Less than Significant)*	None required	Less Than Significant
Section 4.2, Agriculture and Forestry Resources		
Impact AGR-1: The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. *(Less than Significant)*	None required	Less Than Significant
Impact AGR-2: The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. *(Less than Significant)*	None required	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.2, Agriculture and Forestry Resources (cont.)		
Impact AGR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on agriculture. *(Less than Significant)*	None required	Less Than Significant
Section 4.3, Air Quality		
Impact AIR-1: The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard. *(Less than Significant with Mitigation)*	**Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization.** During Project construction, the construction contractor shall comply with the BAAQMD's current basic and enhanced best management practices for reducing construction emissions of fugitive PM_{10} and $PM_{2.5}$. At a minimum, the construction contractor shall comply with the following measures: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12- inch layer of compacted wood chips, mulch or gravel. • Publicly visible signs shall be posted with the telephone number and name of the person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD Air Pollution Complaints number shall also be included on the publicly visible signs to ensure compliance with applicable regulations. • Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.3, Air Quality (cont.)		
	• Prior to disturbance, install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. • Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Minimize the amount of excavated material or waste materials stored at the site. • Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for 10 or more calendar days.	
Impact AIR-2: The Project would not expose sensitive receptors to substantial pollutant concentrations. *(Less than Significant)*	None required	Less Than Significant
Impact AIR-3: The Project would not conflict with or obstruct implementation of the applicable air quality plan. *(Less than Significant)*	None required	Less Than Significant
Impact AIR-4: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. *(Less than Significant)*	None required	Less Than Significant
Impact AIR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative health risk impacts. *(Less than Significant)*	None required	Less Than Significant
Section 4.4, Biological Resources		
Impact BIO-1: The Project would not have an adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service. *(Less than Significant with Mitigation)*	**Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants.** Prior to earth disturbing activities within oak woodland habitat in the North Parcel and undeveloped lands on the South Parcel, a qualified botanist shall conduct a rare plant survey of the construction disturbance area within the appropriate bloom period for Napa false indigo, narrow-anthered brodiaea, Colusa layia, and/or Napa bluecurls. Surveys and reporting shall be conducted following the current California Department of Fish and Wildlife (CDFW) protocol. In the absence of rare plants, no further mitigation is needed. If special-status plant species are found and plants cannot be avoided, then Measure BIO-1b shall be implemented to avoid, minimize and compensate for rare plant impacts.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.4, Biological Resources (cont.)		
	Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants. If special-status plant populations are identified and cannot be avoided, the Project Applicant shall confer with CDFW to coordinate relocation of special-status plants. In advance of plant relocation, the applicant shall prepare a Mitigation and Monitoring Plan (Plan) that describes the methods and specifies the success criteria and monitoring period for transplanted plants and related long-term protection and management of transplanted or planted individuals. This plan shall be subject to review and approval by the Napa County Planning, Building, and Environmental Services Department prior to the initiation of any Project activities that will impact the special-status plant(s). The Plan shall include the following provisions: 1. Special-status plants that would be impacted by the Project shall be relocated within suitable habitat on site. This can be done either through salvage and transplanting on-site or by collection and propagation of seeds or other vegetative material for on-site planting. Plant relocation shall be performed under the supervision of a qualified biologist. 2. The Plan shall detail relocation methods or appropriate replacement ratios and methods for implementation, success criteria, monitoring and reporting protocols, and contingency measures that shall be implemented if the initial mitigation fails. The Plan shall be developed in coordination with the Napa County Planning, Building, and Environmental Services Department and appropriate agencies (depending upon plant listing status) prior to the start of earth disturbing activities. At a minimum, success criteria shall require mitigation areas to provide equal or better habitat and populations than the impacted area (e.g., at least 75% survival of transplanted, planted, or seeded individuals; minimal weeds within the planting area, and plants in fair or better condition at the completion of the restoration effort). Where appropriate, depending upon the target species, restoration efforts shall require maintenance of the restored areas, for example through irrigation, weeding, and replacement plantings when annual performance thresholds are not met. 3. If compensatory restoration or reintroduction of plants or seed is implemented, the Project Applicant shall maintain and monitor the relocation sites and/or restored areas for 5 years following the completion of construction and restoration activities. The applicant shall submit annual monitoring reports to the Napa County Planning, Building, and Environmental Services Department, at the completion of restoration. Monitoring reports shall include photo-documentation, planting specifications, a site layout map, descriptions of materials used, and justification for any deviations from the Plan. Success criteria for restored areas shall be identified in the Plan.	

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.4, Biological Resources (cont.)		
	Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds. For earth-disturbing activities commencing between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the Project site and experienced with conducting pre-construction nesting bird and raptor surveys as determined by the Napa County Planning Division) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the Project site, and all suitable nesting habitat within 500 feet of the Project site. The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, or if there is a lapse in Project activities of seven (7) days or more during the nesting season surveys shall be repeated. A copy of the survey report shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work. In the event that the survey finds active nests, the qualified biologist shall determine adequate no-disturbance buffer distances from all active nests based on the species and in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of Project activities. All active nests shall be monitored during construction hours by a qualified biologist for the first week during Project activities to ensure the established buffer distances are adequate to avoid disturbances to the nest. If the qualified biologist observes bird behavior that may indicate nest disturbance, the qualified biologist shall have the authority to immediately cease Project activities. In this event, the qualified biologist shall consult with CDFW regarding larger buffer distances, and buffer zones shall be refenced accordingly, prior to resuming Project activities. If larger buffer distances cannot be established, Project activities shall be delayed until the nest is no longer active (i.e. the young have fledged the nest and can feed independently, or the nest fails due to natural causes), as determined by the qualified biologist. Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and are prohibited. Any act associated with flushing birds from Project areas shall undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.	

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.4, Biological Resources (cont.)		
	Mitigation Measure BIO-3: Roosting Bat Surveys. In advance of tree removal and building demolition, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the project site. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the project or within a 100-foot buffer zone from these areas, the following measures shall be implemented: • Removal of trees and structures with active roosts shall occur when bats are active, between March 1 and April 15 inclusive and between September 15 and October 15 inclusive. To the extent feasible, removal shall occur outside of bat maternity roosting season (April 15 to August 31 inclusive) and outside of the months of winter torpor (October 16 to February 28 inclusive). • If removing trees and structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the Project area where tree and structure removal is planned, a 100-foot no-disturbance buffer shall be established around these roost sites until the qualified biologist has determined that they are no longer active. • The qualified biologist shall be present during removal of trees and structures when active or potentially active bat roosts not being used for maternity or hibernation purposes are present. Trees and structures with active roosts shall be removed only when no rain is occurring and rain is not forecast to occur for 3 days following removal of the roost, and when daytime temperatures are at least 50 degrees Fahrenheit. • Removal of trees with active or potentially active roost sites not being used for maternity or hibernation purposes shall follow a two-step removal process: (1) On the first day of tree removal and under the supervision of the qualified biologist, branches and limbs that do not contain cavities or fissures in which bats could roost shall be cut only using chainsaws or non-motorized equipment. Removal of the canopy makes the tree unappealing for bats to return that evening to roost. (2) On the following day and under the supervision of the qualified biologist, after confirmation that bats have not returned, the remainder of the tree may be removed, using either chain saws or other equipment (e.g., excavator or backhoe). Structures that contain or are suspected to contain active bat roosts, but that are not being used for maternity or hibernation purposes, shall be dismantled under the supervision of the qualified biologist in the evening, after bats have emerged from the roost to forage. The structures shall be partially dismantled to substantially change roost conditions, causing the bats to abandon and not return to the roost.	

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.4, Biological Resources (cont.)		
Impact BIO-2: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. *(Less than Significant with Mitigation)*	**Mitigation Measure BIO-4: Mitigate for Oak Tree Removal.** The Project Applicant shall mitigate impacts to oak trees by mitigating for removal of oak trees at a minimum 2:1 ratio either by replacing removed oak trees or permanent preservation of comparable habitat.	Less Than Significant
Impact BIO-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on biological resources. (Less than Significant)	None required	Less Than Significant
Section 4.5, Cultural Resources		
Impact CUL-1: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. *(Less than Significant)*	None required	Less Than Significant
Impact CUL-2: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. *(Less than Significant with Mitigation)*	**Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** A cultural resources sensitivity training program shall be implemented for the Project. Prior to any ground-disturbing activity, all construction personnel shall be required to view a Project-specific cultural resources awareness training presentation via recorded virtual presentation (PowerPoint) or in-person and on-site presentation provided by a Secretary of the Interior-qualified archaeological. A Native American representative shall be invited to provide input and guidance on the training materials. The training shall include a description of the sensitivity of the Project vicinity and information on how to identify the types of resources that may be encountered. The training shall also include the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, confidentiality of discoveries, and safety precautions to be taken when working with cultural resources monitors. Napa County shall require that construction personnel view or attend the training presentation and retain documentation demonstrating attendance. **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** Monitoring will be required according to the Cultural Resources Monitoring Plan (CRMP) prepared as part of the cultural resources survey and analysis completed for the Project (Mattes, 2024). The CRMP is on-file with Napa County and the Project Applicant. An archaeological monitor and a Native American monitor shall be required during ground disturbing activities within 100 feet of pre-contact site P-28-000389. During the course of the monitoring, the archaeologist and Native American monitor may adjust the frequency—from continuous to intermittent or vise versa—of the monitoring based on the conditions and professional judgment regarding the potential to impact resources.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.5, Cultural Resources (cont.)		
	Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials. If pre-contact or historic-era cultural materials are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a Secretary of the Interior-qualified archaeologist can assess the significance of the find. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If it is determined, based on recommendations from a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American related), that the resource may qualify as a historical resource or unique archaeological resource, the resource shall be avoided, if feasible. If avoidance is not feasible, the Project Applicant and Napa County shall work with a qualified archaeologist and affiliated Native American tribal representatives (if the resource is Native American-related) to determine treatment measures to avoid, minimize, or mitigate any potential adverse effects to the resource. This shall include documentation of the resource and may include data recovery, if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource.	
Impact CUL-3: The Project would not disturb any human remains, including those interred outside of dedicated cemeteries. *(Less than Significant with Mitigation)*	**Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** If potential human remains are encountered, all work shall halt within 100 feet of the find and Napa County shall be contacted by on-site personnel. Napa County shall contact the Napa County coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission. As provided in Public Resources Code Section 5097.98, the Commission shall identify the person or persons believed most likely to be descended from the deceased Native American. The most likely descendant shall make recommendations for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.	Less Than Significant
Impact CUL-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on historic architectural resources. *(Less than Significant)*	None required	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.5, Cultural Resources (cont.)		
Impact CUL-2.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute to the cumulative loss or alteration of archaeological resources and/or human remains. *(Less than Significant with Mitigation)*	**Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** See above. **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** See above. **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.** See above. **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** See above.	Less Than Significant
Section 4.6, Energy		
Impact ENE-1: The Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. *(Less than Significant)*	None required	Less Than Significant
Impact ENE-2: The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. *(Less than Significant)*	None required	Less Than Significant
Impact ENE-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on energy. *(Less than Significant)*	None required	Less Than Significant
Section 4.7, Greenhouse Gas Emissions		
Impact GHG-1: The Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. (*Less than Significant with Mitigation*)	**Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.** New development on the Project site shall be designed and developed as all-electric development with no natural gas infrastructure. **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.** Consistent with CALGreen 2022 Tier 2 requirements, a minimum of 55 percent of the total 203 parking spaces proposed by the Project shall be electric vehicle (EV) Ready spaces equipped with low power Level 2 EV charging receptacles. In addition, 20 percent of the total number of parking spaces shall be equipped with Level 2 EV chargers with at least 50 percent of the required EV chargers equipped with J17772 connectors. **Mitigation Measure TRA-1: Transportation Demand Management Program.** See below.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.7, Greenhouse Gas Emissions (cont.)		
Impact GHG-2: The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. *(Less than Significant with Mitigation)*	**Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.** See above. **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.** See above. **Mitigation Measure TRA-1: Transportation Demand Management Program.** See below.	Less Than Significant
Impact GHG-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on greenhouse gas emissions. *(Less than Significant with Mitigation)*	**Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.** See above. **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.** See above. **Mitigation Measure TRA-1: Transportation Demand Management Program.** See below.	Less Than Significant
Section 4.8, Hydrology and Water Quality		
Impact HYD-1: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. *(Less than Significant)*	None required	Less Than Significant
Impact HYD-2: The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. *(Less than Significant)*	None required	Less Than Significant
Impact HYD-3: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows. *(Less than Significant)*	None required	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Impact HYD-4: The Project would not risk release of pollutants due to Project site inundation due to being located in a flood hazard zone. *(Less than Significant)*	None required	Less Than Significant
Section 4.8, Hydrology and Water Quality (cont.)		
Impact HYD-5: The Project would not conflict with or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. *(Less than Significant)*	None required	Less Than Significant
Impact HYD-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on water quality. *(Less than Significant)*	None required	Less Than Significant
Impact HYD-2.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on surface water or groundwater hydrology. *(Less than Significant)*	None required	Less Than Significant
Section 4.9, Land Use and Planning		
Impact LUP-1: The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. *(Less than Significant)*	None required	Less Than Significant
Impact LUP-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on land use and planning. *(Less than Significant)*	None required	Less Than Significant
Section 4.10, Noise and Vibration		
Impact NOI-1: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. *(Less than Significant with Mitigation)*	**Mitigation Measure NOI-1: Construction Noise Control Measures.** The Project Applicant or its contractors shall employ site-specific noise attenuation measures during all construction activities to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the Napa County Planning, Building and Environmental Services Department prior to the issuance of a demolition and/or grading permit for the Project. Measures specified in the Noise Control Plan and implemented during Project construction shall include, at a minimum, the following noise control strategies:	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.10, Noise and Vibration (cont.)		
	• Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds). • Unnecessary idling of internal combustion engines shall be prohibited. The Project Applicant or its contractors shall enforce at a minimum the California Air Resources Board regulations that generally limit idling of commercial motor vehicles (including buses and trucks) within 100 feet of a school or residential area for more than 5 consecutive minutes or periods aggregating more than 5 minutes in any 1 hour. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used where feasible. • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures. • The Project Applicant or its contractors shall construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps. • Construction staging areas shall be located away from the noise-sensitive receivers, where such locations are available. • The Project Applicant or its contractors shall erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites. This mitigation would only be necessary if the disturbance coordinator (see last bullet) receives validated noise complaints which are irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. • The Project Applicant or its contractors shall locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors. • The Project Applicant or its contractors shall control noise from construction workers' radios to a point where they are not audible at existing residences bordering the Project site.	

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.10, Noise and Vibration (cont.)		
	• Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. • A detailed construction schedule and plan shall be prepared by the contractor for major noise generating construction activities.[2] The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. A notice shall be sent to neighbors within 1,000 feet at least 10 business days prior to major noise generating construction activities that includes the construction schedule. • Designate a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. **Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment.** Before the issuance of any building permit, the Project Applicant shall ensure that all mechanical equipment is selected and designed to reduce impacts on surrounding uses to meet the performance standards of Section 8.16.070 of the Napa County Code to ensure that noise from stationary sources such as mechanical equipment is limited to 50 dBA and 75 dBA at the property lines of residential and industrial off-site (Napa County) receivers,[3] respectively. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the County. Methods of achieving these standards include using low-noise-emitting HVAC equipment, locating HVAC and other mechanical equipment within a rooftop mechanical penthouse, and using shields and parapets to reduce noise levels to adjacent land uses. An acoustical study shall be prepared during final building design to evaluate the potential noise generated by building mechanical equipment and to identify the necessary noise controls that are included in the design to meet the County's requirements. A qualified acoustical consultant shall be retained to review specific noise reduction measures for mechanical equipment. Reduction measures may include, but are not limited to a selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the hotel buildings away from the building's edge nearest the single-family residences or in locations around the building facades	

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

[3] The County Code equates wineries with industrial uses for the purposes of noise exposure.

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.10, Noise and Vibration (cont.)		
	facing away from the nearby receptors. The study shall be submitted to the Director of Planning, Building and Environmental Services or the Director's designee for review and approval before the issuance of any building permit. **Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace.** Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 13 of the *Inn at the Abbey Environmental Noise and Vibration Assessment (*Appendix K*)* to reduce noise levels from outdoor activities at the rooftop terrace. This would limit the noticeable increase in noise generated by indoor amplified sound that may occur within the interior lounge space that opens onto the exterior terrace. A 3-foot barrier shall be constructed around the perimeter of the rooftop terrace, and an extension of a 2-foot tall glass or plexiglass barrier on top of the barrier would reduce noise levels generated at the rooftop terrace by 5 dBA. Amplified music and speech within the outdoor portion of the rooftop terrace shall be prohibited. **Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn.** Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 14 of the *Inn at the Abbey Environmental Noise and Vibration Assessment (*Appendix K*)* to reduce noise levels from outdoor activities at the South Parcel lawn. This would limit the noticeable increase in noise generated by occasional events at the outdoor activity space. The barrier shall have a minimum surface density of three lbs/ft^2 (e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units). The height of the barrier shall be measured from the pad elevation of the South Parcel lawn. Amplified music and speech within the outdoor South Parcel lawn shall be prohibited.	
Impact NOI-2: The Project would not generate excessive groundborne vibration or groundborne noise levels. *(Less than Significant)*	None required	Less Than Significant
Impact NOI-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on noise and vibration. *(Less than Significant)*	**Mitigation Measure NOI-1: Construction Noise Control Measures.** See above. **Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment.** See above. **Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace.** See above. **Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn.** See above.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.11, Population and Housing		
Impact POP-1: The Project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). *(Less than Significant)*	None required	Less Than Significant
Impact POP-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on population and housing. *(Less than Significant)*	None required	Less Than Significant
Section 4.12, Public Services and Recreation		
Impact PUB-1: The Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered fire protection and emergency medical response services facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection and emergency medical response services. *(Less than Significant)*	None required	Less Than Significant
Impact PUB-2: The Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. *(Less than Significant)*	None required	Less Than Significant
Impact PUB-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on public services. *(Less than Significant)*	None required	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.13, Transportation		
Impact TRA-1: The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. *(Less than Significant with Mitigation)*	**Mitigation Measure TRA-1: Transportation Demand Management Program.** Prior to issuance of building permits, the Project Applicant shall implement a Transportation Demand Management (TDM) Program for the Project and shall submit the TDM Program to the County for review and approval by the Napa County Department of Public Works. The TDM Program shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. The TDM Program shall be designed to achieve the following trip reduction, as required by the County: • A 15 percent reduction compared to the unmitigated VMT estimated for the Project The TDM Program shall contain provision of on-site employee housing, visitor trip reduction measures, and an employee TDM Program as outlined below: 1. The existing six on-site housing units shall be deed restricted affordable for employees for the life of the Project. 2. As part of the visitor trip reduction measures, the Project Applicant shall provide at least 10 bicycles on-site as part of the guest amenities and provide maps illustrating bicycle route to local tasting rooms, restaurants, and other destinations to encourage the use of on-site bicycles. The bicycles shall be kept under good maintenance and replaced as necessary throughout the life of the Project. The TDM Program coordinator for the employee TDM program described below shall include on-site bicycle maintenance in the reporting requirements for the employee TDM Program. 3. The employee TDM Program shall consist of the following: • **Education, Outreach, and Marketing**: The Project Applicant shall identify a TDM Program coordinator. The presence of a staff person dedicated part-time to overseeing and managing the TDM Program will be helpful in ensuring the ongoing success of these programs. This would not be a distinct position, but instead is intended to be a role that is integrated into the duties of the on-site manager. The duties shall include the following: - Create and distribute employee transportation information welcome packets - Maintain and update a bulletin board or other physical source of transportation information - Distribute Napa Bicycle Coalition maps - Monitor bicycle facilities - Promote the ride-matching program - Market special events such as the Napa Valley Transportation Authority (NVTA) “V-Commute Challenge” program	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.13, Transportation (cont.)		
	• **Carpool Incentives:** The Project Applicant shall provide an incentive of $50 per month to employees who agree to carpool to work a minimum of 75 percent of the time. In addition, the Project Applicant shall reserve five parking spaces immediately adjacent to the wine production building for use by carpool vehicles only. This program shall be offered to the existing employees as well as new employees of the hotel. • **Subsidized Transit Passes:** Employees wishing to use transit to reach the site shall be provided with a monthly pass for Vine Transit free of charge. The Project Applicant shall also install a shelter and bench at the northbound transit stop near the Project site along SR 29. • **Guaranteed Ride Home:** Employees shall be provided information about the V-Commute program offered by the NVTA and would be encouraged to register for the service. • **Bicycle Trip-end Facilities**: Showers and changing rooms shall be provided on-site to further encourage employees to ride their bicycles to and from work. The employee TDM Program, shall be available for the first two years of Project operation. After that time, the effectiveness of the program shall be reevaluated and modified, if needed, in coordination with Napa County Public Works staff. County staff shall determine future reporting requirements and intervals after the initial two-year TDM Program reevaluation (e.g., TDM Program evaluation every four years), and may enact corrective measures if necessary.	
Impact TRA-2: The Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). *(Less than Significant)*	None required	Less Than Significant
Impact TRA-3: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). *(Less than Significant with Mitigation)*	**Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.** The Project Applicant shall implement the following safety improvements: • The at-grade crossing improvement proposed at Lodi Lane shall be constructed in accordance with the current Napa County Road and Street Standards at the time of submittal of final design and shall be reviewed by the County and Caltrans staff and subject to approval by the Napa County Public Works Department prior to the issuance of a construction-related permit for the Project. • The Project Applicant shall install a speed feedback sign on Silverado Trail in the northbound direction between the driveway to the Melka Estates Winery (2900 Silverado Trail) and the horizontal curve before Bournemouth Road. The exact location of the sign shall be coordinated with Napa County Public Works Department staff prior to the issuance of a construction-related permit for the Project. • To ensure that sight lines remain adequate, any landscaping within the vision triangles at the driveways on SR 29 or Lodi Lane shall be planted and maintained such as it is less than 3 feet more than 7 feet in height to maximize clear sight lines. An ongoing maintenance plan shall be submitted to and approved by the Napa County Public Works Department prior to the issuance of a construction-related permit for the Project.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.13, Transportation (cont.)		
	• Prior to a certificate of occupancy for the Project, the Project Applicant shall install signage or other appropriate measures in the southbound direction on SR 29 that prohibits left-turns at Driveway 2 (as shown in the Project's Traffic Impact Study, Appendix L). The signage shall be reviewed and approved by the Napa County Public Works Department and Caltrans and read "Freemark Abbey Winery and Resort Use Lodi Lane" or similar. All southbound left-turns into the Project site shall occur via the existing left-turn lane at Lodi Lane. Additionally, the Project Applicant shall construct a mini pork-chop island or other similar features to delineate that only right-turns are allowed at Driveway 2 on SR 29.	
Impact TRA-4: The Project would not result in inadequate emergency access. *(Less than Significant)*	None required	Less Than Significant
Impact TRA-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on transportation. *(Less than Significant with Mitigation)*	**Mitigation Measure TRA-1: Transportation Demand Management Program.** See above. **Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.** See above.	Less Than Significant
Section 4.14, Tribal Cultural Resources		
Impact TCR-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074. *(Less than Significant with Mitigation)*	**Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** See above. **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** See above. **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.** See above. **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** See above.	Less Than Significant
Impact TCR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on tribal cultural resources. *(Less than Significant with Mitigation)*	**Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** See above. **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** See above. **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.** See above. **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** See above.	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.15, Utilities and Service Systems		
Impact UTL-1: The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. *(Less than Significant with Mitigation)*	**Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization.** See above. **Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants.** See above. **Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants.** See above. **Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds.** See above. **Mitigation Measure BIO-3: Roosting Bat Surveys.** See above. **Mitigation Measure BIO-4: Mitigate for Oak Tree Removal.** See above. **Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** See above. **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** See above. **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.** See above. **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** See above. **Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.** See above. **Mitigation Measure NOI-1: Construction Noise Control Measures.** See above. **Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources.** See below.	Less Than Significant
Impact UTL-2: The Project would not have insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. *(Less than Significant)*	None required	Less Than Significant
Impact UTL-3: The Project would not result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. *(Less than Significant)*	None required	Less Than Significant
Impact UTL-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on utilities and service systems. *(Less than Significant)*	None required	Less Than Significant

TABLE 2-1 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROJECT

Impacts	Mitigation Measures	Significance After Incorporation of Mitigation
Section 4.16, Wildfire		
Impact WLF-1: The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. *(Less than Significant)*	None required	Less Than Significant
Impact WLF-2: The Project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. *(Less than Significant)*	None required	Less Than Significant
Impact WLF-3: The Project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. *(Less than Significant)*	None required	Less Than Significant
Impact WLF-4: The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. *(Less than Significant)*	None required	Less Than Significant
Impact WLF-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on wildfire. *(Less than Significant)*	None required	Less Than Significant
Appendix B, Initial Study, Section VII, Geology and Soils		
The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. *(Less than Significant with Mitigation)*	**Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources.** If site contractors discover paleontological resources during ground-disturbing activities of the Project, the Project Applicant or its contractor shall halt work in that area and within 50 feet of the find and immediately contact a qualified paleontologist to evaluate the find. Construction activities could continue in other areas. If the discovery proves to be significant under Society of Vertebrate Paleontology criteria, additional work, such as fossil recovery excavation, may be warranted and shall be discussed in consultation with the Project Applicant, Napa County, and/or any other relevant regulatory agency, as appropriate.	Less than Significant

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CHAPTER 3
Project Description

This chapter describes all components and characteristics of the proposed Inn at the Abbey Project (Project) proposed by Jackson Family Investments III, LLC (Project Applicant), and serves as a basis for the analysis that follows in subsequent chapters of this Draft EIR. This chapter provides an overview of existing conditions on and around the Project site, although existing conditions are described in greater detail in each environmental analysis section in Chapter 4 of this document and in the Initial Study (**Appendix B)**. In addition to describing the Project and providing an overview of existing conditions, this chapter lists the Project Applicant's Project Objectives and the discretionary approvals required by Napa County and other agencies.

3.1 Project Location

The Project is located on a 15.13-acre site at Lodi Lane along State Route (SR) 29, approximately 0.5 mile north of the city limits of St. Helena, in unincorporated Napa County (see **Figure 3-1**). The Project is comprised of six parcels that are broken into two sections separated by Lodi Lane (see **Figure 3-2**):

- The "North Parcel" is approximately 10.30 acres and consists of the four parcels located north of Lodi Lane. The four contiguous parcels are Assessor's Parcel Numbers [APNs] 022-130-027, 022-130-028, 022-130-023, and 022-130-024. The North Parcel is generally bounded by vineyards to the north, a hotel to the east, Lodi Lane to the south, and SR 29 to the west.
- The "South Parcel" is approximately 4.83 acres and consists of the two parcels located south of Lodi Lane. The two contiguous parcels are APN 022-220-028 and 022-220-029. The South Parcel is bounded by Lodi Lane to the north, agricultural uses to the east and south, and SR 29 to the west.

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

SOURCE: ESRI

Inn at the Abbey EIR

Figure 3-1
Project Location Map

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-2
Project Site Aerial Map

ESA

3.2 Existing Site Conditions

3.2.1 Existing Project Site Uses

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

- Winery and winery support uses,
- Retail, retail wine shop, restaurant, café (co-located within the Stone Building),
- Restaurant, and
- Agriculture.

The current uses on the 4.83-acre South Parcel include:

- Retail Wine Shop,
- Art Gallery,
- Motel (five-room), and
- Residential dwelling units (five structures – four single family and one duplex).

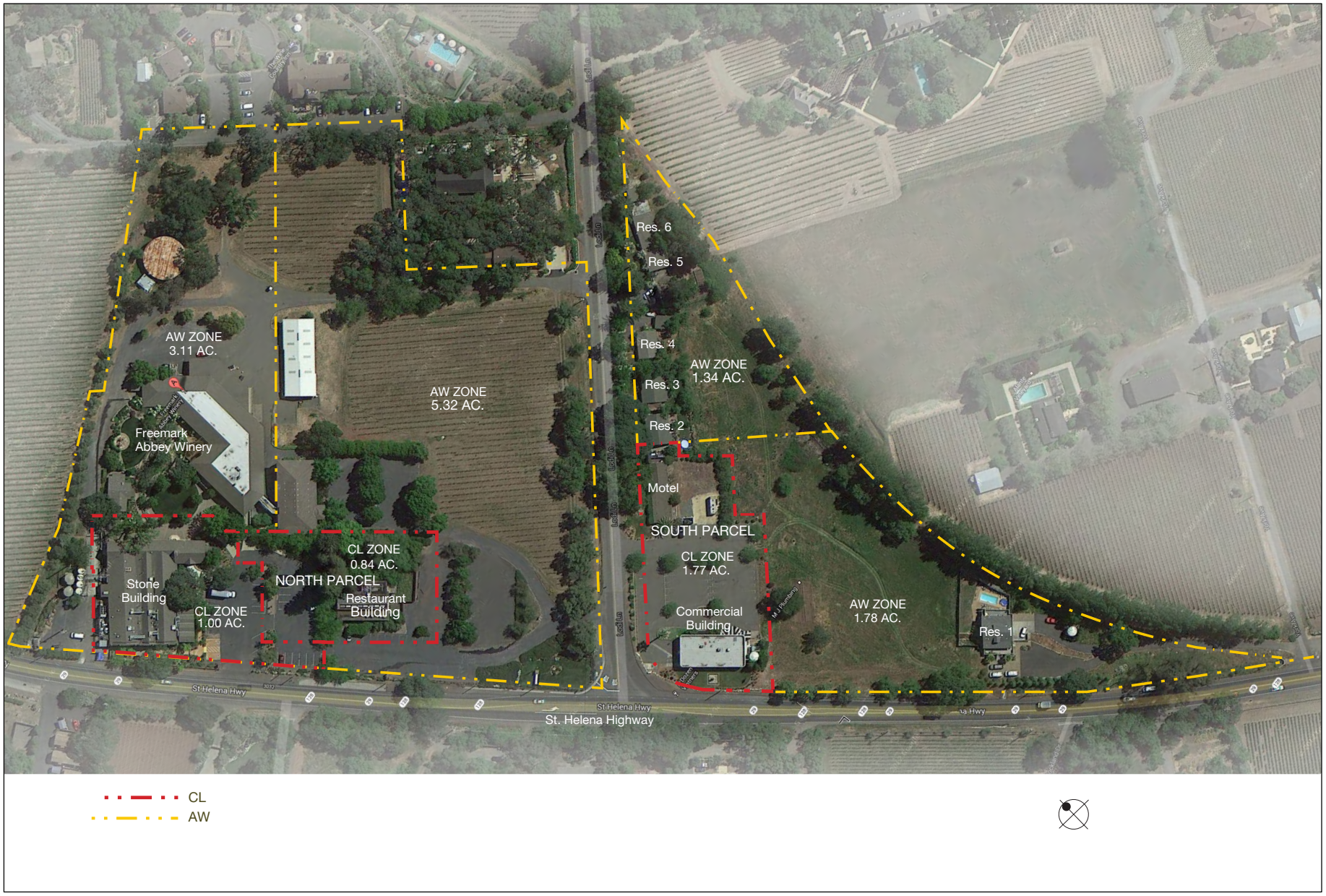
The Project site is partially paved with internal roads and surface parking lots on both parcels. The Project site also contains existing vineyard agricultural uses and approximately 361 trees (253 on the North Parcel and 108 on the South Parcel) and other generally ruderal vegetation.

3.2.2 Existing Surrounding Uses

Existing uses in the Project vicinity are primarily agricultural (e.g., vineyards and wineries) and residential. Vineyards and wineries surround much of the Project site, with scattered residential dwelling units, including a small mobile home park located west of the Project site, across SR 29. Existing uses to the north include vineyards and the Trinchero Napa Valley Winery. Additionally, the Wine Country Inn & Cottages are located to the northeast of the Project site. SR 29 borders the western edge of the Project site and Lodi Lane bisects the site as it travels east from SR 29. Existing uses to the south include various vineyards and residential housing.

3.2.3 Existing General Plan Designations and Zoning

The General Plan land use designation for the Project site is Agriculture, Watershed and Open Space (AWOS). Surrounding parcels are designated as AWOS to the south and west, and Agricultural Resource (AR) to the north and east. The Project site includes land zoned for both Commercial Limited (CL) and Agricultural Watershed (AW) uses. As illustrated in **Figure 3-3**, the Project site contains six parcels: three of these parcels are zoned for AW, two are zoned for CL, and one parcel is split-zoned for AW and CL uses. The North Parcel includes 1.87 acres of land zoned for CL and 8.43 acres of land zoned for AW. The South Parcel includes 1.70 acres of land zoned for CL and 3.13 acres of land zoned for AW. Surrounding parcels are zoned AW to west and Agriculture Preserve (AP) to the east.



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-3
Project Site Zoning Map

ESA

3.3 Project Characteristics

3.3.1 Project Program

The Project Applicant is proposing a Use Permit Major Modification and Development Agreement to accommodate development of a boutique hotel within the existing Freemark Abbey Winery complex. The Project includes construction of a 79-room hotel that would be split between the North Parcel (50 rooms) and the South Parcel (29 rooms), as shown in **Figure 3-4**. The Project would include demolition of three existing structures totaling approximately 10,050 square feet. These buildings are currently used as a restaurant, retail wine shop, art gallery, and five-room motel. Demolition activities would also include removal of asphalt concrete driveways and surface parking areas, as well as concrete slabs. Overall, the Project would involve 10,050 square feet of demolition and approximately 78,500 square feet of new construction. The Project's new land use program is included in **Table 3-1**. The Project Applicant has also offered public benefits and improvements as terms of a Development Agreement including an at-grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane, an on-site private fire truck, and the provision of affordable housing units for employees.

Stone Building (North Parcel)

The existing Stone Building on the North Parcel has approximately 21,225 square feet of floor space split between the basement and ground levels and is currently used for winery, retail wine, and restaurant uses. The Project would not physically change the building's structure; however, minor renovations to the interior are proposed so that approximately 12,900 square feet may serve as the hotel's main lobby, which may include a retail component and meeting space on the ground level. The existing ground-floor restaurant kitchen and restaurant space would be retained. Current winery uses (barrel storage, wine lab, and bottle storage spaces) in the basement of the building would be removed, and this space would be converted to commercial uses (pre-function and events space, wine room, and event back-of-house needs). The existing commercial café use would remain. The proposed floor plans for the Stone Building are shown in **Figure 3-5**.

North Hotel Building (North Parcel)

The Project would include construction of a new North Hotel Building on the North Parcel in approximately the same location as the existing restaurant building, which would be demolished. The North Hotel Building would have approximately 55,500 square feet of floor area, including approximately 21,450 square feet for the 50 guest rooms and the remaining 34,050 square feet for the spa (4,300 square feet), retail operations (2,150 square feet), a rooftop terrace, and other public areas (4,050 square feet), circulation, and back-of-house uses (23,550 square feet), as shown in **Figure 3-6** through **Figure 3-10**. The main pool for the hotel would be located at the center of the North Hotel Building with access from the lounge and circulation hallways to the guest suites on the pool level. Parking for the hotel would be located on the Project site in an underground parking garage (Garage A), located below the North Hotel Building, which would provide a total of 54 stalls for valet parking. Additionally, there would be surface parking available through the six other surface parking lots on the Project site (see section 3.3.3 below for more details). The North Hotel

Building would be a split-level structure with four levels and a maximum building height of 45 feet.[1] The parking garage would be underground and the remaining structure and building levels would step down with the topography. Elevations for the North Hotel Building are shown in **Figures 3-11** and **3-12**.

TABLE 3-1
PROJECT LAND USE PROGRAM

Land Use	Size	Height (maximum)
North Hotel Building		
North Hotel Building	55,500 sf	45 feet[a]
Guestrooms	*21,450 sf (50 rooms)*	
Spa	*4,300 sf*	
Retail	*2,150 sf*	
Terrace/Public Space	*4,050 sf*	
Back-of-house/mechanical, Circulation	*23,550 sf*	
TOTAL (new construction)	**55,500 sf**	
South Parcel		
South Hotel Main Building	11,150 sf	27 feet
Guestrooms	*4,600 sf (11 rooms)*	
Kitchen/Library	*1,250 sf*	
Back-of-house/Mechanical/Circulation	*5,300 sf*	
South Hotel Barn Building	7,500 sf	35 feet
Guestrooms	*5,100 sf (12 rooms)*	
Back-of-house/Mechanical	*2,400 sf*	
Bungalows	4,000 sf (6 rooms)	22 feet
Fitness Studio	350 sf	12 feet
TOTAL (new construction)	**23,000 sf**	
Existing Residential	6 units	
Stone Building (Existing)		
Existing Building	21,225 sf	
Hotel Lobby	*3,500 sf*	
Retail	*1,000 sf*	
Café	*900 sf*	
Conference/meeting rooms, wine room	*3,700 sf*	
Back-of-house, circulation	*3,800 sf*	
TOTAL (renovated space)	**12,900 sf**	
PROJECT TOTAL (new construction)	**78,500 sf**	

NOTES:

a. See footnote 1.

SOURCE: Jackson Family Investments, 2020.

[1] County height requirements for both AW and CL zoning designations are 35 feet when measured from the mid-point of the cord of the roof to existing grade or to finished grade (Section 18.104.120(a) of the County's Zoning Code). Additionally, features such as antennae, utility structures, mechanical features and other similar appurtenances necessarily and normally attached to a structure may be constructed to a height of not more than fifteen feet above the maximum building height in the zoning district (Section 18.104.120(c)).

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-4
Proposed Site Plan

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-5
Stone Building Floor Plans

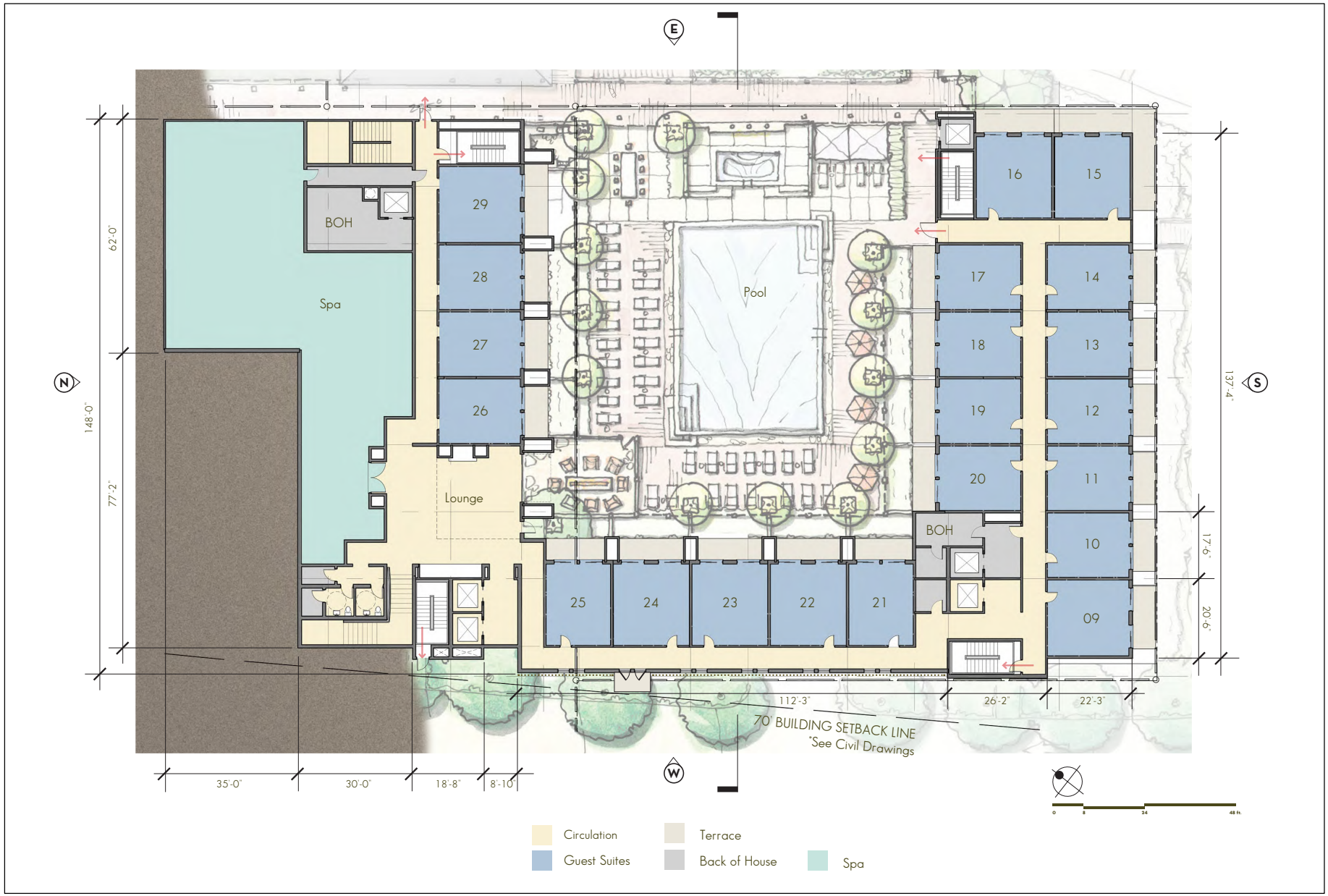
ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-6
North Hotel Building Arrival Level Plan

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-7
North Hotel Building Pool Level Plan

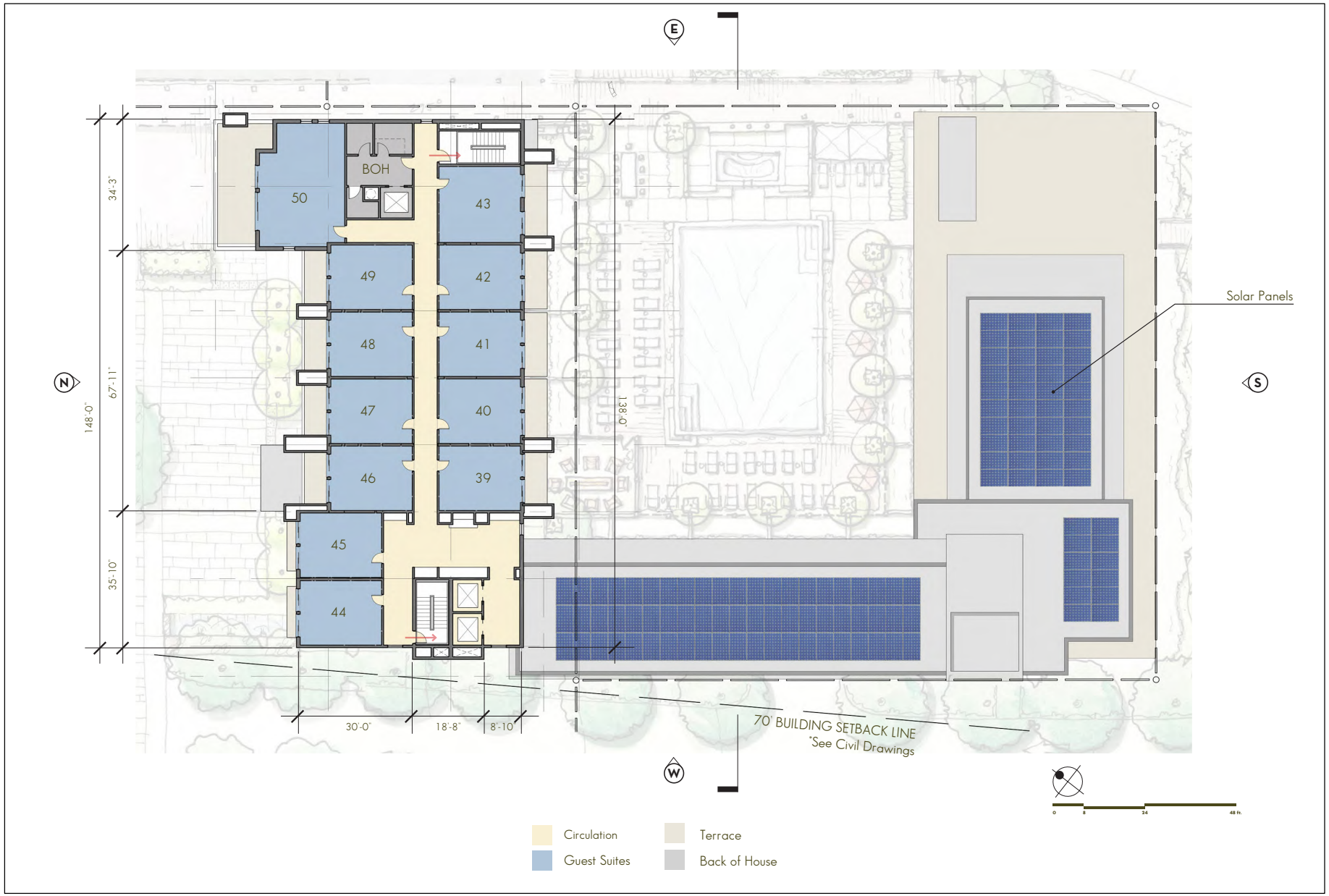
ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-8
North Hotel Building Parking Level Plan

ESA

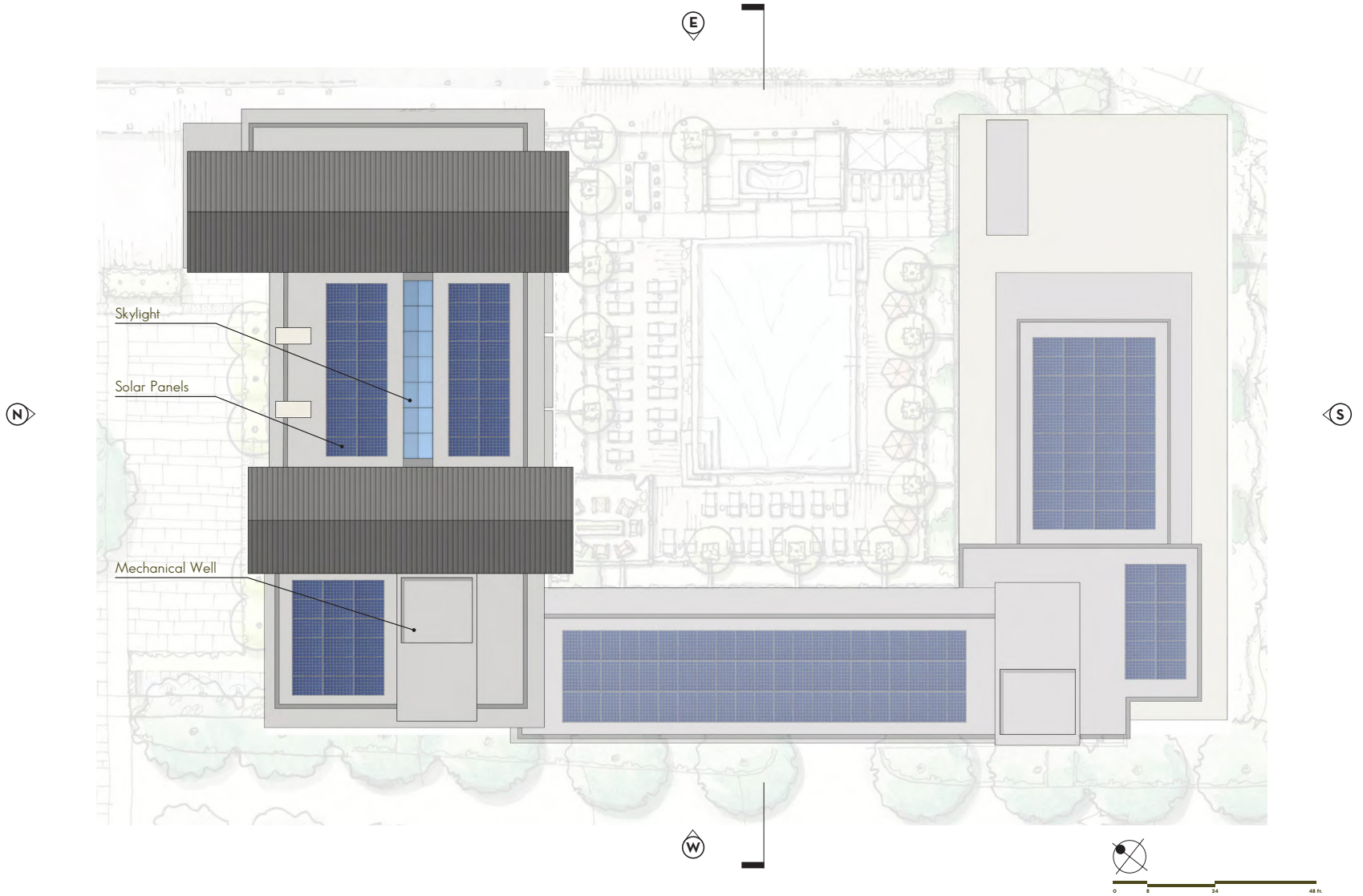


SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-9
North Hotel Building Guestroom Level Plan

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-10
North Hotel Building Roof Level Plan

ESA

NORTH ELEVATION

SOUTH ELEVATION

0 8 24 48 ft.

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-11
North Hotel Building North-South Elevations

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-12
North Hotel Building East-West Elevations

ESA

South Hotel Complex (South Parcel)

On the South Parcel, the existing commercial and five-room motel buildings would be demolished and replaced with a two-story South Hotel Main Building, a two-story South Hotel Barn Building, a freestanding single-story fitness studio, and two separate two-story bungalow buildings. The South Hotel Main Building would have approximately 11,150 square feet of floor area, including approximately 4,600 square feet for the 11 guest rooms (four on the ground floor and seven on the second floor), and the remaining area being used for a support kitchen, a library, and back-of-house uses. The South Hotel Barn Building would have approximately 7,500 square feet of floor area, including 5,100 square feet for the 12 guestrooms (six on the ground floor and six on the second floor), and the remaining area being used for back-of-house uses, and an adjacent plunge pool. The 350 square foot fitness studio would be adjacent to the plunge pool. A lawn area would be located between the South Hotel Main Building and the South Hotel Barn Building. The South Hotel Main Building, South Hotel Barn Building, and adjacent amenities are shown in **Figure 3-13** through **Figure 3-15**. Each of the two bungalow buildings would include three rooms (two on the ground floor and one on the second floor) for a total of approximately 4,000 square feet between the two buildings, as shown in **Figure 3-16** through **Figure 3-18**. Buildings on the South Parcel would be connected by a series of walkways, breezeways, patios, courtyards, and landscaped areas. A surface parking lot (Parking Lot H) containing eight parking spaces would be located on the South Parcel off of Lodi Lane. The South Parcel would also include six existing on-site residential dwelling units that would be used to house workers employed on the property.

The Project would provide a range of building heights on the South Parcel from the 12-foot-tall fitness studio, to the 22-foot-tall Bungalow #2, to the 27-foot-tall South Main Hotel Building, and the 35-foot-tall South Hotel Barn Building on the South Parcel. Project elevations are presented in **Figures 3-19** and **3-20**.

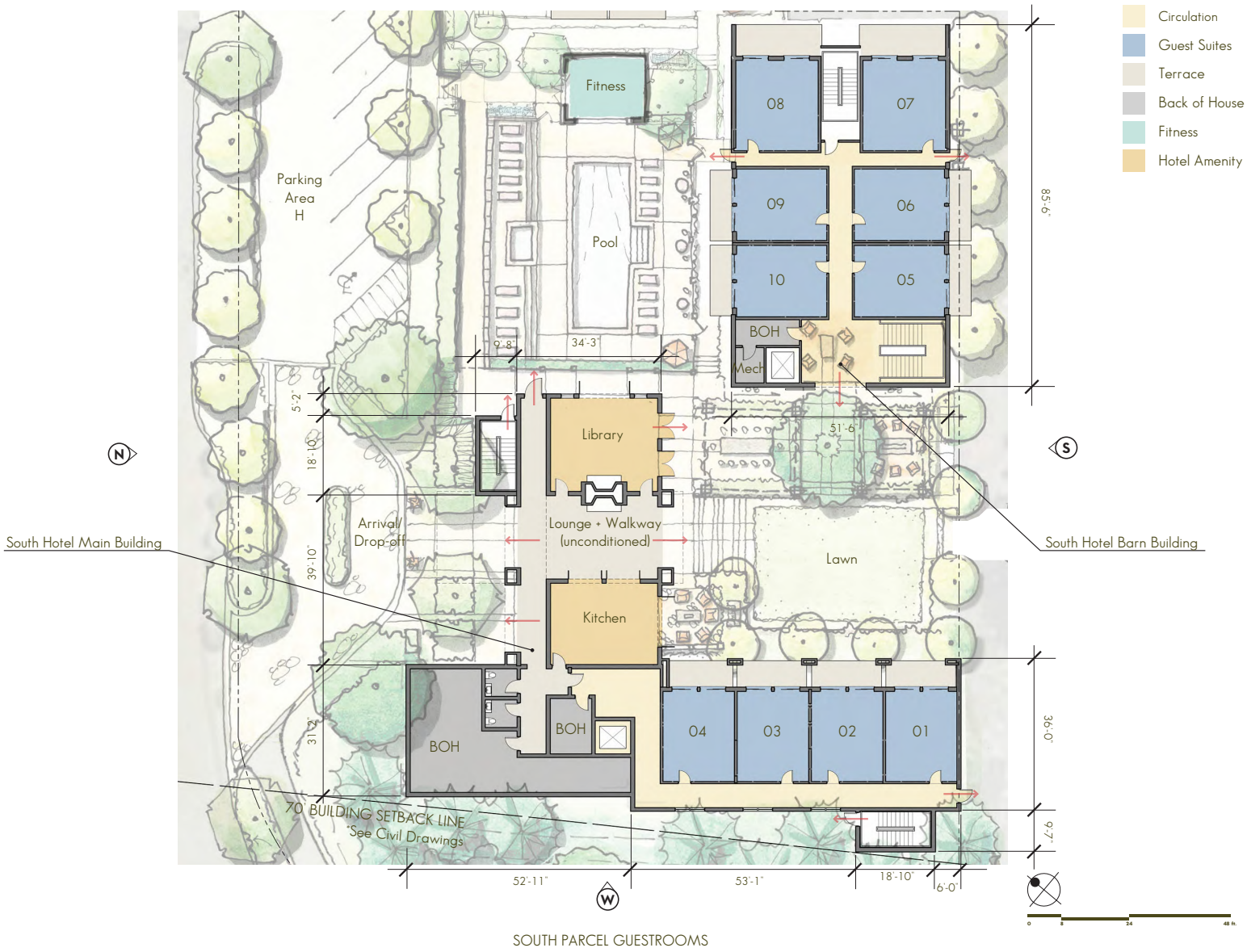
Other Site Improvements (North Parcel)

The Project site is currently used for a blend of agricultural, commercial, and residential uses and therefore would not result in a change of use. The existing Freemark Abbey Winery building, Stone Building, an office building, and a service and maintenance building would be retained and, other than internal renovations to the Stone Building, would remain unchanged on the North Parcel. Site improvements, including infrastructure improvements, driveways, parking, and landscaping, would be redeveloped on other parcels that make up the Freemark Abbey complex. Landscaping improvements would mainly be comprised of orchard tree planting around the parking lots and the main driveways.

3.3.2 Open Space, Landscaping, and Outdoor Activity Areas

Open Space and Landscaping

The Project would include approximately 79,300 square feet of total proposed new landscape area. The Project would add green/living walls, a roof garden, a landscape-based storm-water management system around the North Hotel Complex, as well as shade trees on the south side of the building. The proposed landscape plan is shown in **Figure 3-21**.



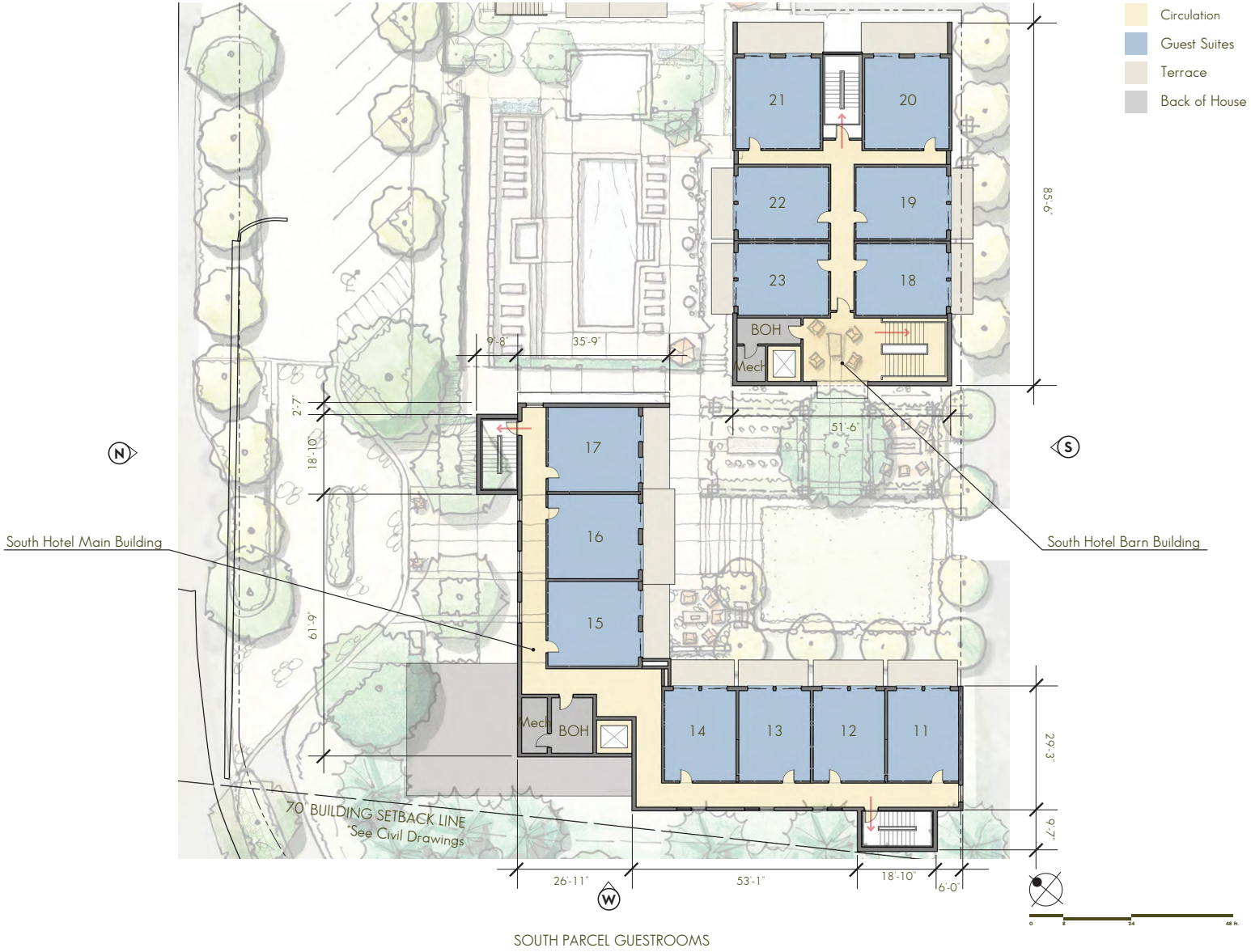
SOUTH PARCEL GUESTROOMS

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-13
South Hotel Ground Level Plan

ESA



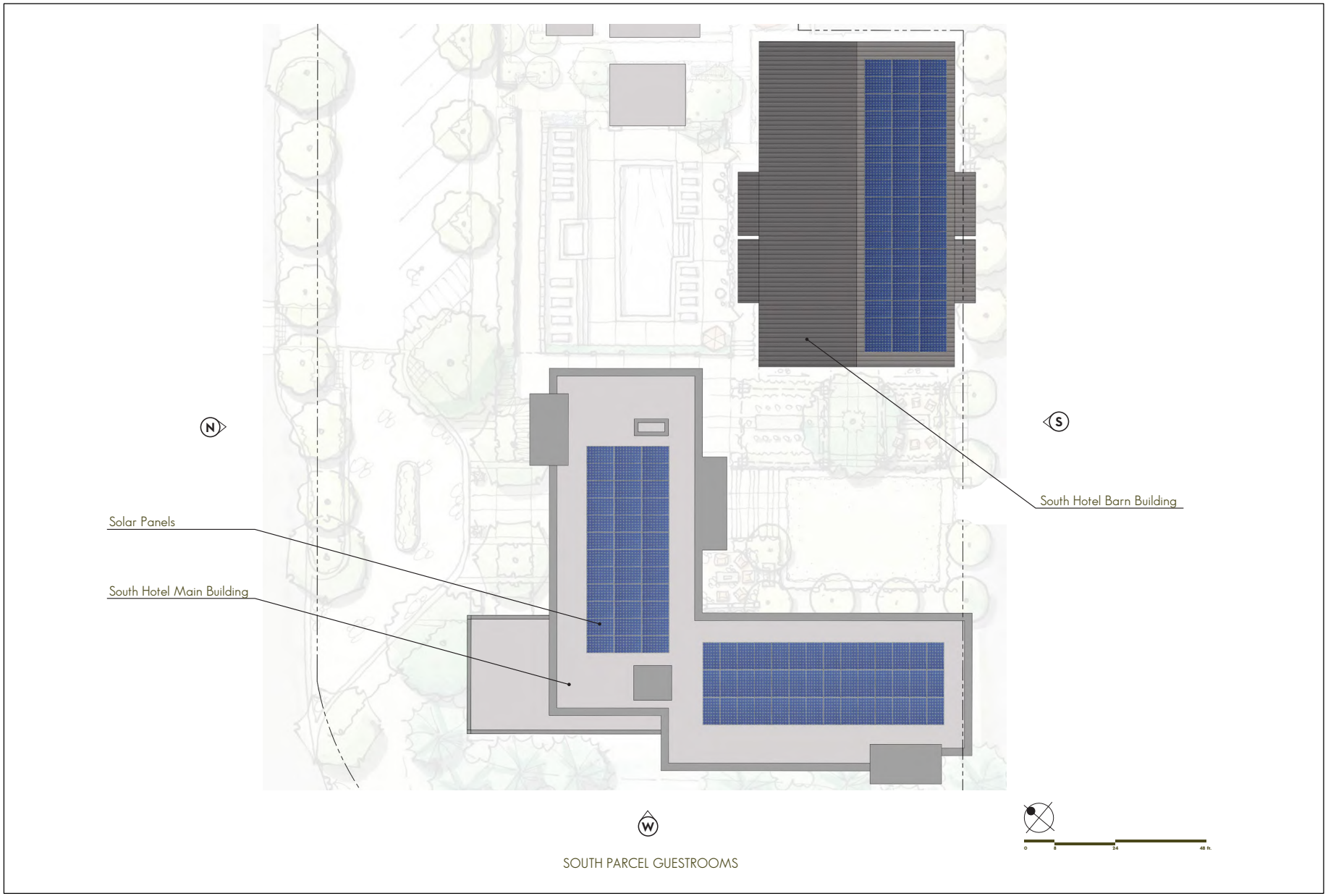
SOUTH PARCEL GUESTROOMS

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-14
South Hotel Second Level Plan

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-15
South Hotel Roof Plan

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-16
South Parcel Bungalows Ground Level Plan

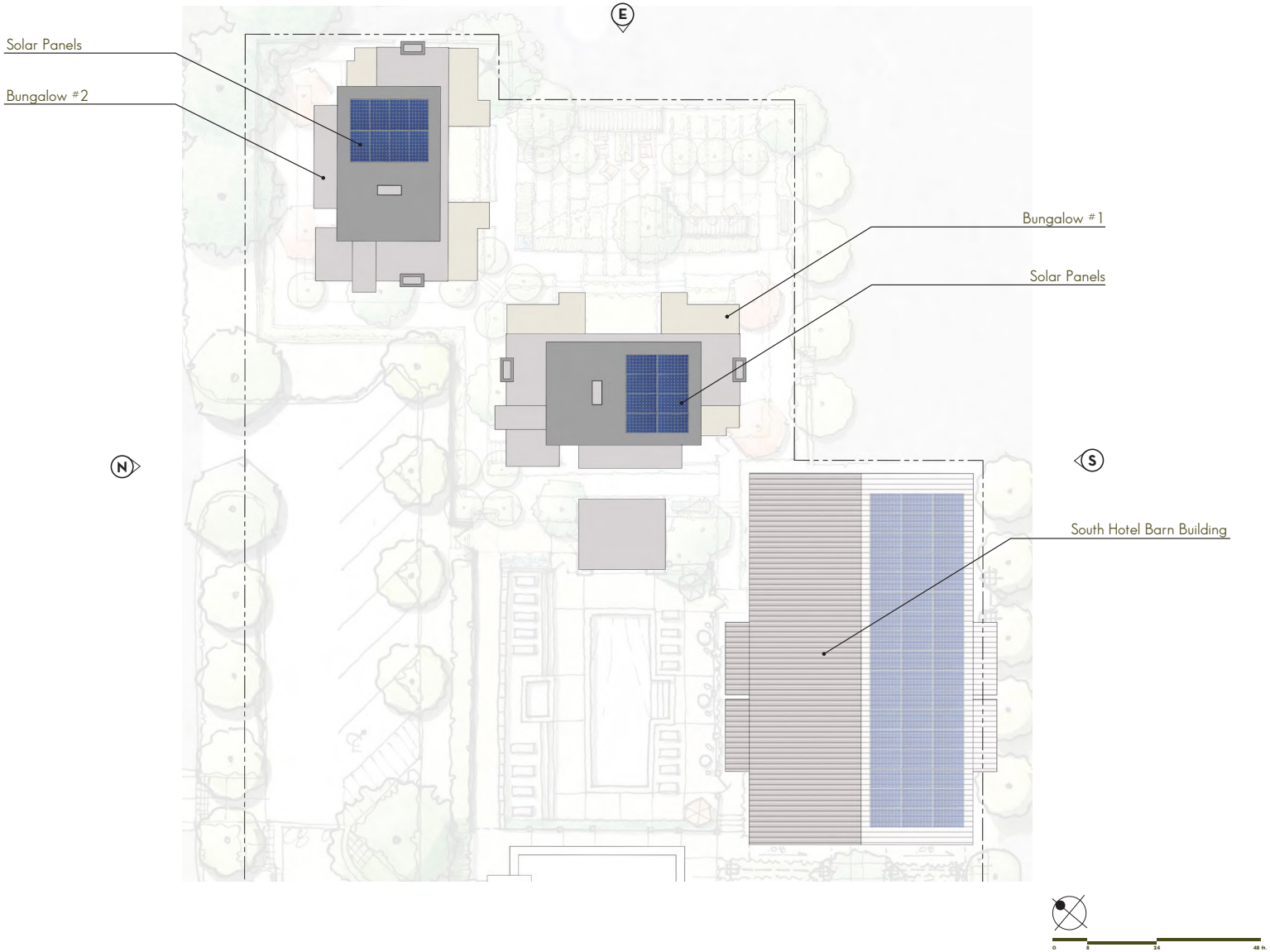
ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-17
South Parcel Bungalows Second Level Plan

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-18
South Parcel Bungalows Roof Plan

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-19
South Parcel North-South Elevations

ESA

EAST ELEVATION

WEST ELEVATION

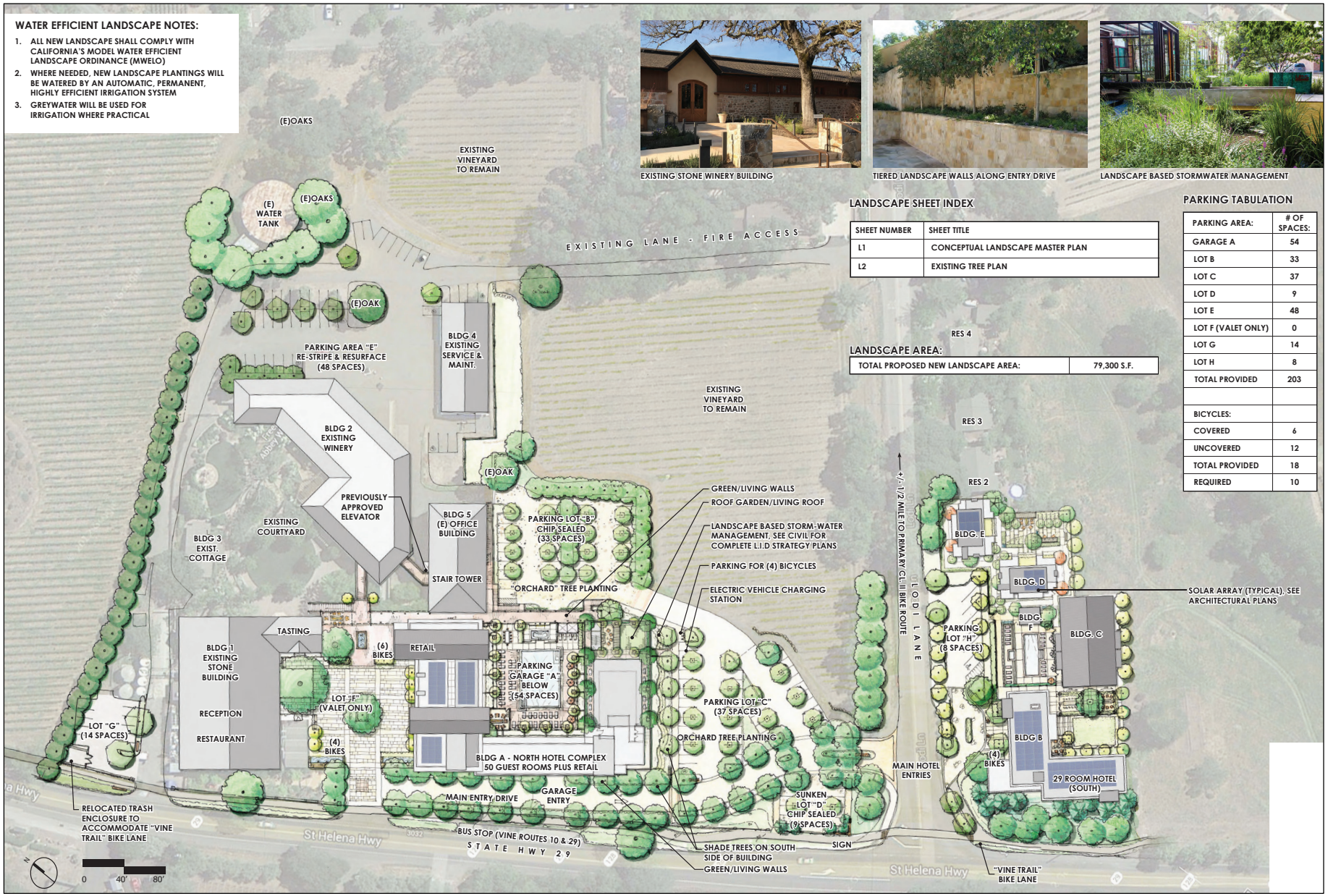
0 8 24 48 ft.

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-20
South Parcel East-West Elevations

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-21
Landscape Master Plan

ESA

The Project would require removal of approximately 97 trees including 73 trees on the North Parcel and 24 trees on the South Parcel. The trees to be removed are mainly concentrated along the western side of the North Parcel (near SR 29) where the new North Hotel Building would be constructed. A certified arborist would be retained to evaluate all other existing trees and prescribe appropriate measures for preservation, protection, and maintenance of trees to remain. Tree removals would be mitigated in accordance with Napa County requirements. The proposed tree removal plan is shown in **Figure 3-22**.

Outdoor Activity Areas

The Project would contain several common outdoor use areas for hotel guests, including pool and lounge areas, a rooftop terrace, and a lawn as described below.

Pool Areas and Outdoor Lounge Areas

Outdoor pools and sundeck areas would be located on each Project parcel (see Figure 3-4). The main pool for the hotel would be located at the center of the North Hotel Building, and a smaller plunge pool would be located adjacent to the South Hotel Barn Building. On the North Parcel, a new outdoor deck with a water feature and lounge area would be constructed between the Stone Building and the North Hotel Building. On the South Parcel, outdoor activity areas would include a patio and lounge area between the bungalow buildings. The pool areas and outdoor lounge areas are intended to be relaxation areas for guests. Exterior amplified music or speech is not proposed for these areas.

Rooftop Terrace

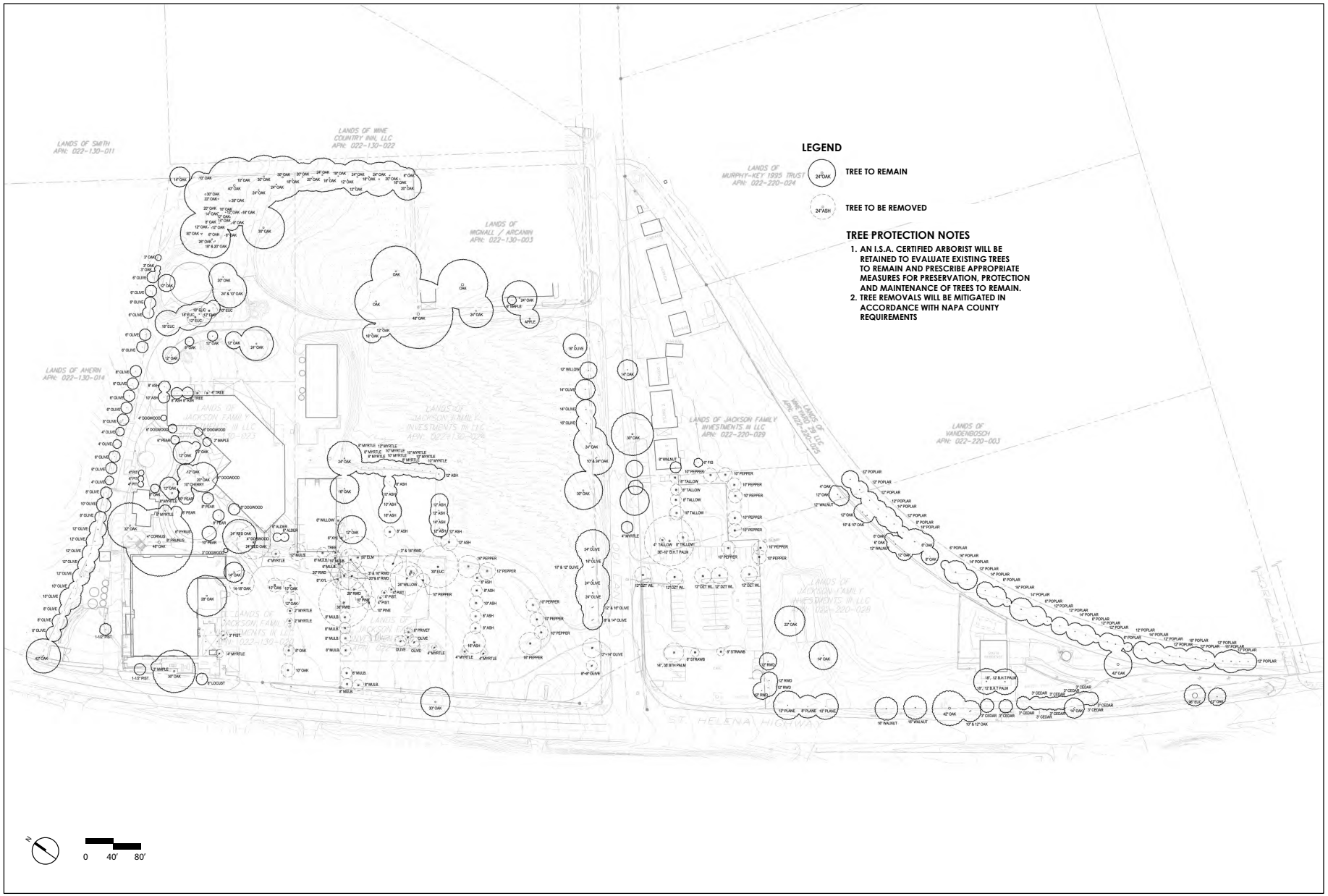
A rooftop terrace would be located within the North Hotel Building on the North Parcel (see Figure 3-6). The approximately 4,050-square-foot rooftop terrace would be partially enclosed, with interior lounge space and exterior terrace space. The terrace would include a kitchen and seating areas to provide breakfast and serve as a lounge for hotel guests. The maximum occupancy for the entire terrace would be approximately 150 people. Exterior amplified music or speech is not proposed for the rooftop terrace area; however, indoor amplified sound may occur within the interior lounge space. Operating hours for the rooftop terrace would be 7:00 a.m. to 10:00 p.m.

South Parcel Lawn

An approximately 1,300-square-foot lawn area would be located on the South Parcel (see Figure 3-13). The maximum capacity of the South Parcel lawn would be approximately 86 people. Amplified music and speech would not occur at this location; however, non-amplified (acoustic) music, films, and raised conversation would be permitted. The hours of operation for the South Parcel lawn would be from 11:00 a.m. to 10:00 p.m.

3.3.3 Access, Parking, and Circulation

Site access would primarily be provided from entrances on SR 29 and Lodi Lane. The North Parcel has four existing driveways, two on SR 29 and two on Lodi Lane, all of which would remain with the Project. The South Parcel is currently served by a single driveway that would be replaced with a one-way looped driveway, with two connections to Lodi Lane. The Project would provide a reconfigured paved driveway and turnaround/drop-off area adjacent to the North Hotel Building, as well as a paved driveway and drop-off area on the southeastern portion of the site near the South Hotel Main Building.



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 3-22
Tree Removal Plan

ESA

The Project site contains approximately 223 existing parking spaces. Approximately 203 parking spaces would be provided as part of the Project via a combination of self- and valet parking. Existing surface parking lot areas that would remain under the Project would be aligned and resurfaced, resulting in a total reduction of 20 spaces from existing conditions. As described in Section 3.3.1, *Project Program*, parking would consist of an underground parking garage (Garage A) located below the North Hotel Building and would include 54 stalls for valet parking. The Project would also include surface parking available in lots B through H. The existing and proposed parking breakdown is shown in **Table 3-2** below and in Figure 3-21 above. The Project would also provide approximately six (6) covered bicycle parking stalls and 12 uncovered bicycles parking stalls for 18 total bicycle parking stalls.

TABLE 3-2
PROJECT SITE PARKING

Parking Lot	Existing Parking Spaces	Proposed Parking Spaces
Vehicle Parking		
Garage A (valet parking)	59 (Surface Lot A)	54
Surface Lot B	37	33
Surface Lot C	43	37
Surface Lot D	-	9
Surface Lot E	29	48
Surface Lot F (valet staging only)	19	0
Surface Lot G	6	14
Surface Lot H	30	8
Total Provided	**223**	**203**
Bicycles		
Covered	-	6
Uncovered	-	12
Total Provided	**-**	**18**

The Stone Building would have hotel lobby, retail, and restaurant entrances from the arrival/valet court that can be accessed via street frontages on SR 29. There would also be entrances to the Stone Building on the west side of the building. The North Hotel Building would have retail and lounge entrances on the other side of the arrival/valet court. The South Hotel Main Building would have a lounge/walkway that would open up to the arrival/drop-off area that would be accessible via street frontages on Lodi Lane. The South Hotel Barn Building would have a south entrance opening up to the proposed lawn and an east entrance opening up to the proposed pool area.

3.3.4 Utilities

The Project would use existing infrastructure for water supply, wastewater/stormwater conveyance, and electricity where feasible. However, it is possible that existing water conveyance infrastructure would be upgraded and/or replaced. The property would be plumbed to capture, treat, and reuse treated greywater. Treatment would occur outside the building footprints; reuse would occur both inside the building and on the property as landscape irrigation. Excess treated graywater may be made available for irrigation use on

adjacent properties subject to County approval and willingness of nearby properties to accept and use reclaimed water.

Water

The North Parcel currently uses water from two on-site groundwater wells (the Abbey Well and the Vineyard Well) and a connection to the City of St. Helena water system. A separate public water system currently serves the South Parcel from one well on the eastern edge of the parcel, known as the Alumbaugh Well. The Project Applicant proposes to reduce the current groundwater use by 20 percent over existing entitlements.

The Project Applicant proposes to integrate the proposed hotel development and existing residential dwelling units on the South Parcel with the North Parcel public water system. The South Parcel well would continue to be used to draw the South Parcel water allotment as part of the combined public water system. The proposed integration would include connecting the Alumbaugh Well as a new water source for the North Parcel public water system, re-using the existing North Parcel treatment and blending system, and connecting the North and South parcel distribution systems. A new approximately 2-inch pipeline would be constructed to connect the existing blending station on the North Parcel with the Alumbaugh Well water supply. Iron and manganese filters would be added to the North Parcel blending system, as needed. The existing South Parcel treatment system, currently regulated by a separate public water system, would be abandoned. New 4-inch drinking water, 8-inch fire water, and 4-inch irrigation water pipelines would be constructed to connect the new hotel buildings to the existing water supply system.

To avoid the transfer of City of St. Helena water to the South Parcel, the municipal City water service would be disconnected from the existing blending system and would instead serve the North Parcel buildings directly. The North Parcel buildings would maintain an auxiliary connection to the on-site public water system for backup use if the City water allotment is depleted. Reduced pressure backflow preventors would be installed as required to prevent cross-connection of on-site and City public water systems.

Wastewater

The North Parcel currently collects and conveys its wastewater to a Combined Wastewater Management System (CWMS), known as the Markham CWMS, which is located on the nearby Markham Vineyards property and is operated under a waste discharge order approved by the San Francisco Regional Water Quality Control Board. The Freemark Abbey allocation under the CWMS is 4.0 million gallons per year (MG/year). New wastewater generated from the Project on the North Parcel would be conveyed to the existing CWMS or treated and reused through a new on-site greywater or process wastewater treatment system.

The South Parcel's existing commercial and residential use buildings are served by individual on-site wastewater treatment systems. Wastewater from the new South Parcel hotel buildings would be disposed of through discharge to the existing underground septic system, or treated and reused through a new on-site greywater treatment system described below.

In lieu of discharging to an existing on-site septic system, some or all of the existing South Parcel septic systems may be consolidated into a new engineered on-site septic system. This optional consolidated system would include a treatment train consisting of a new 12,000-gallon septic tank, a 3,000-gallon recirculation tank connected to an Orenco AX-100 pod, or approved equal, and a 5,000-gallon dosing tank which would deliver metered flows of pre-treated effluent to a new Geoflow subsurface drip field on the South Parcel.

South Parcel Greywater System

The Project Applicant proposes to construct a greywater treatment system on the South Parcel that would treat a portion of the wastewater generated from the hotel for on-site reuse. The greywater treatment would meet National Sanitation Foundation (NSF) 350 requirements for greywater systems in jurisdictions with no local requirements for these systems, such as Napa County. Treated greywater would be stored and reused through surface drip irrigation on-site, and would be plumbed back to the hotel for non-potable water uses such as toilet flush water supply.

A treatment train including a settling tank, treatment tank with a High Strength Membrane Bio-Reactor (HSMBR) unit, or approved equal, ultraviolet (UV) disinfection, and a holding/pump tank is proposed to meet the treatment goal of 10 milligrams per liter (mg/L) biochemical oxygen demand (BOD) and 10 mg/L total suspended solids (TSS). A proposed 3,000-gallon settling tank providing up to one day of storage capacity would serve to buffer peak flows and strengths from overwhelming the system and impairing treatment. A proposed 6,000-gallon treatment tank would treat peak greywater flows using a HSMBR unit. Treated effluent would pass through a 5-micron filter and UV disinfection unit prior to storage and use. The treated wastewater proposed for irrigation would be applied to areas of landscape on the South Parcel outside well setback requirements. Two proposed 25,000 gallon underground storage tanks (50,000 gallons total) would store excess water that cannot be discharged during wet weather. A high-water alarm and emergency overflow to the domestic wastewater system would be provided on the greywater settling tank and treated greywater storage tank. The greywater system would be fully automated and designed to require minimal input from employees working on the Project site.

A similar greywater treatment system is proposed to serve the North Parcel hotel building. Treated greywater from the North Parcel greywater system would be stored and reused for non-potable water uses in the North Parcel hotel. Excess treated greywater may be made available for irrigation use on nearby properties. In lieu of separate greywater systems on the North and South Parcels, a single consolidated greywater system may be constructed.

Winery Process Wastewater Improvements

As part of the Project, improvements are also proposed to treat and reuse winery process wastewater from the existing winery for irrigation use. According to the *Napa County Environmental Management Sewage Treatment System Design Guidelines*, winery process wastewater must be treated prior to surface discharge. A process wastewater treatment system with a treatment train including a septic tank, treatment tank with HSMBR unit, or approved equal, and pump tank are proposed. A 5,000-gallon septic tank would buffer peak flows and strengths from overwhelming the system and impairing treatment. This tank would provide three days storage and will also serve to function as a primary settling basin. A 15,000-gallon treatment tank would treat wastewater flows using a HSMBR unit and provide ten days of storage.

The treated wastewater proposed for irrigation would be applied to areas of landscaping and vineyards outside well setback requirements. A proposed 20,000-gallon storage tank would store excess water that cannot be discharged during wet weather.

Stormwater

Runoff from the Project site flows via roof gutters and surface flow to on-site storm drains and natural flow lines that ultimately discharge to the Napa River. The Project would include improvements throughout the Project site to install new bioretention basins, vegetated buffer strips, and self-retaining areas. The Project design incorporates low-impact development design (LID) strategies, including stormwater treatment elements, minimization of impervious surfaces, and stormwater control measures. Additionally, the Project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Permit because more than one (1) acre of land would be disturbed through project construction activities. Pursuant to the NPDES Construction General Permit, a stormwater pollution prevention plan (SWPPP) would be developed and implemented at the Project site. In addition to the SWPPP, source control best management practices (BMPs) would be designed and implemented as recommended by the California Stormwater Quality Association's BMP handbooks.

3.3.5 Other Public Improvements – Development Agreement Terms

The Project Applicant has offered the following public benefits and improvements as terms of a Development Agreement:

Lodi Lane Crossing Improvement

The Project Applicant proposes to construct an at-grade street crossing enhancement to the existing Vine Trail crossing at SR 29 and Lodi Lane to increase pedestrian, bicycle, and on-site operational safety and traffic calming. The preliminary design includes a 6-foot-wide raised median curb with a 6-foot-wide by 10-foot-long pedestrian refuse area that would taper along Lodi Lane. The preliminary design also includes standard Caltrans 24-inch-wide crosswalk striping. The Project may also include other traffic calming measures (such as a rumble strip/speed table, and/or signage) along Lodi Lane to reduce traffic speeds and increase driver awareness.

Vine Trail E-Bike Charging Station

The Project Applicant has contributed easements for Vine Trail and a trail rest shelter.[2] The Project would also incorporate e-bike charging into the Project site plan. This e-bike charging station would be available to the public using the Vine Trail.

Fire Protection

The Project would also establish a private fire truck on the Project site. A type 6 fire truck, with an approximate 250-gallon water tank capacity would be stationed at the Project site for use by private fire crews to assist the California Department of Forestry and Fire Protection (CAL FIRE). During the 2020

[2] As of publication of this Draft EIR, the Vine Trail rest shelter has been constructed.

fires, the Project Applicant's private fire crews assisted CAL FIRE to fight wildfires in the Lodi Lane area. Staging a private fire truck at the Project site would facilitate future private firefighting resources.

3.3.6 Employee Housing

As part of the Project, six existing market rate residential dwelling units on the South Parcel would be renovated and deed restricted affordable for employees.

Additionally, prior to occupancy of the hotel, the Project Applicant would cause to construct and/or commit to deliver five new residential dwelling units in Napa County to be occupied by employees who work for Project Applicant or Project Applicant's affiliates. The new residential dwelling units may be funded by the Project Applicant, funded/constructed in partnership with housing developers, non-profit organizations, and/or constructed by Project Applicant on its properties. Should the newly constructed units be rented to outside tenants, the Project Applicant would agree to maintain rents at moderate income limits (as defined by California Department of Housing and Community Development) for a period of at least 40 years.

3.3.7 Sustainability

The Project would be designed and constructed to a minimum Leadership in Energy and Environmental Design (LEED) Gold Certification standard. The key sustainability principals proposed by the Project Applicant are as follows:

- **Water Conservation**. Graywater and winery process wastewater would be captured, processed, and re-used on the property for vineyard and landscape irrigation needs, as well as non-potable building water uses, where feasible. Water-efficient fixtures would be installed throughout the buildings to further reduce water dependency.
- **Renewable Energy**. Solar panels would be installed in several locations to provide local, on-site, renewable power generation.
- **Electric Vehicle Chargers**. As a public benefit as a term of a Development Agreement, the Project Applicant would include installation of 150 percent of the number of electric vehicle charging stations required by the building code.
- **Preservation of Open Space and Agricultural Lands**. The Project is proposed entirely on areas that have been previously disturbed or developed and would avoid natural open spaces and existing agricultural uses. The Project would also include active agriculture on the South Parcel's agriculturally zoned land that is currently fallow. Agricultural uses would consist of growing and harvesting but not processing of agricultural products. Agricultural use on the South Parcel would be intended to provide a "farm-to-table" experience for Project-related food service and to educate hotel guests on Napa County's agricultural economy.
- **Alternative Transportation**. The Project site is located near a transit stop and a recently constructed Class I bikeway (The Vine Trail). The Project would be designed to connect to these facilities and provide an alternate means of travel to and from the site. Bike storage areas are also proposed throughout the Project site.
- **Permeable Parking Areas**. Several existing paved surfaced parking areas would be converted to permeable surfacing materials to increase drainage, soil health, and groundwater recharge.

3.3.8 Project Construction

Construction activities would consist of demolition of the existing buildings (as shown in Figure 3-4) and surface parking lots, site preparation and grading, paving, and building construction including finishing interiors. Project construction is expected to occur over approximately 36 months, estimated to begin in Spring of 2027.[3]

Equipment involved with Project construction would include excavators, graders, rollers, sweepers, drill rigs, cranes, dumpers, forklifts, generator sets, welders, and trucks for delivering materials and for off-hauling demolition debris. No impact pile driving or blasting activities are proposed during construction of the Project. Construction activities would be conducted in accordance with the provisions of the County's Municipal Code, which limits noise levels at residential land use to 75 dBA or below between the hours of 7:00 a.m. and 7:00 p.m., and noise levels at industrial land use (wineries) to 85 dBA or below between the hours of 7:00 a.m. and 7:00 p.m. No nighttime construction activities are anticipated, but if required, they would be conducted in accordance with the provisions of the County's Municipal Code, which limits noise levels at residential land use to 60 dBA or below between the hours of 7:00 p.m. and 7:00 a.m., and noise levels at industrial land use (wineries) to 70 dBA or below between the hours of 7:00 p.m. and 7:00 a.m.

The Project would involve approximately 10,058 square feet of demolition and 78,841 square feet of new construction and would disturb approximately 6.9 acres across the Project site. Earthwork estimates for the Project indicate an estimated 20,000 cubic yards of cut on the North Parcel and 5,000 cubic yards of fill on the South Parcel, resulting in a total export of approximately 15,000 cubic yards during construction. If the optional South Parcel engineered septic system is used, an additional 3,000 cubic yards of fill would be needed on the South Parcel. Based on preliminary geotechnical investigation in the Project vicinity, shallow groundwater should be anticipated near the ground surface (about 5 to 10 feet) annually. In the event that groundwater is encountered during construction, dewatering would be required.[4]

3.4 Project Objectives

The Project Applicant has developed the following objectives for the Project:

- Develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45;
- Generate positive fiscal impacts for Napa County through redevelopment and use of the Project site;
- Develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements;
- Provide on-site affordable housing in existing residences;

[3] As presented in Appendix C, construction was assumed to begin in Spring 2024, rather than in 2027 as currently anticipated. Build-out was also expected to be completed earlier than now anticipated. These assumptions are conservative because they do not account for new emissions-reducing technologies or regulations that may become applicable over time.

[4] Miller Pacific Engineering Group, 2019. *Geotechnical Investigation Inn at the Abbey, 3000 St. Helena Highway North, St. Helena, California*, January 2019.

- Develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled; and
- Implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand.

The County seeks to achieve the following objectives for the Project:

- Ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and supporting industries to ensure the preservation of agricultural lands and envision additional commercial uses only within the portions of parcels zoned commercial.
- Demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains a minimum of LEED Gold Certification with the goal of achieving LEED Platinum Certification, and that maintains LEED certification through the life of the project.
- Help create a wildfire resilient community by facilitating firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood.
- Ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County.

3.5 Discretionary Actions and Other Planning Considerations

A number of discretionary permits and approvals would be required before development of the Project could proceed. As Lead Agency for the Project, Napa County is responsible for the majority of approvals required for development, and for preparation of this Draft EIR. The currently anticipated County and other agency permits and approvals that may be required include the following:

3.5.1 Actions by Napa County

A number of permits and approvals would be required before development of the Project could proceed. The approvals needed for the Project may include the following, without limitation:

- EIR Certification
- Approval of a use permit major modification
- Adoption of an ordinance approving a development agreement
- Demolition permit, grading permit, building permit
- Encroachment permit (Lodi Lane)
- Wastewater permits for new or modified septic, greywater, or process wastewater treatment systems
- All other necessary development permits and entitlements from the County

3.5.2 Actions by Other Agencies

In addition, the Project may rely on or require review and approval by a number of public agencies and jurisdictions that have authority over specific aspects of the Project. The approvals needed for the Project may include the following, without limitation:

- **Bay Area Air Quality Management District (BAAQMD):** Authority to construct (for devices that emit air pollutants); permit to operate.
- **California Department of Transportation (Caltrans):** Encroachment permits for construction activities affecting SR 29 and Lodi Lane crossing improvement.
- **California Regional Water Quality Control Board (RWQCB):** National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharge during construction, NPDES Industrial General Permit for stormwater discharge associated with industrial uses, Winery General Order for discharge of treated winery process wastewater to land, consolidation of the existing Public Water Systems, and modifications to the Markham CWMS.

CHAPTER 4
Environmental Setting, Impacts, and Mitigation Measures

4.0 Introduction to the Environmental Analysis

This environmental impact report (EIR) evaluates and documents the physical environmental effects that would potentially occur with the implementation of the Project in accordance with CEQA, Public Resources Code (PRC) Sections 21000, et seq., and the *Guidelines for the California Environmental Quality Act* (CEQA Guidelines), California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.).

Sections 4.1 through 4.16 in this chapter consider the existing conditions, regulatory setting, and environmental impacts associated with implementation of the Project, as well as mitigation measures to reduce the impact of Project and cumulative environmental impacts, and the level of significance of impacts following mitigation.

4.0.1 Definition of Terms Used in this Draft EIR

This Draft EIR uses a number of terms that have specific meaning under CEQA. Among the most important of the terms used in the Draft EIR are those that refer to the significance of environmental impacts. The following terms are used to describe environmental effects of the Project:

- **Significance Thresholds:** A set of standards used by the lead agency to determine whether an impact would be considered significant. (See CEQA Guidelines Section 15064.7.) Standards of significance used in this Draft EIR were derived from Appendix G of the CEQA Guidelines unless otherwise noted. In determining the level of significance, the analysis assumes that the project would comply with relevant federal, State, and local regulations and ordinances.
- **Significant Impact:** A project impact is considered significant if the project were to result in a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of project-related physical changes compared to specified significance thresholds, which may be qualitative or quantitative. A significant impact is defined as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance" (CEQA Guidelines Section 15382).
- **Less-than-Significant Impact:** A project impact is considered less than significant when the physical change caused by the project would not exceed the applicable significance threshold.

- **Significant and Unavoidable Impact:** A project impact is considered significant and unavoidable if it would result in a substantial adverse physical change in the environment that cannot be feasibly avoided or mitigated to a less-than-significant level.
- **Cumulative Impact:** Under CEQA, a cumulative impact refers to "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). A significant cumulative impact is one in which the cumulative adverse physical change would exceed the applicable significance criterion and the project's contribution is "cumulatively considerable" (CEQA Guidelines Section 15130(a)).
- **Mitigation Measure:** A mitigation measure is an action that could be taken to avoid or reduce the magnitude of a significant impact. Section 15370 of the CEQA Guidelines defines mitigation as:
  a. Avoiding the impact altogether by not taking a certain action or parts of an action;
  b. Minimizing impacts by limiting the degree of magnitude of the action and its implementation;
  c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
  d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
  e. Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

4.0.2 Section Format

Chapter 4 is divided into technical sections (e.g., Section 4.1, *Aesthetics*) that present the physical environmental setting, regulatory setting, significance criteria, methodology and assumptions, and impacts on the environment for each environmental resource issue area. Where required, potentially feasible mitigation measures are identified to lessen or avoid potentially significant impacts. Each section includes an analysis of Project and cumulative impacts for each issue area.

The resource topic areas addressed in this Draft EIR chapter are listed below, and the abbreviations for each resource topic that are used in the naming of impact statements and mitigation measures are shown in parentheses:

- Section 4.1: Aesthetics (AES)
- Section 4.2: Agriculture and Forestry Resources (AGR)
- Section 4.3: Air Quality (AIR)
- Section 4.4: Biological Resources (BIO)
- Section 4.5: Cultural Resources (CUL)
- Section 4.6: Energy (ENE)
- Section 4.7: Greenhouse Gas Emissions (GHG)
- Section 4.8: Hydrology and Water Quality (HYD)
- Section 4.9: Land Use and Planning (LUP)
- Section 4.10: Noise and Vibration (NOI)
- Section 4.11: Population and Housing (POP)

- Section 4.12: Public Services (PUB)
- Section 4.13: Transportation and Circulation (TRA)
- Section 4.14: Tribal Cultural Resources (TCR)
- Section 4.15: Utilities and Service Systems (UTL)
- Section 4.16: Wildfire (WLF)

The technical environmental sections each begin with a description of the Project's **environmental setting** and the **regulatory setting** as it pertains to a particular issue. The environmental setting provides a point of reference for assessing the environmental impacts of the Project and Project alternatives. The environmental setting discussion generally addresses the conditions that existed at the time of issuance on the Draft EIR's Notice of Preparation (NOP) in July 2020. This setting establishes the baseline by which the Project and Project alternatives are measured for environmental impacts. The regulatory setting presents relevant information about federal, State, regional, and/or local laws, regulations, plans or policies that pertain to the environmental resources addressed in each section.

Next, each section presents **significance criteria**, which identify the standards used by the County to determine the significance of the environmental effects of the Project. For impacts that would have no or less-than-significant impacts to the environmental topic based on the Initial Study prepared for the Project (see Appendix B), a summary of the analysis in the Initial Study is provided.

An **approach to analysis** discussion in each section presents the analytical methods and key assumptions used in the evaluation of effects of the Project and is followed by an **impacts of the Project** discussion. The impacts of the Project portion of each section includes impact statements, prefaced by a number in bold-faced type. An explanation of each impact is followed by an analysis of its significance. The subsection concludes with a statement that the impact, following implementation of the mitigation measure(s) and/or the continuation of existing policies and regulations, would be reduced to a less-than-significant level or would remain significant and unavoidable.

The analysis of environmental impacts considers potential impacts of the actions described as the "Project" in Chapter 3, *Project Description*. As required by Section 15126.2(a) of the CEQA Guidelines, direct, indirect, short-term, long-term, onsite, and/or off-site impacts are addressed, as appropriate, for the environmental issue area being analyzed. Under CEQA, economic or social changes by themselves are not considered to be significant impacts, but may be considered in linking the implementation of a project to a physical environmental change, or in determining whether the physical change is significant.

Where enforcement exists and compliance can be reasonably anticipated, this Draft EIR assumes that the Project would meet the requirements of applicable laws and other regulations.

Mitigation measures pertinent to each individual impact, if required, appear after the impact discussion section. The magnitude of reduction of an impact and the potential effect of that reduction in magnitude on the significance of the impact is also disclosed. An example of the format is shown below using the topic of air quality (AIR).

Impacts and Mitigation Measures

Impact AIR-1: Impact Statement.

A discussion of the potential impact of the Project on the resource is introduced in paragraph form. To identify impacts that may be site- or Project element-specific, where appropriate, the discussion differentiates between construction effects and operational effects. A statement of the level of significance before application of any mitigation measure is provided in bold.

Mitigation Measure

If the impact is determined to be less than significant, the text will say, "None required." If the impact is determined to be significant or potentially significant, mitigation will be included in the following format:

> **Mitigation Measure AIR-1: Mitigation Measure Title.**
>
> Recommended mitigation measure, numbered in consecutive order.

Where appropriate, one or more potentially feasible mitigation measures are described. A statement of the significance of the impact following implemented mitigation measure(s) is included in **bold**, with an explanation of the measure(s) effectiveness if necessary.

4.0.3 Off-site Employee Housing

As presented in Chapter 3, *Project Description*, as part of the Development Agreement for the Project, the Project Applicant, prior to occupancy of the hotel, would cause to construct and/or commit to deliver five new dwelling units within Napa County to be occupied by employees who work for the Project Applicant or Project Applicant's affiliates. The new residential units may be funded by the Project Applicant, funded/constructed in partnership with housing developers, non-profit organizations, and/or constructed by Project Applicant on its properties. Should the newly constructed units be rented to outside tenants, the Project Applicant would agree to maintain rents at moderate income limits (as defined by California Department of Housing and Community Development) for a period of at least 40 years.

It is assumed that the off-site housing units developed to meet the Project's affordable housing obligation would be separately entitled following environmental review, if required. This analysis does not speculate regarding the location or impacts of the new off-site housing units, which would comply with County Code and zoning requirements, be consistent with the County's General Plan, and therefore fall within the forecast of cumulative growth, as described below.

Additionally, consistent with typical County development, the five new units are anticipated to be ministerial approvals. The County's General Plan and zoning ordinance permits construction of one single-family home on each legal lot, with the exception of areas that are zoned for industrial use. The County's zoning ordinance also permits one Accessory Dwelling Unit (ADU) and one Junior Accessory Dwelling Unit (JADU) per parcel within residentially and Agricultural Watershed (AW) zoning.[1] These developments by themselves would not result in any significant impacts on the environment. If the five

[1] Up to two ADUs and one JADU on a legal lot may be allowed if the two ADUs meet State ADU exemption requirements.

new residential units were to be incorporated into a larger affordable housing development project, CEQA review, General Plan provisions, County Code regulations, and payment of impact fees would all be required, and the analysis of project and site-specific potential impacts is considered speculative and beyond the scope of this Draft EIR.

Considering the above, potential impacts of the five new off-site residential units are not explicitly described in every environmental topic section of the Draft EIR, except for some areas where they are particularly relevant to the analysis and discussed for informational purposes (e.g., Section 4.11, *Population and Housing*).

4.0.4 Cumulative Impacts

An analysis of cumulative impacts follows the Project-specific impacts and mitigation measures evaluation in each section and starts by describing the geographic context in which cumulative impacts are analyzed.

CEQA defines cumulative as "two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts." The cumulative impact from several projects is the change in the environment, which results from the incremental impact of the Project when added to other *closely related past, present, and reasonable foreseeable probable future projects* (referred to collectively in this Draft EIR as "cumulative development").

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

Geographic Scope

The geographic scope used to assess cumulative impacts may vary depending on the specific environmental topic being analyzed. For example, considerations for cumulative public services effects are different from those used to assess cumulative air quality. Only development within the public service areas and providers of the Project site could contribute to a cumulative public services effect; on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants. Accordingly, the geographic scope of each cumulative analysis discussion vary and is described at the start of each cumulative impact analysis.

Cumulative Development and Assumptions

CEQA Guidelines section 15130(b)(1) identifies two approaches to cumulative impacts analyses to account for the cumulative development. Consistent with CEQA, a combination of both the *forecast method* (i.e., a projection or model) and/or *list method* (i.e., a list containing past, present, and reasonably foreseeable future projects) were used in the Draft EIR.

The analyses in this Draft EIR employ a list-based approach and projections-based approach, depending on the environmental topic analyzed. For instance, the cumulative analysis of impacts to historical architectural resources considers individual projects that are anticipated in the Project site vicinity that may affect historical architectural resources also affected by the Project. By comparison, the cumulative population and housing analysis relies on a projection of overall Countywide growth and other reasonably foreseeable projects, which is the typical methodology the County applies to analysis of population and housing impacts.

Cumulative development in this Draft EIR is generally established using Napa County's Current Projects Explorer list as of August 2024, together with past, present, existing, approved, pending and reasonably foreseeable future projects (summarized consistently in the cumulative analyses in this Draft EIR as "past, present, and reasonably foreseeable") beyond the Project site.

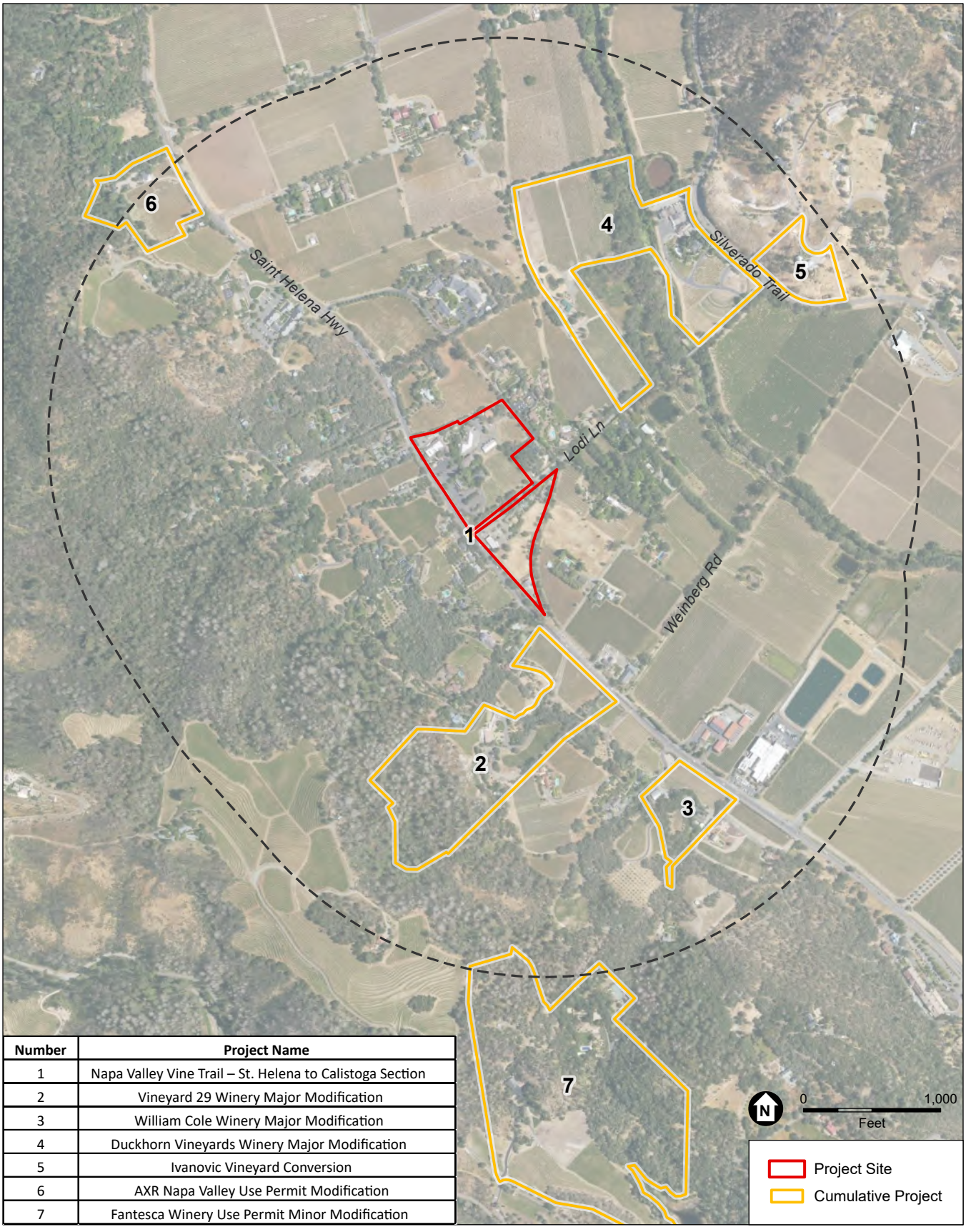
As discussed above, cumulative projects considered in the cumulative context can vary by environmental topic; therefore, some of the list-based projects, or other cumulative development, may not be directly relevant to the cumulative context, depending on the environmental topic. In some cases, the cumulative context may include more development than listed in the cumulative projects list. A primary example is the transportation analyses (and transportation-related traffic and air quality), which use the Napa Solano travel demand model (the Countywide Travel Demand Model), which reflects traffic from projects Countywide and the broader regional context. Alternatively, aesthetics cumulative impact analysis would primarily consider projects that are more localized or even site-specific, which may not, for example, include all projects on the list that are located in distant County areas. The cumulative discussions in each topical section throughout this chapter describe the cumulative context considered for each topic.

Cumulative Projects in the Vicinity of the Project Site

Cumulative projects that are located closest to the Project site - within approximately 0.5 mile – are listed in **Table 4.0-1**, below and shown on **Figure 4.0-1**. These projects are either on the County's Current Project Explorer or were under review or construction as of August 2024.

TABLE 4.0-1
CUMULATIVE PROJECTS WITHIN 0.5-MILE OF THE PROJECT SITE

Map Number	Project Name/Address	Distance from Project site	Description and Status
1	Napa Valley Vine Trail – St. Helena to Calistoga Section	Adjacent west	The Napa Valley Vine Trail – St. Helena to Calistoga segment is an approximately 6.8-mile Class I bicycle/pedestrian trail that would complete a segment of the Napa Valley Vine trail. The segment would extend north from the City of St Helena at the intersection of Pratt Avenue and State Route 29 (SR 29), through Napa County, to the Calistoga City limit on Dunaweal Lane at the intersection of an existing segment of the Vine Trail, aligned mainly on the east side of SR 29. Construction completed as of August 2024.
2	Vineyard 29 Winery Major Modification (2929 N St Helena Hwy)	70 feet south-west (0.01 mile)	Approval of a Use Permit Major Modification for recognition of existing operations (48,500 gallons per year) and an increase in production (75,000 gallons per year), visitation, marketing, and employees. Approved.
3	William Cole Winery Major Modification (2849 N St Helena Hwy)	1,300 feet south (0.25 mile)	Approval of a Use Permit Major Modification to an existing winery (20,000 gallon per year) to allow various site improvements and increases in wine production volume (30,000 gallons per year) and visitation, marketing, and employees Approved pending appeal.
4	Duckhorn Vineyards Winery Major Modification (1000 Lodi Lane)	700 feet east (0.27 mile)	Approval of a Use Permit Major Modification to an existing winery (160,000 gallon per year) to allow various site improvements and increases in wine production volume (300,000 gallons per year) and hospitality activities. Approved.
5	Ivanovic Vineyard Conversion (9 Bournemouth Rd)	2,100 feet east (0.40 mile)	Approval of an Erosion Control Plan (ECP) for the replanting of an existing vineyard on slopes greater than 5 percent and greater than one acre. Under review.
6	AXR Napa Valley Use Permit Modification (3199 N St Helena Hwy)	2,350 feet northwest (0.45 mile)	Approval of a Use Permit Modification to an existing winery. Under review.
7	Fantesca Winery Use Permit Minor Modification (2920 Spring Mountain Road)	2,500 feet southwest (0.47 mile)	Proposal to add three accessory structures, recognition of a covered outdoor tank pad, recognition of a reconfigured winery access road and fire protection access, revised landscape plan, and the removal of 0.5 acres of vineyards. Under review.



Number	Project Name
1	Napa Valley Vine Trail – St. Helena to Calistoga Section
2	Vineyard 29 Winery Major Modification
3	William Cole Winery Major Modification
4	Duckhorn Vineyards Winery Major Modification
5	Ivanovic Vineyard Conversion
6	AXR Napa Valley Use Permit Modification
7	Fantesca Winery Use Permit Minor Modification

SOURCE: Esri, 2024; ESA, 2024

Inn at the Abbey EIR

Figure 4.0-1
Cumulative Projects
within 0.5-mile of the Project Site

ESA

4.1 Aesthetics

4.1.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on aesthetics. This section first includes a description of the existing environmental setting as it relates to aesthetics and scenic resources, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on aesthetics.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to aesthetics received during the NOP comment period include concerns related to landscaping around Lodi Lane, the Project site's location within an eligible State Scenic Highway, and the maximum building height of 45 feet.

4.1.2 Environmental Setting

Regional Setting

The Project site is located in unincorporated Napa County on the outskirts of the City of St. Helena, which is situated within the Napa Valley floor. The Napa River bisects the valley and flows through the eastern portion of the City of St. Helena. The City of St. Helena has a rural aesthetic characterized by open space, agricultural lands, wineries, wooded hillsides, and stream corridors. The Napa Valley is a large, relatively narrow stretch of land extending along the State Route 29 (SR 29) corridor within the mountains of the California Coast Range. The valley extends from the southern border of the City of Napa to near the County's northwestern border with Sonoma County, and retains a rural, agricultural character. Orderly rows of vineyards are prevalent on the valley floor and appear as a patchwork within grasslands and forested lands on the surrounding hillsides. Vineyards and other agricultural uses represent the predominant land use on the valley floor. These vineyards, in combination with the naturally occurring vegetation, give the entire valley a natural, yet managed appearance.

Residences are scattered throughout the County, and urbanized areas tend to be concentrated in the cities, including the City of St. Helena. The edges of these cities are softened by the rural residences, which exist all around the area, resulting in very few abrupt delineations between city and farmland. Structures associated with agriculture, including wineries and wine tasting rooms, are also scattered among the vineyards. Many of Napa's wineries look timeless and classic, and some include grand mansions built in the late 1800s and early 1900s. Other wineries display high-style contemporary architecture, and many more incorporate vernacular buildings intentionally crafted to reinforce the character of Napa's rural, agricultural landscape (Napa County, 2008).

Napa County is home to hundreds of miles of scenic driving corridors from which internationally distinguished vineyards and hundreds of architecturally unique wineries can be seen. Approximately 280 miles of County-designated scenic roadways are located within Napa County, including SR 29 and Lodi Lane. These highways traverse areas of natural scenery and recreational interest, providing residents and

visitors an enjoyable travel experience. After dark, Napa County, with its thousands of acres of open space and concentrated urbanization, is a naturally low-light, dark-sky environment (Napa County, 2008).

Scenic Resources

Vistas and Viewsheds

Vistas and viewsheds generally consist of expansive and high-quality views of natural features and landscapes that are visible from public locations. Within the Napa Valley, viewsheds of the highest visibility are mostly concentrated in the foothills (the Eastern and Western Mountains) to the east and west of the valley floor, in the area between Zinfandel Road and Oakville Cross Road, south of the City of St. Helena. However, other notable vistas and viewsheds in and around the Napa Valley floor include the southern slope of Rattlesnake Ridge part of the Eastern Mountains, generally above the eastern side of the valley floor, between Calistoga and St. Helena (Napa County, 2008).

Scenic Roadways

State highway routes and County roads pass through the vineyards in the Napa Valley, twist and turn through several steep and forested hills, and provide access to numerous wineries, historical landmarks, State parks and Lake Berryessa. There are approximately 280 miles of County-designated scenic roadways within Napa County, including SR 29 and Lodi Lane which border the Project site. Although none of the roads are officially designated as scenic highways by the State of California, segments of SR 29, SR 121, and SR 221 are eligible for scenic highway designation. The Project site is located adjacent to the east of SR 29, which is designated as an eligible State Scenic Highway from Trancas Street in the City of Napa to the Lake County border (Caltrans, 2019). No rock outcroppings or other significant natural features exist on the Project site, although the vineyards on site are scenic features. As discussed in Section 4.5, *Cultural Resources*, the existing Stone Building on the Project site qualifies as a historical resource for the purposes of CEQA and is visible from portions of SR 29.

Project Site Views and Visual Characteristics

"Visual character" is an impartial description of the defining physical features, landscape patterns, and distinctive physical qualities within a landscape. Visual character is informed by the composition of land, vegetation, water, and structures and their relationship to one another and their relative predominance, and by prominent elements of form, line, color, and texture that combine to define the composition of views. Visual character—defining resources and features within a landscape—may derive from notable landforms, vegetation, land uses, building design and façade treatments, transportation facilities, overhead utility structures and lighting, historic structures or districts, or panoramic open space.

The approximately 15-acre Project site is characterized by a blend of agricultural, commercial, and residential uses. The agricultural uses on the Project site include a vineyard on the eastern portion of the North Parcel and open space/ fallow agricultural land on the eastern portion of the South Parcel. The commercial uses on the Project site include the Freemark Abbey Winery, a restaurant, the existing Stone Building, and associated parking on the northern portion of the North Parcel; as well as a motel, a commercial building, and associated parking on the South Parcel. There are also six residential units located on the South Parcel.

Areas Surrounding the Project Site

Adjacent land uses are primarily agricultural (e.g., vineyards and wineries) and residential. Vineyards and wineries surround much of the Project site. The Trinchero Napa Valley Winery to the north, Grace Family Vineyards to the southwest, and the Durbin Vineyard to the southeast contain large vineyards with a small number of one- and two-story residences. There are multiple residences located to the west of the Project site, across SR 29 behind a low stone wall. The Vista Del Ville mobile home park is located west of the Project site, across SR 29, and contains multiple single-story, neutral color residential buildings. Existing uses to the east include the Wine Country Inn & Cottages Napa Valley (a commercial inn), vineyards, and one- and two-story residences. The majority of these buildings are shielded behind tree lines. The Napa River is located approximately 0.37 mile east of the Project site.

Views from the Project Site

Figures 4.1-1 and 4.1-2 show existing views of the Project site. Long-range views from the Project site include views of surrounding wooded hillsides with tall trees. The surrounding hillsides include the Eastern Mountains to the northeast and the Western Mountains to the west which are visible from the Project site due to the generally flat topography and lack of tall intervening structures. Short to mid-range views to the north of the Project site consist of SR 29 which borders the site, and the vineyards visible beyond. Buildings associated with vineyards to the north, south, and west of the site are also visible but are somewhat shielded from view by tall tree lines along their respective boundaries. Views to the east include views of the Wine Country Inn & Cottages Napa Valley, some one- and two-story residential buildings, and vineyards along with trees lining the Project site boundary. Lodi Lane also cuts through the Project site, separating the North and South Parcels.

Public Views of the Project Site

Publicly accessible views of the Project site are primarily those from adjacent roadways, SR 29 and Lodi Lane. However, there is a tree line bordering the north and west (across SR 29) boundaries which creates limited views of the Project site, making it only visible through clearings in the trees. Views from the west, from SR 29, are of the surface parking and existing buildings, including the existing Stone Building and restaurant building on the North Parcel as well as the commercial building and one residential unit on the South Parcel. From SR 29 there are uninterrupted views of the open space/fallow agricultural land on the South Parcel. There are limited views of the vineyard on the North Parcel between existing buildings and trees. SR 29 provides a view of the existing buildings in the foreground with the Eastern Mountains visible in the background between existing trees. Lodi Lane, which cuts through the Project site, provides uninterrupted views of the North Parcel vineyard. Limited views of Rattlesnake Ridge can be seen in the background of the Project site from SR 29 and Lodi Lane between trees and vegetation.

There is a relatively high level of exposure to the Project site from major transportation corridors. Because the Project site faces SR 29, which is a main route through the Napa Valley, it is publicly accessible to many viewers who have the ability to see the site from relative proximity. However, because the site is most frequently viewed by travelers on SR 29, the duration of the views is characteristically short. The Project site is not clearly visible from nearby public open spaces, including Bale Grist Mill Historic State Park (approximately 1.25 miles northwest) and Bothe-Napa Valley State Park (approximately 2 miles northwest), primarily due to distance, topography, and intervening trees and vegetation.

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.1-1
North Parcel Existing Photographs

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.1-2
South Parcel Existing Photographs

ESA

Light and Glare

Nighttime lighting is necessary to provide and maintain a safe and secure environment. Light that falls beyond the intended area of illumination is referred to as "light trespass." Types of light trespass include spillover light and glare. Spillover light, which is light that illuminates surfaces beyond the intended area, is typically caused by artificial lighting sources, such as from building security lighting, signs, parking lot lights, roadway lights, and stadium lights on playing fields. Spillover light can adversely affect light-sensitive uses (i.e., adjacent residences), by creating unwanted illumination. Because light dissipates as it moves farther from its source, the intensity of the lighting source is often increased to compensate for dissipating light, which can increase the amount of light that illuminates adjacent uses. The type of light fixture determines the extent to which light will spill over onto adjacent properties and/or be visible from far away. Modern, energy-efficient fixtures that face downward, such as cutoff-type fixtures and shielded light fixtures, are less obtrusive than light fixtures that have been used in the past.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying (*discomfort glare*) or may diminish the ability to see other objects in the darkened environment (*disability glare*). Reflective glare, such as the reflected view of the sun from a window or mirrored surface, can be distracting during the day.

The Project site includes existing sources of nighttime lighting associated with existing uses, including internal and external lighting from existing buildings, parking lot lighting fixtures, and a streetlight at the intersection of SR 29 and Lodi Lane. Other existing light sources in the vicinity of the Project site include internal and external lighting from residences surrounding the Project site, as well as vehicle headlights along SR 29.

4.1.3 Regulatory Setting

Federal

There are no federal regulations related to aesthetics that are applicable to the Project.

State

California Scenic Highway Program

California's Scenic Highway Program was created by the Legislature in 1963 to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 *et seq*. The State Scenic Highway System includes a list of highways that either are eligible for designation as scenic highways or have been so designated. These highways are identified in Section 263 of the Streets and Highways Code.

A highway may be designated scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. A *scenic corridor* is the land

generally adjacent to and visible from the highway. A scenic corridor is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. The corridor protection program does not preclude development but seeks to encourage quality development that does not degrade the scenic value of the corridor. The jurisdictional boundaries of the nominating agency are also considered. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document the regulations that already exist in various portions of local codes. These ordinances make up the scenic corridor protection program. County roads can also become part of the Scenic Highway System. To receive official designation, the County must follow the same process required for official designation of State scenic highways.

Napa County contains no officially designated State scenic highways (Caltrans, 2019). However, a segment of SR 29 is eligible for scenic highway designation from the intersection with SR 37 near Vallejo to the intersection with SR 221 near the City of Napa and from Trancas Street in the City of Napa to the Lake County border. Historically, the County has refrained from seeking official State designation due to concerns about maintenance and improvement costs. However, these roads are not precluded from official Scenic Highway status in the future (Napa County, 2008).

Title 24 Outdoor Lighting Standards

Part 6 – Outdoor Lighting

As published in Section 6 of the California Code of Regulations, Title 24 is a broad set of requirements for energy conservation, green design, construction and maintenance, fire and life safety, and accessibility that apply to the structural, mechanical, electrical, and plumbing systems in a building. The code applies to all buildings in California. California updates its energy code every three years. Construction projects with permit applications applied for on or after January 1, 2023, must follow the 2022 Energy Code. The code includes energy efficiency standards for outdoor lighting for both the public and private sector. The standards regulate lighting characteristics such as, maximum power and brightness, shielding, and sensor controls to turn lighting on and off.

Local

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Community Character Element of the Napa County General Plan includes the following policies related to aesthetics (Napa County, 2008).

Goal CC-1: Preserve, improve, and provide visual access to the beauty of Napa County.

Goal CC-2: Continue to promote the diverse beauty of the entire county since this beauty is intricately linked to the continued economic vitality of the region and benefits residents, businesses and visitors.

***Policy CC-1*:** The County will retain the character and natural beauty of Napa County through the preservation of open space.

***Policy CC-2*:** New wineries and other uses requiring the issuance of a Use Permit should be designed to convey their permanence and attractiveness.

Policy CC-4: Consistent with current regulations regarding road setbacks and fences, the County shall preserve the existing significant natural features by requiring all development to retain the visually open, rural character of the County and by allowing solid sound walls only in unique circumstances and where acceptable noise levels are exceeded.

***Policy CC-6*:** The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible a natural landform appearance. Examples include:

- The overall shape, height, and grade of any cut or fill slope shall be designed to stimulate the existing natural contours and scale of the natural terrain of the site.
- The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
- Sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.

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

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

Goal CC-6: Preserve and enhance the night environment of the County's rural areas and prevent excessive light and glare.

***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 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 of California. Light timers and motion sensors shall be used wherever feasible.

Napa County Code

The Napa County zoning ordinance, Title 18 of the Napa County Code, establishes standards and regulations to implement the policies contained in the General Plan and guides development within the County.

Viewshed Protection Program

The Viewshed Protection Ordinance (Chapter 18.106) was adopted by the Board of Supervisors in December 2001 and amended in 2003 and 2006. Its intent is to preserve the unique scenic quality of Napa County. More specifically, the regulations were adopted to protect the scenic quality of the County both for visitors to the County as well as for its residents by ensuring that future improvements are compatible with existing land forms, particularly County ridgelines and that views of the County's many unique geologic features and the existing landscape fabric of the County's hillside areas are protected and preserved. In short, the ordinance sets forth hillside development standards to minimize the impact of man-made structures and grading on views of existing landscapes and open spaces as seen from designated scenic roadways within the County. Scenic roadways subject to the Viewshed Protection Program are those shown in Figure CC-3 of the Community Character Element of the Napa County General Plan or designated by the Board of Supervisors in the future.

4.1.4 Significance Criteria

The thresholds used to determine the significance of impacts related to aesthetics are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.
- In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Approach to Analysis

The analysis of potential impacts related to aesthetics in this EIR relies on qualitatively comparing the existing built and natural environment to the future built and natural environment that would result from implementation of the Project. For this assessment, visual resources are generally defined as the natural and built landscape features that can be seen. The overall visual character of a given area results from the unique combination of natural landscape features, including landform, water, and vegetation patterns, as well as built features, such as buildings, roads, and other structures.

4.1.5 Impacts of the Project

Impact AES-1: The Project would not have a substantial adverse effect on a scenic vista. ***(Less than Significant)***

Under CEQA, scenic vistas are those that are experienced from publicly accessible locations and include urban skylines, valleys, mountain ranges, or large bodies of water. A project would have a significant effect on scenic vistas under CEQA if it would substantially block or degrade scenic views from public vantage points. Please note that impacts on views from private property are not considered significant effects on the environment under CEQA.

For the purposes of this analysis, scenic vistas include views of the unique scenic quality of Napa County, including its ridgelines and hillsides that are visible from public areas. Scenic vistas of Napa Valley ridgelines and vineyards are located when looking to the east and west of the Project site. There are no designated scenic resources on the Project site; however, SR 29 is eligible for designation as a State scenic highway and is located adjacent to the west of the Project site. As discussed in Section 4.1.2, *Environmental Setting*, notable vistas and viewsheds in and around the Project vicinity include the southern slope of Rattlesnake Ridge, generally above the eastern side of the Napa Valley floor. Existing public views of Rattlesnake Ridge in the Project vicinity include intermittent views along SR 29 and on eastbound Lodi Lane.

The Project would be located on a generally flat parcel in Napa Valley, outside the city limits of St. Helena in unincorporated Napa County. The Project site is currently developed with existing commercial and residential structures. The Project includes the demolition of three existing structures (a split-level, two-floor restaurant building, a single-story commercial building, and a single-story motel) totaling approximately 10,050 square feet and would redevelop the site with a 79-room hotel and associated guest amenities, totaling approximately 78,500 square feet of new construction. The hotel building on the North Parcel would be a split-level, three-story structure with a maximum building height of approximately 45 feet internal to the structure.[1] The South Parcel would consist of a series of two-story buildings with a maximum height of 35 feet.

The Project site does not represent a scenic vista because it does not contain unique resources that would be considered a highly valued landscape enjoyed by the public, nor is the site visible from an elevated area that affords public views of a highly valued landscape. However, the Project site is visible from off-site public viewpoints including the adjacent SR 29 and Vine Trail; and provides views of a mature vineyard in the southern portion of the North Parcel, which can be clearly seen from Lodi Lane. The public views of the vineyard would remain undisturbed as the Project would retain the existing vineyard and not result in any construction that would impede its visibility from Lodi Lane.

As mentioned above, long distance views of scenic vistas are present to the east and west of the Project site. These include views of Rattlesnake Ridge and the Eastern Mountains to the east and the Western Mountains to the west of the Project site. The Project would replace generally single-story structures with multiple multilevel structures which could potentially obstruct views of these scenic vistas. However, the existing views of these scenic vistas from public areas such as SR 29, the Vine Trail, and Lodi Lane are generally limited. Views from SR 29 and the Vine Trail are generally the same since they run adjacent to one another. As seen in Figures 4.1-1 and 4.1-2, due to the Project site's proximity to SR 29, existing background views of Rattlesnake Ridge when looking east are generally blocked by the existing buildings and mature trees present in the foreground. Existing views of Rattlesnake Ridge are limited to glimpses of the ridgeline between buildings and tree line. Although the Project would replace the generally single-story buildings with multilevel structures, the views of Rattlesnake Ridge would primarily remain the same. Similarly, public views of the Western Mountains to the west are generally blocked by tall trees in the foreground which line the boundary of SR 29. Furthermore, as the Project site is to the east of SR 29, construction would have no impact on views of the Western Mountains from SR 29. As seen in picture 5 of Figure 4.1-1, unobstructed public views of the Western Mountains are visible from Lodi Lane which runs east-west and separates the North and South Parcels of the Project site. Since the road runs east-west its views of Western Mountains to the west would remain generally unobstructed. Therefore, the Project would have a limited effect on public scenic vistas.

The Project site has a relatively high level of exposure from nearby public rights-of-way. Because the property faces SR 29, which is a main route through the Napa Valley, it is publicly accessible to many

[1] County height requirements for both AW and CL zoning designations are 35 feet when measured from the mid-point of the cord of the roof to existing grade or to finished grade (Section 18.104.120(a) of the County's Zoning Code). Additionally, features such as antennae, utility structures, mechanical features and other similar appurtenances necessarily and normally attached to a structure may be constructed to a height of not more than fifteen feet above the maximum building height in the zoning district (Section 18.104.120(c)).

viewers. However, because the site is most frequently viewed by travelers on SR 29, the duration of the views is characteristically short and therefore would not substantially obstruct their view of scenic vistas.

Furthermore, the Project would be required to comply with the aesthetics goals and policies outlined in the Napa County General Plan. General Plan Community Character Policy CC-6 requires grading of building sites, vineyards, and other uses to incorporate techniques to retain as much natural landform appearance as possible. Although taller buildings would be introduced to the Project site, including a three-story building on the North Parcel, most of the proposed structures include a split-level element, such that viewers would likely only see two above-ground building levels. General Plan Policy CC-8 requires scenic roadways to be subject to the Viewshed Protection Program which is intended to protect the scenic quality of the County by ensuring future development is consistent with existing landforms. While the Project site is visible from SR 29, a scenic roadway identified by the Napa County General Plan, the Project is not subject to Napa County's Viewshed Protection Program because it is not on a slope greater than 15 percent, nor is it located on a major or minor ridgeline. Adherence to Policy CC-6 would further mitigate obstruction of scenic views. Therefore, the Project, while noticeable from surrounding areas, would not substantially degrade scenic views and this impact would be **less than significant**.

Mitigation: None required.

Impact AES-2: The Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. ***(Less than Significant)***

As described above in Section 4.1.3, *Regulatory Setting*, Napa County contains no officially designated State scenic highways. However, the segment of SR 29 located adjacent to the Project site is designated as an eligible State Scenic Highway. Additionally, SR 29 which borders the Project site and Lodi Lane which divides the North and South Parcel of Project site, are County-designated scenic roadways. As such, this analysis considers the Project's impact on scenic resources in the context of the County's scenic roadways. As described in Impact AES-1, the Project would not substantially interfere with views of scenic vistas, including ridgelines and hillsides, for travelers on SR 29 and Lodi Lane.

As discussed above in Section 4.1.2, *Environmental Setting*, the County's scenic roadways extend through the Napa Valley and offer scenic views of vineyards and architecturally unique wineries. No rock outcroppings or other significant natural features exist on the Project site, although the Project site winery and vineyards are scenic features and existing trees are present along SR 29 and Lodi Lane. The existing Stone Building on the Project site qualifies as a historical resource for the purposes of CEQA and is visible from portions of SR 29 (refer to Section 4.5, *Cultural Resources)*.

The Project would demolish three existing structures (a restaurant building, a single-story commercial building, and a single-story motel) and would redevelop the site with a 79-room hotel development split between the North and South Parcels, divided by Lodi Lane. The Project also includes minor renovations to the Stone Building; however, the Project would not physically change the building's structure. As such, the Project would not damage historic buildings in the context of scenic resources. The Project would also

involve no changes to the existing vineyards, which can be seen from SR 29 and Lodi Lane through intervening trees and structures. While the Project would intensify development on the Project site, existing views of the vineyard and Stone Building along SR 29 and Lodi Lane would be similar to those under existing conditions. Specifically, views of the vineyard from northbound SR 29 would be maintained, since surface parking would be maintained on the North Parcel at the corner of SR 29 and Lodi Lane, where the vineyard can be seen through breaks in the tree line.

Although tree removal would be required for construction of the Project, the majority of trees on the Project site along SR 29 and Lodi Lane would remain. Rendered images of the Project, as seen in **Figure 4.1-3**, show that the Project would include landscaping designs including the planting of new trees along SR 29 and the Vine Trail to enhance the scenic resources along these routes. Project site design would also include the installation of green/living walls on the west side of the North Parcel hotel building, which would be facing SR 29. Therefore, the Project would not substantially damage scenic resources, including those within an eligible State scenic highway or those within a County-designated scenic roadway and the impact would be **less than significant**.

Mitigation: None required.

Impact AES-3: The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. ***(Less than Significant)***

The Project site is not located within an "urbanized area" as defined by CEQA Guidelines Section 15387.[2][3] As such, the Project would be located in a nonurbanized area, and this discussion focuses on whether the Project would substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point).

Visual character includes the defining resources and features within a landscape. The visual character of the Project site and its surroundings is generally semi-rural/agricultural, as the defining features are generally vineyards, wineries, and single- and two-story residential and commercial structures. The majority of these structures are shielded behind tree lines.

The Project site is developed and is currently used as the Freemark Abbey Winery complex which includes vineyards, winery operations, retail sales, a restaurant, a café, a five-room motel, commercial buildings, and six residential structures. Implementation of the Project would result in the demolition of three buildings totaling 10,048 square feet as well as removal of asphalt concrete driveways and parking areas. These buildings are currently used as a restaurant, retail wine shop, art gallery, and five-room motel. Though demolition and construction activities would occur, this period would be temporary and would not permanently result in impacts to the visual quality and character of the Project site.

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2 "Urbanized area" means a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. A Lead Agency shall determine whether a particular area meets the criteria in this section either by examining the area or by referring to a map prepared by the U.S. Bureau of the Census which designates the area as urbanized.

3 The Project site is located in unincorporated Napa County and within the St. Helena Census County Division, which had a population of 7,133 according to the 2020 U.S. Census (U.S. Census Bureau, 2024).

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.1-3
Project Rendering (looking southeast)

ESA

Public views of the Project site are available from SR 29 which borders the site along the west in addition to Lodi Lane which cuts through the North and South Parcels as represented in Figures 4.1-1 and 4.1-2. Public views of the North Parcel from SR 29 include views of the existing Stone Building, a vacant restaurant, and surface parking surrounded by various sized trees and shrubs. Additionally, SR 29 provides limited views of the vineyard through these buildings, parking, and surrounding trees. Lodi Lane provides a direct view of the vineyard through several mature olive and oak trees from the south portion of the North Parcel. Public views of the South Parcel from SR 29 include views of a vacant commercial building and an open, grassy space bordered by mature oak, walnut, and cedar trees. Lodi Lane provides limited views of the existing residential buildings on the South Parcel through a variety of dense trees and shrubs. As mentioned in Impact AES-1, public views of Rattlesnake Ridge in the background of the Project site are primarily blocked by trees and buildings in the foreground. Therefore, the Project would not substantially degrade the already limited existing public views of the Project site and its surroundings.

Changes in the visual character or quality of a site are typically perceived subjectively and reactions vary by individual. Although the Project site is currently developed with existing commercial and residential buildings, implementing the Project would result in a change in the visual character of the Project site by replacing generally single-story commercial development with multiple multilevel structures and by increasing the overall number of structures on-site. As shown in **Figure 4.1-4**, the Project would incorporate modern designs that coordinate with surrounding uses and complement the scenery of the Napa Valley. The Project design features would include the use of rusticated stone, redwood soffit, railings, and screens, as well as reclaimed and bleached wood siding which would complement and remain consistent with existing similar uses within the County. Furthermore, there would be a green wall/screen located on some of the new building sides. As mentioned in Impact AES-2 and as depicted in Figure 4.1-3, the Project would include landscaping designs including the planting of new trees along SR 29 and the Vine Trail, improving the visual quality of the site from its current, unmaintained state and adding to the visual character along these routes.

Napa County's General Plan provides guidance that reflects the diverse beauty found in the County while continuing to promote the economic vitality of the region. Community Character Policies such as CC-2 and CC-6 reflect Napa County's desire to retain as much of that beauty as possible. Figure 4.1-3 through **Figure 4.1-5** show projected renderings of the Project which includes the visual and landscaping improvements mentioned above. The Project design features are designed to complement and remain consistent with existing similar uses within the County. Furthermore, the Project would retain the vineyard and other agricultural open areas and improve landscaping features visible to the public. Therefore, the Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings, and the impact would be **less than significant**.

Mitigation: None required.

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.1-4
Project Rendering – North Parcel (looking east)

ESA

SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.1-5
Project Rendering – South Parcel (looking southeast)

ESA

Impact AES-4: The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. ***(Less than Significant)***

The Project site includes sources of nighttime lighting associated with existing uses including internal and external lighting from existing buildings, parking lot lighting fixtures, and a streetlight at the intersection of SR 29 and Lodi Lane. While three existing structures containing internal and external lighting would be demolished, the Project would introduce additional nighttime lighting through construction of the proposed hotel buildings and reconfiguration of onsite parking areas.

The Project would be required to comply with Community Character Policy CC-34 of the Napa County General Plan which requires, consistent with California Building Code requirements for new construction in rural areas, nighttime lighting associated with new development be designed to limit upward and spillover of light. All lighting would be required to conform to the standards of Title 24 of the California Building Code, which regulate lighting characteristics such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. The Project has not approved or developed a lighting plan. Pursuant to standard Napa County conditions of approval, the existing outdoor lighting for the Project would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas, and the Project Applicant would be required to submit a lighting plan demonstrating compliance with these requirements.

Regarding daytime glare, General Plan Community Character Policy CC-33 requires the design of buildings visible from the County's designated scenic roadways to avoid the use of reflective surfaces which could cause glare. Consistent with this policy, the Project would include use of materials and colors that are generally muted and non-reflective.

Adherence to the County's lighting standards and standard condition of approval requirements for the preparation of a lighting plan would eliminate the potential for the Project to create a new source of substantial light or glare that would adversely affect views of the area. Therefore, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and the impact would be **less than significant**.

Standard Condition of Approval 6.3: Lighting – Plan Submittal

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

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

Mitigation: None required.

4.1.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to aesthetics could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on aesthetics is comprised of the viewshed in which the Project site is visible, and the views visible from the Project site, which includes development in the immediately surrounding areas, about 0.5 mile in every direction from the Project site, which is the general distance of long-range views. The cumulative projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, are all located within 0.5 mile of the Project site.

Impact AES-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on aesthetics. ***(Less than Significant)***

Scenic Resources

Although the Project and the winery projects seeking modified use permits listed in Table 4.0-1 together would intensify uses in this area, they would not substantially block view corridors or views of visual resources because the visual changes brought about by these projects would largely be independent of one another; that is, observers of one would not simultaneously be able to see another (due to distance, topography, and existing and proposed vegetation). The Vine Trail project, while adjacent to the Project, would not combine with the Project to block views, as there are no structural components associated with the project aside from signage, fencing, and bus stop improvements, which would not result in adverse impacts on views (NVTA, 2020).

As discussed above in Impact AES-1, development in areas of the County near scenic roadways are subject to review under the County's Viewshed Protection Program, which would ensure that new development does not result in substantial adverse changes to views of hillside areas and ridgelines. While all cumulative projects except for the Ivanovic Vineyard Conversion project would be located either on SR 29 or Lodi Lane, which are designated as County scenic roadways and in the case of SR 29, an eligible State scenic highway, similar to the Project, these projects would be subject to General Plan Community Character Policy CC-6 which requires grading of building sites, vineyards, and other uses to incorporate techniques to retain as much natural landform appearance as possible. Additionally, General Plan Policy CC-16 requires utilities to adjacent roadways to be placed underground where possible. Adherence to these policies would reduce the potential for obstruction of scenic views by cumulative development. Therefore, the cumulative impact with regard to scenic resources would be **less than significant**.

Visual Character

As discussed under Impact AES-3, the visual character of the Project site and its surroundings is generally semi-rural/agricultural, as the defining features are generally vineyards, wineries, and single- and two-story residential and commercial structures. The majority of these structures are shielded behind tree lines. Development of cumulative winery projects in the Project vicinity would intensify development but

would not substantially change the visual character and quality of the surrounding area because cumulative projects would not alter existing use types in the area. Additionally, development of the cumulative projects would be subject to review to ensure their consistency with the General Plan. This includes Community Character Policies CC-1, CC-2, and CC-6 which require cumulative development to retain the character and natural beauty of Napa County. While the Vine Trail would introduce a new public trail through the Project area, due to the limited vertical structural components of the Vine Trail in the Project area, including mostly signage and shelters, visual character would not be substantially degraded. The Vine Trail would also introduce new public views of the Project site, as well as cumulative projects including the William Cole Winery project, the AXR Napa Valley project, and the Vineyard 29 Winery project, which are all located adjacent to SR 29. However, views from SR 29 and the Vine Trail are generally the same since they run adjacent to one another. Therefore, the cumulative impact regarding visual character would be **less than significant**.

Light and Glare

All cumulative projects except for the Ivanovic Vineyard Conversion project would potentially introduce new sources of nighttime lighting to the Project area. New lighting associated with Vine Trail crossing signals would be user-activated and operate for a short duration to facilitate pedestrian crossing and would not represent a substantial source of light or glare in the Project vicinity. Besides the Vine Trail project, all of the cumulative projects are located on already developed sites and would be subject to County General Plan policies aimed at preventing excessive light and glare. As discussed above in Impact AES-4, Community Character Policy CC-33 requires the design of buildings visible from the County's designated scenic roadways to avoid the use of reflective surfaces which could cause glare. Policy CC-34 requires new construction in rural areas to be consistent with current Building Code requirements and be designed to limit upward and spillover light. Because these policies would apply to cumulative development throughout the County as well as development allowed by the Project, and development would not occur on sites that are already developed with existing sources of nighttime lighting, the Project when combined with cumulative development would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, the cumulative impact regarding light and glare would be **less than significant**.

Mitigation: None required.

4.1.7 References

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4.2 Agriculture and Forestry Resources

4.2.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on agriculture and forestry resources. This section first includes a description of the existing environmental setting as it relates to agriculture and forestry resources, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on agriculture and forestry resources.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. There were no comments relating to agriculture and forestry resources received during the NOP comment period.

Project-related impacts on agricultural or forest land zoning, Williamson Act contract, and loss of forest land are addressed in Appendix B, *Initial Study*, of this Draft EIR and summarized in Section 4.2.4 below. The Initial Study concluded that potential impacts to existing zoning for agricultural use or Williamson Act contract would be less than significant. Additionally, the Initial Study concluded that there would be no impacts to existing zoning or rezoning of forest land nor the loss of forest land, and, therefore, these concerns are not further discussed in this Draft EIR. Project-related impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) are analyzed in this section of the Draft EIR.

4.2.2 Environmental Setting

Agriculture

Agriculture has historically been a part of Napa County, with the land being used for a variety of agricultural uses including row crops, field crops, orchards, and vineyards, as well as providing grazing land for cattle. The highest economic contribution to the agricultural economy of Napa County is the production of wine grapes (Napa County, 2008).

The Project site contains the Freemark Abbey Winery complex which includes a blend of agricultural, commercial, and residential uses. Current operations include the Freemark Abbey Winery production and wine tasting facilities, retail uses, a restaurant, a café, a motel, and residential dwelling units. The North Parcel contains an existing vineyard. The Project site is primarily surrounded by winery operations and vineyards including, the Trinchero Napa Valley Winery to the north, the Revana Family Vineyards to the southeast, and the Grace Family Vineyards to the southwest.

The County's Zoning Ordinance contains two agricultural zoning designations: the Agricultural Watershed (AW) and Agricultural Preserve (AP) districts. The Project site is zoned as Commercial Limited (CL) and Agricultural Watershed (AW). The North Parcel includes 1.87 acres of land zoned CL and 8.43 acres of land zoned AW. The CL zoned land on the North Parcel currently consists of the existing Stone and Restaurant Buildings as well as parking. The AW zoned land on the North Parcel primarily consists of vineyard and winery uses. The South Parcel includes 1.70 acres zoned CL and 3.13

acres zoned AW. The CL zoned land on the South Parcel currently consists of a commercial building, motel, and parking. The AW zoned land on the South Parcel contains residential dwelling units and agricultural uses.

The California Department of Conservation (DOC), Division of Land Resources Protection, operates the Farmland Mapping and Monitoring Program (FMMP). The FMMP maps the State's farmland resources and monitors the conversion of farmland to (and from) other land uses. As shown in **Figure 4.2-1**, the FMMP categorizes the Project site as containing lands designated as Prime Farmland and Urban and Built-Up Land. Surrounding uses are primarily designated as Prime Farmland and Urban and Built-Up Land, mainly to the north and east of the Project site. Additionally, there are small areas designated as Unique Farmland and Farmland of Statewide Importance to the north as well as Farmland of Local Importance to the west, across SR 29 (DOC, 2024). Definitions of the DOC's farmland designations are provided in Section 4.2.3, *Regulatory Setting*.

Forestry Resources

Timber harvesting within Napa County is governed by the California Department of Forestry and Fire Protection (CAL FIRE) Forest Practice Program. The program adheres to the California Forest Practice Rules, described in Section 4.2.3, *Regulatory Setting*. The Project site contains a blend of agricultural, commercial, and residential uses and is partially developed with existing buildings, including a winery restaurant, retail wine shop, art gallery, and small motel, and it is not used or zoned for timber harvest. Although minimal tree removal may be required for the Project, no forestland exists on the site.

4.2.3 Regulatory Setting

Federal

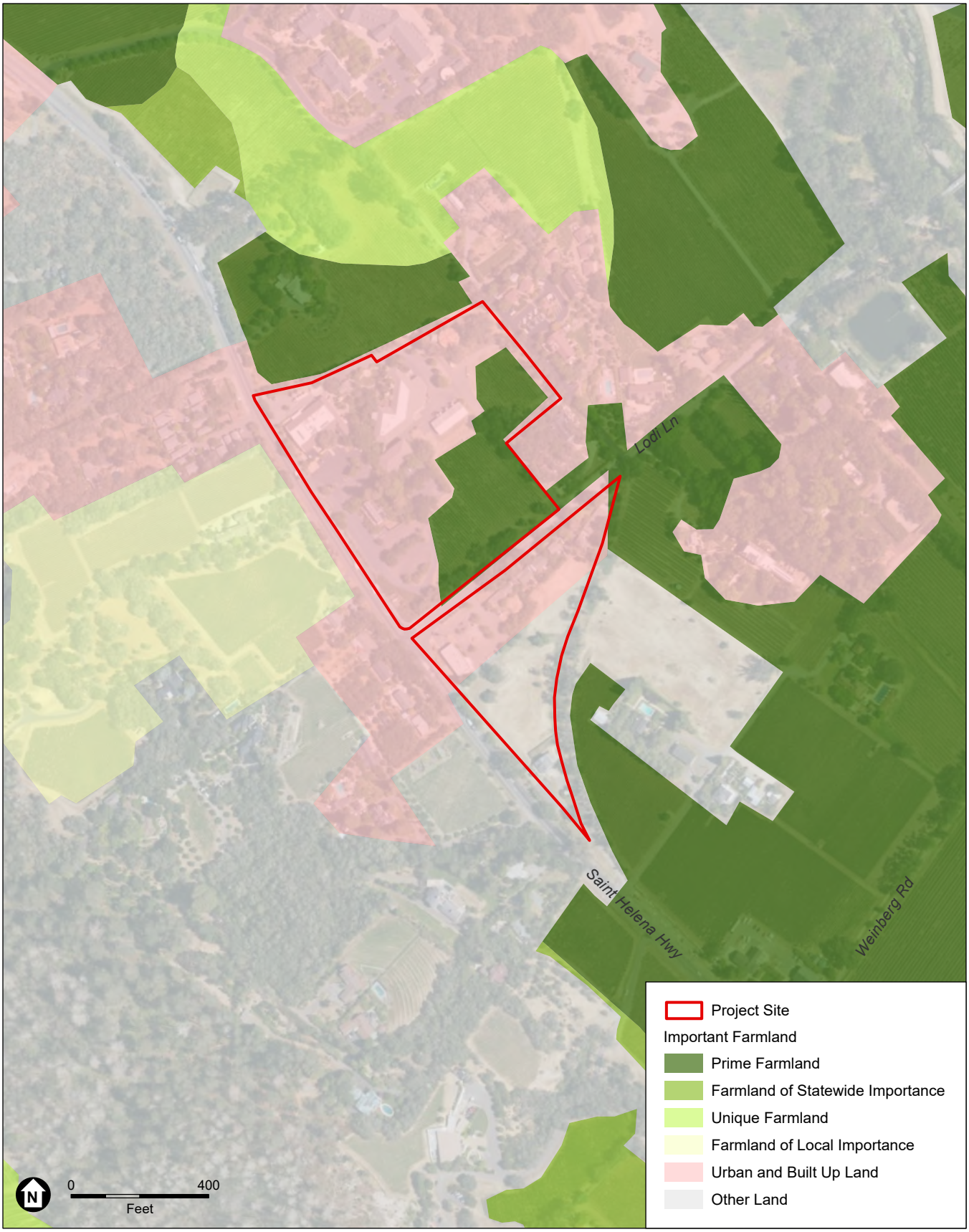
There are no federal regulations pertaining to agriculture and forestry resources that are applicable to the Project.

State

California Farmland Mapping and Monitoring Program

The California Department of Conservation's FMMP provides a classification system for farmland based on technical soil ratings and current land use (DOC, 2022). The minimum land use mapping unit is 10 acres unless specified; smaller units of land are incorporated into the surrounding map classifications.

For the purposes of this environmental analysis, the term "Farmland" refers to FMMP map categories Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (hereafter collectively referred to as "Farmland"). Generally, any conversion of land from one of these categories to a lesser quality category or a non-agricultural use would be considered to be an adverse impact. These map categories are defined as follows (DOC, 2022):



SOURCE: Esri, 2024; FMMP, 2024; ESA, 2024

Inn at the Abbey EIR

Figure 4.2-1
Important Farmland

ESA

- ***Prime Farmland***: Land which has the best combination of physical and chemical features able to sustain long term agricultural production. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- ***Unique Farmland***: Farmland of less quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- ***Farmland of Statewide Importance***: Land that is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

A fourth category is ***Farmland of Local Importance***, which in Napa County includes areas of soils that meet all the characteristics of Prime Farmland or of additional Farmland of Statewide Importance with the exception of irrigation. These farmlands include dryland grains, haylands, and dryland pasture (DOC, 2018). Farmland of Local Importance is not included in the definition of agriculture within Public Resources Code Section 21060.1; therefore, this category of land is not the focus of the analysis of agriculture and forestry resources impacts.

The FMMP also characterizes land in the Project site as Urban and Built-Up Land as defined below. This category is not considered Farmland under CEQA.

- ***Urban and Built-Up Land*** is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

California Public Resources Code

The California Public Resources Code governs forestry, forests, and forest resources, as well as range and forage lands, within the State. "Forest land" is defined by Public Resources Code Section 12220(g) as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." "Timberland" is defined by Public Resources Code Section 4526 as "land, other than land owned by the federal government..., which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees."

California Government Code

Chapter 6.7 of the Government Code (§§51100-51155) regulates timberlands within the State. "Timberland production zone" is defined in Section 51104(g) as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. In this context, "compatible uses" include any use that "does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber" (Gov't Code

§51104(h)). With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone."

California Land Conservation Act of 1965

The California Land Conservation Act of 1965 (Williamson Act, Gov't Code §51200 et seq.) preserves open spaces and agricultural land. The Act discourages urban sprawl and prevents landowners from developing their property for the greater land value of commercial and/or residential uses. The Williamson Act is a State program implemented at the county level that allows agricultural landowners to contractually agree to retain land included in an agricultural preserve[1] in agricultural or open space uses for a period of at least 10 years and, in return, to pay reduced property taxes. The term of the contract automatically renews each year unless not renewed or cancelled, so that the contract always has a 10-year period left.

Forest Practice Act

The Z'berg-Nejedly Forest Practice Act (Forest Practice Act) was enacted in 1973 to ensure that logging is conducted in a manner that will preserve and protect fish, wildlife, forests, and streams CAL FIRE has enforcement responsibility for the Forest Practice Act. Additionally, CAL FIRE has enacted Forest Practice Rules. The purpose of the Forest Practice Rules is to implement the provisions of the Forest Practice Act in a manner consistent with other laws, including, but not limited to, the Timberland Productivity Act of 1982, CEQA, the Porter Cologne Water Quality Act, and the California Endangered Species Act. The Forest Practice Rules are implemented by application of Timber Harvest Plans as directed by CAL FIRE.

Local

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Agricultural Preservation and Land Use Element of the Napa County General Plan includes the following policies related to agriculture and forestry resources (Napa County, 2008).

> **Goal AG/LU-1:** Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.
>
> **Goal AG/LU-5:** With municipalities, other governmental units, and the private sector, plan for commercial, industrial, residential, recreational and public land uses in locations that are compatible with adjacent uses and agriculture.
>
> > ***Policy AG/LU-2:*** "Agriculture" is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. Agriculture also includes farm management businesses and farm worker housing.

[1] An agricultural preserve defines the boundary of an area within which a city or county would be willing to enter into Williamson Act contracts with landowners: The boundary is designated by resolution of the city council or board of supervisors with jurisdiction over the property. Agricultural preserves generally must be at least 100 acres in size.

Policy AG/LU-3: The County's planning concepts and zoning standards shall be designed to minimize conflicts arising from encroachment of urban uses into agricultural areas. Land in proximity to existing urbanized areas currently in mixed agricultural and rural residential uses will be treated as buffer areas and further parcelization of these areas will be discouraged.

Policy AG/LU-4: The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

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 farmland of equal or higher quality for each acre of State-designated farmland that would be converted to non-agricultural 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: The County affirms and shall protect the right of agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a "right to farm"), even though established urban uses in the general area may foster complaints against those agricultural practices. The "right to farm" shall encompass the processing of agricultural products and other activities inherent in the definition of agriculture provided in Policy AG/LU-2, above.

The existence of this "Right to Farm" policy shall be indicated on all parcel maps approved for locations in or adjacent to designated agricultural areas and shall be a required disclosure to buyers of property in Napa County

Policy AG/LU-42: County review of non-residential development proposals shall address the balance of job creation and the availability of affordable housing.

Policy AG/LU-45: All existing commercial establishments that are currently located within a commercial zoning district shall be allowed to continue to operate and use the existing buildings and/or facilities. Additional commercial uses and mixed residential-commercial uses which are permitted by the existing commercial zoning of the parcel shall be permitted on that portion of the parcel zoned commercial. With respect to Policies AG/LU-44 and 45, due to the small numbers of such parcels, their limited capacity for commercially-viable agriculture due to pre-existing uses and/or size, location and lot configuration, and the minimal impact such commercial operations and expansions will have on adjacent agriculture or open space activities or the agricultural and open space character of the surrounding area, such limited development will not be detrimental to Agriculture, Watershed or Open Space policies of the General Plan. Therefore such development is consistent with all of the goals and policies of the General Plan.

Pursuant to Measure D (1998), existing restaurants qualifying under this policy that are currently located within a commercial zoning district shall be allowed to increase the number of seats accommodated within existing buildings and/or facilities on any parcel designated as a historic restaurant combination zoning district. Due to the small number of such restaurants, limited

seating expansions within existing commercial buildings and facilities will not be detrimental to the Agricultural, Watershed and Open Space policies of the General Plan. (See Policy AG/LU-133)

Pursuant to Measure K (2008), a parcel which is zoned as an agricultural produce stand may be allowed to establish accessory delicatessen, outdoor barbeque and wine tasting uses. (See Policy AG/LU-136)

Policy AG/LU-46: All existing and legally established nonconforming uses shall be allowed to continue to operate and to use existing buildings and/or facilities provided they are not determined to be a public nuisance or voluntarily abandoned as defined by the zoning ordinance. Legal nonconforming buildings and facilities may be rehabilitated or rearranged, as long as there is no increase in the intensity of use.

The Agricultural Preservation and Land Use Element of the Napa County General Plan designates over 90 percent of the County for agriculture, including lands designated Agricultural Resource (AR) and Agriculture, Watershed and Open Space (AWOS). The Agricultural Preservation and Land Use Element of the Napa County General Plan also contains minimum parcel size restrictions that help to preserve the County's agricultural character. Under Policy AG/LU-20, a minimum parcel size of 160 acres is required for lands designated as AWOS. These parcel size requirements help to maintain areas of the County in which agriculture is the predominant use and uses incompatible with agriculture are precluded.

Napa County Zoning Ordinance – Agricultural Zoning Districts

Title 18 of the Napa County Code contains two agricultural zoning designations: the Agricultural Watershed (AW) district and the Agricultural Preserve (AP) district. The Project site contains AW zoned land. The AW zoning classification is intended for those areas of the County where the predominant use is agriculturally oriented; or where watershed areas, reservoirs and floodplain tributaries are presently located or where development would adversely impact on all such uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety and welfare.

Napa County Right to Farm Ordinance

The County Code contains a Right to Farm (Chapter 2.94, County Code) provision, which states that the County has determined that the highest and best use for agricultural land is to develop or preserve lands for the purposes of agricultural operations. The County will not consider the inconveniences or discomforts arising from agricultural operations to be a nuisance if such operations are legal, consistent with accepted customs and standards, and operated in a nonnegligent manner. The County requires that prior to the issuance of a permit, lease, license, certificate, or other entitlement for use of a parcel adjacent to agricultural land that the owner(s) of the property must sign a statement acknowledging that they are aware of the "right to farm" policy of the County. As defined under this ordinance, an "agricultural operation" includes all operations necessary to conduct agriculture including, but not be limited to, preparation, tillage, and maintenance of the soil or other growing medium, the production, irrigation, frost protection, cultivation, growing, raising, breeding, harvesting, or processing of any living organism having value as an agricultural commodity or product, and any commercial practices performed incident to or in conjunction with such operations on the site where the agricultural product is being produced, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

4.2.4 Significance Criteria

The thresholds used to determine the significance of impacts related to agriculture and forestry resources are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).
- Result in the loss of forest land or conversion of forest land to non-forest use.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Approach to Analysis

Examples of direct effects to Agriculture and Forestry Resources include the conversion of agricultural lands to non-agricultural uses and conflicts with existing zoning or agricultural conservation contracts or easements. Indirect effects may include nuisances or other physical changes that may result in the conversion to non-agricultural use or degradation of off-site agricultural lands. To assess potential impacts on agriculture and farmland, this analysis considers FMMP mapping, the County's Williamson Act data, the County's Zoning Ordinance and General Plan land use designations, and environmental site characteristics.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact or less than significant impacts to the following topics based on the Initial Study prepared for the Project (see Appendix B). Therefore, the following topics are not addressed further in this document for the following reasons provided in the Initial Study:

- ***Conflict with existing zoning for agricultural use or a Williamson Contract (criterion b)***. As discussed in Appendix B, *Initial Study,* Section II, *Agriculture and Forest Resources,* the Project site is not subject to a Williamson Act Contract (DOC, 2017). Additionally, although the Project contains lands zoned as AW, the proposed buildings are to be constructed in the CL-zoned parcels. Due to their proximity to AW-zoned land, some site improvements may occur in the AW-zoned land, including infrastructure improvements, realignment and resurfacing of parking areas, and landscaping, but they would not interfere with existing agricultural uses because these site improvements would occur outside of the vineyard on the Project site in areas that have already been developed for accessory uses to the existing winery and the Project Applicant has vested parking for these areas from previous permit approvals. Landscaping improvements would mainly be comprised of orchard tree planting around the various parking lots and the main driveways, which would not interfere with agricultural use. Therefore, the impact to this significance criterion is less than significant and is not discussed further.

- ***Conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production (criterion c)***. As discussed in Appendix B, *Initial Study,* Section II, Agriculture and Forest Resources, the Project site contains a blend of agricultural, commercial, and residential uses and is not used or zoned for forest land or timber harvest. Therefore, there is no impact to this significance criterion, and it is not discussed further.
- ***Result in the loss of forest land or conversion of forest land to non-forest use (criteria d & e)***. As discussed in Appendix B, *Initial Study,* Section II, Agriculture and Forest Resources, no forest land exists on the Project site. Although tree removal would be required for the Project, no forestland exists on the site and no loss or conversion of forest land would occur as a result of the Project. Therefore, there is no impact to these significance criteria, and these topics are not discussed further.

4.2.5 Impacts of the Project

Impact AGR-1: The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. ***(Less than Significant)***

The Project site includes less than 6 acres of land mapped as Prime Farmland as defined by the FMMP (see Figure 4.2-1), none of which would be converted to non-agricultural use due to construction of the Project. The Prime Farmland is concentrated on the North Parcel lands zoned for AW and includes only the vineyard portions of the site. None of the South Parcel contains land mapped as Farmland by the FMMP. The proposed hotel and associated guest amenities are to be constructed in the CL-zoned parcels, which corresponds to land designated as Urban and Built-Up Land by the FMMP. Due to the proximity of the proposed buildings to AW-zoned land, some site improvements would occur in the AW-zoned land, parts of which are designated as Prime Farmland. Project activities that would occur within land designated as Prime Farmland, which includes the vineyard areas, include improvements to and widening of an existing driveway and road, and installation of an underground storm drain line along the border of the vineyard. The roadway and driveway improvements would not interfere with existing agricultural uses or result in the conversion of Farmland to non-agricultural use because these site improvements would occur outside of the vineyard on the Project site in areas that have already been developed with roads for access to the existing winery. Additionally, the Project Applicant has vested permit approvals for parking for these areas and the improvements would not constitute an expansion of use. While installation of the proposed storm drain line could affect the existing vineyard due to its proximity during trenching and other construction activities, the storm drain line would be buried and any potential impacts to the vineyard would be temporary. Therefore, the land mapped as Prime Farmland would be retained as a vineyard and other accessory agricultural uses, and not be converted to non-agricultural use. Thus, the impact of the Project on conversion of Prime Farmland to non-agricultural use would be **less than significant**.

Mitigation: None required.

Impact AGR-2: The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. *(Less than Significant)*

As mentioned in Impact AGR-1, the Project construction would be primarily constrained to land zoned for CL use and Urban and Built-Up Land by the FMMP and would not result in the conversion of Farmland to non-agricultural use. As mentioned above, some site improvements potentially may occur in the AW-zoned land, some of which is designated as Prime Farmland on the North Parcel. However, these site improvements would not interfere with existing agricultural uses on the Project site or result in the conversion of Farmland to non-agricultural use. Additionally, the Project would also include active agriculture on the South Parcel's agriculturally zoned land that is currently fallow. Agricultural uses would consist of growing and harvesting but not processing of agricultural products. Agricultural use on the South Parcel would be intended to provide a "farm-to-table" experience for Project-related food service and to educate hotel guests on Napa County's agricultural economy.

The Project site is also surrounded by vineyards and wineries. The FMMP identifies land classified as Prime Farmland located to the north and east of the Project site as well as Unique Farmland to the north and Farmland of Local Importance to the west, across SR 29. Existing agricultural operations may become constrained, due to concerns with the effects of dust, odor, and noise from future visitors or hotel guests. However, considering that the Project site already contains winery-related commercial buildings and a motel, these effects, while intensified, would not be new and would not impact nearby agricultural operations. As mentioned above, the Project would involve construction primarily on lands zoned for CL use. Napa County Policy AG/LU-45 provides that additional commercial uses and mixed residential commercial uses which are permitted by the existing commercial zoning of the parcel are permitted on the portion of the parcel zoned commercial. This General Plan policy provides that such development will not negatively impact agriculture due to the limited number of parcels with existing commercial zoning, protecting agricultural operations and uses within the vicinity of the Project site. As mentioned above, there is potential for some site improvements to occur in the AW zoned land due to its proximity to construction in the CL zoned land, but these improvements would not interfere with existing agricultural uses or result in the conversion of Farmland. Additionally, the County's Right to Farm Ordinance protects agricultural uses from conflict with adjacent development. The Right to Farm ordinance protects the routine operational activities required to conduct agricultural activities. Therefore, development adjacent to agricultural lands would not preclude agricultural uses from continuing. The development of the Project would not directly or indirectly result in the conversion of Farmland on surrounding properties under active agriculture to non-agricultural uses. Therefore, impacts would be **less than significant**.

Mitigation: None required.

4.2.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to agriculture and forestry resources could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

As discussed above, the Project would result in no impact with respect to forestry resources. Therefore, the Project could not cause or contribute to any potential significant cumulative impact to these resource areas.

The geographic scope for cumulative effects on agriculture is Napa County.

Impact AGR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on agriculture. ***(Less than Significant)***

As stated in the Napa County General Plan, agriculture is and will continue to be the primary land use in Napa County (Napa County 2008). According to the DOC's FMMP, as of 2020 the County has approximately 253,515 acres of agricultural land. Of this total, the County supports 30,510 acres of "Prime Farmland," 9,486 acres of "Farmland of Statewide Importance," 16,688 acres of "Unique Farmland," and 17,845 acres of "Farmland of Local Importance," totaling 74,529 acres of important farmland. Additionally, the County contains 178,986 acres of "Grazing Land." Based on the land use conversion table prepared by the DOC, between 1984 and 2020, the County had a net gain of 4,640 acres of Prime Farmland, mainly from the conversion of "Farmland of Local Importance" and "Other Land" to Prime Farmland. Overall, Important Farmland in the County had a net increase of 5,102 acres during this time (DOC, 2020). This increase in Important Farmland is primarily due to the conversion of "Other Land" to land designated as Important Farmland.

The development projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, are located on or in proximity to land designated as Farmland by the FMMP. However, aside from the Napa Valley Wine Trail project, the cumulative projects all involve improvements to existing wineries and would not result in the conversion of Farmland to non-agricultural use. As described above under Impacts AGR-1 and AGR-2, the Project would not result in changes to the existing environment that could result in conversion of Farmland to non-agricultural use. The portions of the Project site that will contain the hotel and associated guest amenities have long been designated for and serving as commercial uses, and existing agricultural uses on the Project site would be retained. The Napa County General Plan contains policies regarding the preservation of agricultural lands as mentioned above. General Plan Policy AG/LU-45 provides that such development will not negatively impact agriculture due to the limited number of parcels with existing commercial zoning. The proposed hotel buildings outlined are zoned CL and are included on the list of CL zoned parcels identified in the Napa County General Plan. Furthermore, the County's Right to Farm Ordinance protects agricultural uses from conflict with adjacent development by protecting routine operational activities required to conduct agricultural activities. Therefore, development adjacent to agricultural lands would not preclude agricultural uses from continuing. In addition, Countywide, conversion of agricultural lands in the County is decreasing. Therefore, there would therefore be no cumulatively significant effect on agricultural resources, and the cumulative impact would be **less than significant**.

Mitigation: None required.

4.2.7 References

California Department of Conservation (DOC), 2017. *State of California Williamson Contract Land.* Available: https://planning.lacity.org/eir/HollywoodCenter/Deir/ELDP/(E)%20Initial%20Study/Initial%20Study/Attachment%20B%20References/California%20Department%20of%20Conservation%20Williamson%20Map%202016.pdf. Accessed January 5, 2023.

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DOC, 2023. *Napa County Important Farmland 2020.* Available: https://www.conservation.ca.gov/dlrp/fmmp/Pages/Napa.aspxs. Accessed May 22, 2024.

Napa County, 2008. *Napa County General Plan*, adopted by Board of Supervisors Resolution 08-86, June 3, 2008, as amended through February 2022.

4.3 Air Quality

4.3.1 Introduction

This section describes and evaluates the potential for the construction and operation of the Project to result in significant air quality impacts. This section discusses the existing air quality conditions in the Project area, presents the regulatory framework for air quality management, and analyzes the potential for the Project to significantly affect existing air quality conditions, both regionally and locally, due to Project activities that emit criteria air pollutants and toxic air contaminants (TACs). It analyzes the types and quantities of emissions that would be generated on a temporary basis from construction activities as well as those generated over the long term from the operation of the Project. The analysis determines whether those emissions are significant in relation to applicable air quality thresholds and standards and identifies feasible mitigation measures for significant adverse impacts. The section also includes an analysis of cumulative air quality impacts.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to air quality received during the NOP comment period include concerns related to construction air quality impacts.

4.3.2 Environmental Setting

Napa County is part of the San Francisco Bay Area Air Basin (SFBAAB or Bay Area) which includes the nine Bay Area counties, though only the southernmost portions of Sonoma County and Solano Counties are included. Air quality in the SFBAAB is managed by the Bay Area Air Quality Management District (BAAQMD). The SFBAAB is bordered by the North Coast and Lake County Air Basins to the north, the Sacramento and San Joaquin Valley Air Basins to the east, and the North Central Coast Air Basin to the South.

Topography, Meteorology, and Climate

Climate and meteorological conditions such as wind speed, wind direction, and air temperature gradients interact with the physical features of the landscape to determine the movement and dispersal of air pollutants. The SFBAAB is characterized by moderately wet winters and dry summers. The climate of the Bay Area is determined largely by a high-pressure system that is often present over the eastern Pacific Ocean off the West Coast of North America. During winter, the Pacific high-pressure system shifts southward, allowing an increased number of storms systems to pass through the region. During summer and early fall, when fewer storms pass through the region, emissions generated within the Bay Area tend to accumulate due to more stable conditions. Winter rains account for about 75 percent of the average annual rainfall. In general, total annual rainfall can reach 40 inches in the mountains, but it is often less than 16 inches in sheltered valleys. The combination of abundant sunshine under the restraining influences of topography and subsidence inversions creates conditions that are conducive to the formation of photochemical pollutants, such as ground-level ozone and secondary particulates, including nitrates and sulfates (BAAQMD, 2017a).

More specifically, the Project site lies within the Napa Valley climatological subregion, an area bordered by relatively high mountains to the east and west. With an average ridge line height of about 2000 feet, with some peaks approaching 3000 to 4000 feet, these mountains are effective barriers to the prevailing northwesterly winds. The Napa Valley is widest at its southern end and narrows to the north. The summer average maximum temperatures are in the low 80s at the southern end of the valley and in the low 90s at the northern end, while winter average maximum temperatures are in the high 50s and low 60s, with minimum temperatures in the high to mid-30s with the slightly cooler temperatures in the northern end (BAAQMD, 2017a).

Due to the climate and terrain of Napa Valley, the potential for air pollution could be high if there were sufficient sources of air contaminants nearby. The summer and fall prevailing winds can transport ozone precursors northward from the Carquinez Strait Region to the Napa Valley, which effectively traps and concentrates pollutants when stable conditions are present. Low wind speed contributes to the buildup of air pollution because there is less dispersion of pollutants. Light winds occur most frequently during periods of low sun and at night. Periods when air pollutant emissions from certain sources are at their peak include early morning commuting traffic and nighttime wood burning. The problem can be compounded in the valley, when weak flows carry the pollutants up valley during the day, and cold air drainage flows move the air mass down valley at night. This restricted movement of trapped air reduces ventilation and leads to buildup of pollutants to potentially unhealthful levels (BAAQMD, 2017a).

Criteria Air Pollutants

The U.S. Environmental Protection Agency (U.S. EPA) has identified widespread pollutants from numerous and diverse sources that are a threat to public health and welfare as criteria air pollutants and has set National Ambient Air Quality Standards (NAAQS). The U.S. EPA has set NAAQS for seven principal pollutants, which are called "criteria" pollutants: carbon monoxide (CO), lead, nitrogen dioxide (NO_2), ozone, particulate matter (PM) less than or equal to 10 microns in diameter (PM_{10}), particulate matter less than or equal to 2.5 microns in diameter ($PM_{2.5}$), and sulfur dioxide (SO_2).

The State of California and the California Air Resources Board (CARB) have also established California Ambient Air Quality Standards (CAAQS) for these criteria pollutants, as well as ambient air quality standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride, and visibility reducing particles.

Provided below are descriptions of criteria pollutants, their sources and health effects.

Ozone

Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG, also sometimes referred to as volatile organic compounds or VOC by some regulating agencies) and nitrogen oxides (NO_X) in the presence of sunlight. Ground level ozone formation can occur in a matter of hours under ideal conditions. Ozone is referred to as a regional air pollutant because its precursors are transported and diffused by wind concurrently with ozone production through the photochemical reaction process.

The main sources of ROG and NO_X, often referred to as ozone precursors, are combustion processes (including fuel combustion in motor vehicle engines) and the evaporation of solvents, paints, and fuels. In the Bay Area, automobiles are the single largest source of ozone precursors.

Ozone is a public health concern because it is a respiratory irritant that increases susceptibility to respiratory infections and diseases, and because it can harm lung tissue at high concentrations. Ozone causes eye irritation, airway constriction, and shortness of breath and can aggravate existing respiratory diseases, such as asthma, bronchitis, and emphysema. In addition, ozone can cause substantial damage to leaf tissues of crops and natural vegetation and can damage many natural and manmade materials by acting as a chemical oxidizing agent.

Carbon Monoxide

CO is an odorless, colorless gas that is usually formed as the result of the incomplete combustion of fuels. The single largest source of CO is motor vehicles; the highest emissions occur during low travel speeds, stop-and-go driving, cold starts, and hard acceleration. Elevated CO concentrations are usually localized and are often the result of a combination of high traffic volumes and traffic congestion. Elevated CO levels develop primarily during winter periods of light winds or calm conditions combined with the formation of ground- level temperature inversions. CO concentrations are higher in the winter because of reduced dispersion of vehicle emissions and because CO emission rates from motor vehicles increase as temperature decreases.

Exposure to high concentrations of CO reduces the oxygen-carrying capacity of the blood and can cause headaches, nausea, dizziness, fatigue, and unconsciousness. Relatively low concentrations of CO can significantly affect the amount of oxygen in the bloodstream because CO binds to hemoglobin 220–245 times more strongly than oxygen. Exposure to CO can impair central nervous system function and induce angina (chest pain) in persons with serious heart disease. Very high levels of CO can be fatal.

Particulate Matter

PM is a class of air pollutants that consists of heterogeneous solid and liquid airborne particles from human-made and natural sources. In the Bay Area, motor vehicles generate about one-half of the SFBAAB's PM emissions through tailpipe emissions as well as brake pad and tire wear. PM_{10} and $PM_{2.5}$ are also generated from natural processes, such as wind-blown dust or soil, and from human activities including fuel combustion in cars and trucks, power plants, factories, fireplaces and wood stoves, and burning activities. Wood burning in fireplaces and stoves, industrial facilities, and ground-disturbing activities such as construction are other sources of such fine particulate emissions.

Elevated PM_{10} and $PM_{2.5}$ concentrations can aggravate chronic respiratory illnesses such as bronchitis and asthma. Exposure to elevated levels of PM_{10} and $PM_{2.5}$ in the air is a public health concern because it can bypass the body's natural filtration system more easily than larger particles and can lodge deep in the lungs. The health effects vary depending on a variety of factors, including the type and size of particles. Research has demonstrated a correlation between high PM_{10} and $PM_{2.5}$ concentrations and an increase in asthma attacks, emergency room visits, hospital admissions, and premature deaths. Studies of children's health in California have demonstrated that PM pollution may significantly reduce lung function growth in children. In addition to damaging human health, particulates can also slow plant growth (CARB, 2018).

Nitrogen Dioxide

NO_2 is a reddish-brown gas that is an air quality pollutant of concern because it acts as a respiratory irritant. NO_2 is a major component of the group of gaseous nitrogen compounds commonly referred to as

NO_x. A precursor to ozone formation, NO_x is produced by fuel combustion in motor vehicles, industrial stationary sources (such as industrial activities), ships, aircraft, and rail transit. Aside from its contribution to ozone formation, NO_2 can increase the risk of acute and chronic respiratory disease and reduce visibility. NO_2 may be visible as a coloring component of the air on high pollution days, especially in conjunction with high ozone levels.

Sulfur Dioxide

SO_2 is a colorless acidic gas with a strong odor. It is produced by the combustion of sulfur-containing fuels such as oil, coal, and diesel. SO_2 has the potential to damage materials and can cause health effects at high concentrations. It can irritate lung tissue and increase the risk of acute and chronic respiratory disease (BAAQMD, 2017a). SO_2 monitoring was terminated at the San Francisco station in 2009 because the State standard for SO_2 is being met in the bay area, and pollutant trends suggest that the air basin will continue to meet this standard for the foreseeable future. SO_2 is not monitored in the bay area because the air basin has never been designated as non-attainment for SO_2.

Lead

Leaded gasoline (phased out in the United States beginning in 1973), paint (on older houses and cars), smelters (metal refineries), and manufacture of lead storage batteries have been the primary sources of lead released into the atmosphere. Lead has a range of adverse neurotoxic health effects, which put children at special risk. Some lead-containing chemicals cause cancer in animals. Lead levels in the air have decreased substantially since leaded gasoline was eliminated. Ambient lead concentrations are only monitored on an as-warranted, site-specific basis in California.

Toxic Air Contaminants

In addition to criteria air pollutants, individual projects may directly or indirectly emit TACs. TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., long-duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but instead are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment (HRA) is an analysis in which human health exposure to TACs is estimated and considered together with information regarding the toxic potency of the substances to provide quantitative estimates of health risks.[1]

Although not a TAC, exposure to $PM_{2.5}$ is strongly associated with mortality, respiratory diseases, and reductions in lung development in children, and other endpoints such as hospitalization for

[1] In general, a health risk assessment is required if the air district concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant of the project that would emit TACs is required to conduct a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

cardiopulmonary disease (San Francisco Department of Public Works, 2008). In addition to $PM_{2.5}$, diesel particulate matter (DPM) is also of concern. CARB identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans (CARB, 1998). The exhaust from diesel engines includes hundreds of different gaseous and particulate components, many of which are toxic. The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region. Mobile sources, such as diesel trucks and buses, are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled highways.

Existing Air Quality

Criteria Air Pollutants

The existing air quality conditions in Napa County can be generally characterized by monitoring data collected in the region. The nearest air quality monitoring station in the vicinity of the Project is the Napa Valley College monitoring station in the City of Napa. This station began monitoring in April 2018, when the Jefferson Street monitoring station ended monitoring in March 2018. Air quality monitoring data from the Napa Valley College monitoring station is summarized in **Table 4.3-1**. The table presents air quality monitoring data for 2018-2020, for which complete data is available. Partial data is available for 2021, while there is no date available for 2022 and 2023.

Table 4.3-1 also compares the measured pollutant concentrations to the NAAQS and CAAQS for each of the criteria air pollutants of concern. The concentrations shown in **bold** indicate an exceedance of the standard. The table does not include data for CO and SO_2 as these are no longer pollutants of concern for the region. The SFBAAB has attained the CO standard due to decreasing emissions over the last several years from increasingly stringent emission standards and improved vehicle fuel efficiency. SO_2 is not monitored in the SFBAAB as the area has never been designated as non-attainment.

Violations of air quality standards tend to vary seasonally. Ozone exceedances primarily occur during summer while PM exceedances occur primarily in the winter. Recent wildfires in the region also affect recorded levels of PM.

Toxic Air Contaminants

In addition to monitoring criteria air pollutants, both the BAAQMD and CARB operate TAC monitoring networks in the SFBAAB. These stations measure 10 to 15 TACs depending on the specific station. The monitoring stations are located in areas where highest concentrations of TACs can be expected, and the TACs selected for monitoring at these stations are those that have traditionally been found in the highest concentrations in ambient air and therefore tend to produce the most substantial risk.

Odorous Emissions

Odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the population and is subjective. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, wind speed and direction, and the sensitivity of receptors.

TABLE 4.3-1
AMBIENT AIR QUALITY MONITORING DATA FOR NAPA COUNTY (NAPA VALLEY COLLEGE)

Pollutant Standards	2018	2019	2020
Ozone			
Maximum 1-hour concentration (ppm)	0.083	**0.095**	0.091
Maximum 8-hour concentration (ppm)	0.068	**0.076**	**0.077**
Number of days standard exceeded[a]			
NAAQS 1-hour (>0.12 ppm)	0	0	0
CAAQS 1-hour (>0.07 ppm)	0	1	0
NAAQS 8-hour (>0.07 ppm)	0	2	1
Particulate Matter ($PM_{2.5}$)[b]			
Maximum 24-hour concentration (µg/m^3)	**117.9**	21.5	**148.5**
Annual average concentration (µg/m^3)[e]	*	5.9	10.3
Number of days standard exceeded[a]			
NAAQS 24-hour (>150 µg/m^3)[f]	12	0	14
Particulate Matter (PM_{10})[b]			
Maximum 24-hour concentration (µg/m^3)	26.0	39.0	**125.0**
Annual average concentration (µg/m^3)[e]	*	*	19.0
Number of days standard exceeded[a]			
NAAQS 24-hour (>150 µg/m^3)[f]	0	0	0
CAAQS 24-hour (>50 µg/m^3)[f]	0	0	12

NOTES:

CAAQS = California ambient air quality standards. NAAQS = national ambient air quality standards. Values in **bold** font indicate an exceedance.

* Insufficient data to determine a value
a. An exceedance is not necessarily a violation. It should be noted that the federal ozone 1-hour standard has been revoked by EPA.
b. Measurements usually are collected every 6 days.
c. National statistics are based on standard conditions data. In addition, national statistics are based on samplers using federal reference or equivalent methods.
d. State statistics are based on local conditions data, except in the South Coast Air Basin, for which statistics are based on standard conditions data. In addition, State statistics are based on California-approved samplers.
e. State criteria for ensuring that data are sufficiently complete for calculating valid annual averages are more stringent than the national criteria.
f. Mathematical estimate of how many days concentrations would have been measured as higher than the level of the standard had each day been monitored.

SOURCE: CARB, 2024a

Sources that may typically generate odors include wastewater treatment and pumping facilities; landfills, transfer stations, and composting facilities; petroleum refineries, asphalt batch plants, chemical (including fiberglass) manufacturing, and metal smelters; painting and coating operations; rendering plants; coffee roasters and food processing facilities; and animal feed lots and dairies (BAAQMD, 2023a). There are no sources of odor in the general vicinity of the Project area besides existing Combined Wastewater Management System (CWMS) located on the Markham Winery property at 2812 St. Helena Highway, about 0.5 mile south of the Project site, and the South Parcel's existing on-site wastewater treatment systems that serve the commercial and motel use buildings.

Sensitive Receptors

Air quality does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Population subgroups sensitive to the health effects of air pollutants include the elderly and the young, population subgroups with higher rates of respiratory disease

such as asthma and chronic obstructive pulmonary disease, and populations with other environmental or occupational health exposures (e.g., indoor air quality) that affect cardiovascular or respiratory diseases such as asthma and chronic obstructive pulmonary disease. The factors responsible for variation in exposure are also often similar to factors associated with greater susceptibility to air quality health effects. For example, lower income residents may be more likely to live in substandard housing and be more likely to live near industrial or roadway sources of air pollution.

The BAAQMD defines sensitive receptors as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas (BAAQMD, 2023b). Land uses such as schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Residential areas are considered more sensitive to air quality conditions compared to commercial and industrial areas because people generally spend longer periods of time at their residences, with associated greater exposure to ambient air quality conditions. However, consistent with its permitting requirements, the air district recommends that projects also consider worker receptors in their air quality assessment.

Existing uses in the Project vicinity are primarily agricultural (e.g., vineyards and wineries) and residential. Vineyards and wineries surround much of the Project site, with scattered residential dwelling units, including a small mobile home park located west of the Project site, across State Route (SR) 29. Existing uses to the north include vineyards and the Trinchero Napa Valley Winery. The Wine Country Inn & Cottages is located to the northeast of the Project site. SR 29 and the Vine Trail border the western edge of the Project site and Lodi Lane bisects the site as it travels east from SR 29. Existing uses to the south include various vineyards and residential dwelling units.

4.3.3 Regulatory Setting

Air quality in the SFBAAB is regulated through the efforts of various federal, State, regional, and local government agencies. These agencies work jointly, as well as individually, to improve air quality through legislation, regulations, planning, policymaking, education, and a variety of programs. The agencies primarily responsible for improving the air quality in Napa County are discussed below along with their individual responsibilities.

Federal

Clean Air Act and National Ambient Air Quality Standards

The 1970 Clean Air Act (CAA) (most recently amended in 1990) requires that regional planning and air pollution control agencies prepare a regional air quality plan to outline the measures by which both stationary and mobile sources of pollutants will be controlled in order to achieve all ambient air quality standards by the deadlines specified in the act. These ambient air quality standards are intended to protect the public health and welfare, and they specify the concentration of pollutants (with an adequate margin of safety) to which the public can be exposed without adverse health effects. They are designed to protect those segments of the public most susceptible to respiratory distress, including asthmatics, the very young, the elderly, people weakened from other illness or disease, or persons engaged in strenuous work

or exercise. Healthy adults can tolerate occasional exposure to air pollution levels that are somewhat above ambient air quality standards before adverse health effects are observed. **Table 4.3-2** presents current NAAQS.

TABLE 4.3-2
NATIONAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	State (CAAQS[a])		National (NAAQS[b])	
		Standard	Attainment Status	Standard	Attainment Status
Ozone	1 hour	0.09 ppm	N	NA	—[c]
	8 hours	0.07 ppm	N[d]	0.070 ppm	N
Carbon monoxide (CO)	1 hour	20 ppm	A	35 ppm	A
	8 hours	9 ppm	A	9 ppm	A
Nitrogen dioxide (NO_2)	1 hour	0.18 ppm	A	0.100 ppm	U
	Annual	0.030 ppm	NA	0.053 ppm	A
Sulfur dioxide (SO_2)	1 hour	0.25 ppm	A	0.075	A
	24 hours	0.04 ppm	A	0.14	A
	Annual	NA	NA	0.03 ppm	A
Particulate matter (PM_{10})	24 hours	50 µg/m^3	N	150 µg/m^3	U
	Annual[e]	20 µg/m^3	N	NA	NA
Fine particulate matter ($PM_{2.5}$)	24 hours	NA	NA	35 µg/m^3	N
	Annual	12 µg/m^3	N	12 µg/m^3	A
Sulfates	24 hours	25 µg/m^3	A	NA	NA
Lead	30 days	1.5 µg/m^3	A	NA	NA
	Cal. quarter	NA	NA	1.5 µg/m^3	A
	Rolling 3-month average	NA	NA	0.15 µg/m^3	A
Hydrogen sulfide	1 hour	0.03 ppm	U	NA	NA
Visibility-reducing particles	8 hours	—[f]	A	NA	NA
Vinyl chloride	24 hours	0.010 ppm (26 µg/m^3)	No information available	NA	NA

ABBREVIATIONS: A = Attainment; N = Nonattainment; U = Unclassified; NA = Not Applicable, no applicable standard; ppm = parts per million; µg/m^3 = micrograms per cubic meter

NOTES:

a. CAAQS= California ambient air quality standards (California). SAAQS for ozone, CO (except Lake Tahoe), SO_2 (one-hour and 24-hour), NO_2, particulate matter, and visibility-reducing particles are values that are not to be exceeded. All other State standards shown are values not to be equaled or exceeded.
b. NAAQS = national ambient air quality standards. NAAQS, other than ozone and particulates, and those based on annual averages or annual arithmetic means, are not to be exceeded more than once a year. The eight-hour ozone standard is attained when the three-year average of the fourth highest daily concentration is 0.08 ppm or less. The 24-hour PM_{10} standard is attained when the three-year average of the 99th percentile of monitored concentrations is less than the standard. The 24-hour $PM_{2.5}$ standard is attained when the three-year average of the 98th percentile is less than the standard.
c. The U.S. EPA revoked the national one-hour ozone standard on June 15, 2005.
d. This State eight-hour ozone standard was approved in April 2005 and became effective in May 2006.
e. State standard = annual geometric mean; national standard = annual arithmetic mean.
f. Statewide visibility-reducing particle standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

SOURCE: BAAQMD, 2017b.

The NAAQS are statutorily required to be set by the U.S. EPA at levels that are "requisite to protect the public health."[2] Therefore, the closer a region is to attaining a particular ambient air quality standard, the lower the human health impact is from that pollutant. Pursuant to the 1990 federal CAA Amendments, the U.S. EPA classifies air basins (or portions thereof) as "attainment," "nonattainment," or "unclassified" for each criteria air pollutant, based on whether the national standards have been achieved. An unclassified designation indicates that air quality and other relevant information is insufficient to determine whether the area is attainment or nonattainment. Table 4.3-2 also shows the attainment status of the SFBAAB with respect to the NAAQS. As shown in the table, **t**he SFBAAB is designated as a nonattainment area for the national 8-hour ozone standard and the national 24-hour $PM_{2.5}$ standard. The SFBAAB is in attainment for all other national ambient air quality standards. State-level attainment status of the SFBAAB is discussed further below.

The federal CAA Amendments require each state to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The federal CAA Amendments added requirements for states containing areas that violate the national standards to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is a living document that is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The U.S. EPA has the responsibility to review all SIPs to determine if they conform to the mandates of the federal CAA Amendments and will achieve air quality goals when implemented.

Hazardous Air Pollutants

EPA also regulates hazardous air pollutants (HAPs) through statutes and regulations that generally require the use of the maximum available control technology or best available control technology for TACs to limit emissions. These, in conjunction with additional rules set forth by BAAQMD, described further below, establish the regulatory framework for TACs.

The CAA also required EPA to issue vehicle or fuel standards containing reasonable requirements that control toxic emissions of, at a minimum, benzene and formaldehyde. Performance criteria were established to limit mobile-source emissions of toxics, including benzene, formaldehyde, and 1,3-butadiene.

State

Although the federal CAA established the NAAQS, individual states retain the option to adopt more stringent standards and to include other pollution sources. California had already established its own air quality standards when federal standards were established, and because of the unique meteorological challenges in California, there are differences between the State and national ambient air quality standards. The current CAAQS are also shown in Table 4.3-2. California ambient standards tend to be at least as protective as national ambient standards or are often more stringent.

NAAQS and CAAQS have been set at levels considered safe to protect the public, including the health of sensitive populations such as asthmatics, children, and the elderly with a margin of safety; and to protect

[2] See www.law.cornell.edu/uscode/text/42/7409.

public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. As explained by CARB, "an air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without any harmful effects on people or the environment" (CARB, 2024b). That is, if a region is in compliance with the ambient air quality standards, its regional air quality can be considered protective of public health.

The California CAA (California Health and Safety Code section 39600 et seq.), like its federal counterpart, calls for designation of areas as "attainment," "nonattainment," or "unclassified" with respect to the CAAQS. The SFBAAB is currently designated as nonattainment for the State 8-hour and 1-hour ozone standards, the State average and 24-hour PM_{10} standards, and the State average $PM_{2.5}$ standards. The SFBAAB is designated as attainment or unclassified with respect to the other State standards.

In 2003, the California Legislature enacted SB 656 (Chapter 738, Statutes of 2003), codified as Health and Safety Code Section 39614, to reduce public exposure to PM_{10} and $PM_{2.5}$. SB 656 required CARB, in consultation with local air districts, to develop and adopt, by January 1, 2005, a list of the most readily available, feasible, and cost-effective control measures that could be employed by CARB and the air districts to reduce PM_{10} and $PM_{2.5}$ (collectively referred to as PM). The legislation established a process for achieving near-term reductions in PM throughout California ahead of federally required deadlines for $PM_{2.5}$ and provided new direction on PM reductions in those areas not subject to federal requirements for PM. Measures adopted as part of SB 656 complement and support those required for federal $PM_{2.5}$ attainment plans, as well as for State ozone plans. This ensures continuing focus on PM reduction and progress toward attaining California's more health protective standards. This list of air district control measures was adopted by CARB on November 18, 2004.

Toxic Air Contaminants

The Health and Safety Code defines TACs as air pollutants that may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. The State Air Toxics Program was established in 1983 under AB 1807 (Tanner). The program involves a two-step process: risk identification and risk management. A total of 243 substances have been designated TACs under California law, including the 189 (federal) Hazardous Air Pollutants.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. Subsequent CARB regulations apply to new trucks and diesel fuel. With new controls and fuel requirements, 60 trucks built in 2007 would have the same particulate exhaust emissions as one truck built in 1988. The regulation is anticipated to result in an 80 percent decrease in Statewide diesel health risk in 2020 as compared with the diesel health risk in 2000. Many of the measures of the Diesel Risk Reduction Plan have been approved and adopted, including the federal on-road and non-road diesel engine emission standards for new engines, as well as adoption of regulations for low sulfur fuel in California. Subsequent regulations regarding on-road diesel truck retrofits with particulate matter controls, 2010 or later engine standards, and fleet average emission rate standards to increase turnover have resulted in much lower DPM and $PM_{2.5}$ emissions.

Despite notable emission reductions, CARB recommends that proximity to sources of DPM emissions be considered in the siting of new sensitive land uses. CARB notes that these recommendations are advisory and should not be interpreted as defined "buffer zones," and that local agencies must balance other

considerations, including transportation needs, the benefits of urban infill, community economic development priorities, and other quality of life issues. With careful evaluation of exposure, health risks, and affirmative steps to reduce risk where necessary, CARB's position is that infill development, mixed-use, higher density, transit-oriented development, and other concepts that benefit regional air quality can be compatible with protecting the health of individuals at the neighborhood level (CARB, 2005).

Off-Road Diesel Emissions

The CARB In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation) applies to all self-propelled off-road diesel vehicles 25 horsepower or greater used in California and most two-engine vehicles (except on-road two-engine sweepers). This includes vehicles that are rented or leased (rental or leased fleets). CARB's goal is to gradually reduce the State-wide construction vehicle fleet's emissions through turnover, repower, or retrofits. New engine emissions requirements were grouped into tiers based on the year in which the engine was built (CARB, 2024c). In 2014, new engines were required to meet Tier 4 Final standards which, to date, are the most stringent emissions standards for off-road vehicle engines. The goal of the In-Use Off-Road Diesel-Fueled Fleets Regulation is to reduce particulate matter (PM_{10} and $PM_{2.5}$) and NO_X emissions from off-road heavy-duty diesel vehicles in California (CARB, 2024d). This regulation also limits idling to five minutes, requires a written idling policy for larger vehicle fleets, and requires that fleet operators provide information on their engines to CARB and label vehicles with a CARB-issued vehicle identification number.

California Building and Energy Efficiency Standards (Title 24)

The California Energy Commission first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the State. Although not originally intended to reduce emissions of criteria pollutants or TACs, increased energy efficiency and reduced consumption of natural gas and other fuels would result in fewer criteria pollutant and TAC emissions from residential and non-residential buildings subject to the standard. The standards are updated periodically (typically every three years) to allow for the consideration and inclusion of new energy efficiency technologies and methods.

The most recent update to the Title 24 energy efficiency standards (2022 standards) went into effect on January 1, 2023. The Project would adhere to the applicable version of Title 24 as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits.

California Green Standards Building Code

Part 11 of the Title 24 Building Energy Efficiency Standards is referred to as the California Green Building Standards (CALGreen) Code. The CALGreen Code is intended to encourage more sustainable and environmentally friendly building practices, require low-pollution emitting substances that cause less harm to the environment, conserve natural resources, and promote the use of energy-efficient materials and equipment.

Since 2011, the CALGreen Code has been mandatory for all new residential and non-residential buildings constructed in the State. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code was

most recently updated in 2022 to include new mandatory measures for residential and non-residential uses; the new measures took effect on January 1, 2023.

Advanced Clean Cars Program

In January 2012, pursuant to Recommended Measures T-1 and T-4 of the Scoping Plan, CARB approved the Advanced Clean Cars Program, a new emissions-control program for model years 2017 through 2025. In response to a midterm review of the standards in March 2017, CARB directed staff to begin working on post-2025 model year vehicle regulations (Advanced Clean Cars II) to research additional measures to reduce air pollution from light-duty and medium-duty vehicles. Additionally, as described earlier, in September 2020, Governor Newsom signed EO N-79-20 that established a goal that 100 percent of California sales of new passenger car and trucks be zero-emission by 2035 and directed CARB to develop and propose regulations toward this goal. The primary mechanism for achieving these targets for passenger cars and light trucks is the Advanced Clean Cars II Program. CARB adopted the ACC II regulations on August 25, 2022.

Mobile Source Strategy

In May 2016, CARB released the updated Mobile Source Strategy that demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next 15 years. The strategy promotes a transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of vehicle miles traveled (VMT). The Mobile Source Strategy calls for 1.5 million Zero Emission Vehicles (ZEVs) (including plug-in hybrid electric, battery-electric, and hydrogen fuel cell vehicles) by 2025 and 4.2 million ZEVs by 2030. The strategy also calls for more stringent GHG requirements for light-duty vehicles beyond 2025 as well as GHG reductions from medium-duty and heavy-duty vehicles and increased deployment of zero emission trucks primarily for class 3 through 7 “last mile” delivery trucks in California. Statewide, the Mobile Source Strategy would result in a 45 percent reduction in GHG emissions from mobile sources and a 50 percent reduction in the consumption of petroleum-based fuels (CARB, 2016).

Similar to the 2016 Mobile Source Strategy, the 2020 Strategy is a framework that identifies the levels of cleaner technologies necessary to meet the many goals and high-level regulatory concepts that would allow the State to achieve the levels of cleaner technology. The 2020 Strategy will inform the development of other planning efforts, including the SIP, which will translate the concepts included into concrete measures and commitments for specific levels of emissions reductions, the 2022 Climate Change Scoping Plan (2022 Scoping Plan), and Community Emissions Reduction Plans (CERPs) required for communities selected as a part of CARB’s Community Air Protection Program. Central to all of these planning efforts, and CARB actions on mobile sources going forward, will be environmental justice as CARB strives to address longstanding environmental and health inequities from elevated levels of toxics, criteria pollutants, and secondary impacts of climate change (CARB, 2020). The 2020 Mobile Source Strategy illustrates that an aggressive deployment of ZEVs will be needed for the State to meet federal air quality requirements and the State’s climate change targets.

Advanced Clean Trucks Regulation

The Advanced Clean Truck (ACT) Regulation is part of a holistic approach to accelerate a large-scale transition to zero-emission medium-and heavy-duty vehicles. The regulation has two components including a manufacturer sales requirement and a reporting requirement:

Starting with the 2024 model year, the ACT Regulation requires manufacturers to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck sales would need to be 55 to 75 percent of truck sales, depending on truck category, and 40 percent of truck tractor sales. In addition, large employers including retailers, manufacturers, brokers, and others are required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, are required to report about their existing fleet operations.

The goal of this regulation is to achieve NOx and GHG emission reductions through advanced clean technology, and to increase the penetration of the first wave of zero-emission heavy-duty technology into applications that are well suited to its use.

ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling

In 2004, CARB adopted the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling to reduce public exposure to diesel particulate matter emissions (13 CCR Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure prohibits diesel-fueled commercial vehicles from idling for more than five minutes at any given location. While the goal of this measure is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in GHG reduction and energy savings in the form of reduced fuel consumption from unnecessary idling.

Regional

BAAQMD

The BAAQMD coordinates the work of government agencies, businesses, and private citizens to achieve and maintain healthy air quality for the Bay Area. The BAAQMD develops programs to reduce emissions associated with stationary sources, processes permits, determines whether the permit conditions have been met, ensures compliance with BAAQMD rules and regulations, and conducts long-term planning related to air quality.

Clean Air Plan

Local Air Quality Management Districts and Air Pollution Control Districts are responsible for demonstrating attainment of State air quality standards through the adoption and enforcement of Attainment Plans. The *2017 Clean Air Plan: Spare the Air, Cool the Climate* (2017 Clean Air Plan) was adopted on April 19, 2017, by the BAAQMD in cooperation with the Metropolitan Transportation Commission (MTC), the San Francisco Bay Conservation and Development Commission, and the Association of Bay Area Governments (ABAG) to provide a regional strategy to improve air quality within the SFBAAB and meet public health goals (BAAQMD, 2017c). The control strategy described in the 2017 Clean Air Plan includes a wide range of control measures designed to reduce emissions and

lower ambient concentrations of harmful pollutants, safeguard public health by reducing exposure to air pollutants that pose the greatest health risk and reduce greenhouse gas emissions (GHGs) to protect the climate.

The 2017 Clean Air Plan addresses four categories of pollutants including ground-level ozone and its key precursors: ROG and NO_X; PM, primarily $PM_{2.5}$, and precursors to secondary $PM_{2.5}$; air toxics; and GHG emissions. The control measures are categorized based on the economic sector framework including stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, and water.

Rules and Regulations

BAAQMD establishes and administers a program of rules and regulations to attain and maintain the CAAQS and NAAQS and regulations related to TACs. The rules and regulations that may apply to the Project include the following:

a) **Regulation 2, Rule 1 – Permits.** This rule specifies the requirements for authorities to construct and permits.

b) **Regulation 6, Rule 1 – General Requirements.** This rule limits the quantity of particulate matter in the atmosphere through the establishment of limitations on emission rates, concentration, visible emissions, and opacity.

c) **Regulation 6, Rule 3 – Wood-Burning Devices.** This rule limits the emissions of particulate matter and visible emissions from wood-burning devices used for primary heat, supplemental heat or ambiance.

d) **Regulation 6, Rule 6 – Prohibition of Trackout.** This rule addresses fugitive road dust emissions associated with trackout of solid materials onto paved public roads outside the boundaries of large bulk material sites, large construction sites and large disturbed surface sites (sites of 1-acre or more), and large disturbed surface sites.

e) **Regulation 8, Rule 1 – General Provisions.** This rule limits the emission of organic compounds into the atmosphere.

f) **Regulation 8, Rule 3 – Architectural Coatings.** This rule limits the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the BAAQMD.

g) **Regulation 8, Rule 15 – Emulsified and Liquid Asphalts.** This rule limits the emissions of VOCs caused by the use of emulsified and liquid asphalt in paving materials and paving and maintenance operations.

Regulation of Odors

BAAQMD regulation 7 places general limitations on odorous substances and specific emission limitations on certain odorous compounds. The regulation limits the "discharge of any odorous substance which causes the ambient air at or beyond the property line … to be odorous and to remain odorous after dilution with four parts of odor-free air." BAAQMD must receive odor complaints from 10 or more complainants within a 90-day period in order for the limitations of this regulation to go into effect. If this criterion has been met, an odor violation can be issued by the air district if a test panel of people can detect an odor in samples collected periodically from the source.

BAAQMD CEQA Guidelines and Thresholds of Significance

BAAQMD California Environmental Quality Act Air Quality Guidelines (BAAQMD CEQA Guidelines) is an advisory document that provides lead agencies, consultants, and project proponents with procedures for assessing air quality impacts and preparing environmental review documents. The document describes the criteria that BAAQMD uses when reviewing and commenting on the adequacy of environmental documents. It recommends thresholds for use in determining whether projects and plans would have significant adverse environmental impacts, describes methods for predicting project emissions and impacts, and identifies measures that can be used to avoid or reduce air quality impacts.

BAAQMD's most recent update to its CEQA Guidelines (2022 BAAQMD CEQA Guidelines) was adopted in April 2023 (BAAQMD, 2023a). These guidelines provide recommended quantitative significance thresholds along with direction on recommended analysis methods. BAAQMD states that the quantitative significance thresholds are "advisory and should be followed by local governments at their own discretion," and that lead agencies are fully within their authority to develop their own thresholds of significance. However, BAAQMD offers these thresholds for lead agencies to use in order to inform environmental review for development projects in the Bay Area. Lead agencies may also reference the *CEQA Thresholds Options and Justification Report* developed by BAAQMD staff in 2009 and included as Appendix A to the 2022 BAAQMD CEQA Guidelines.

Local

At the local county level, air quality is managed through land use and development planning practices. These practices are implemented in Napa County through the general planning process (i.e., Napa County General Plan). At the regional level, the BAAQMD is responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and State air quality laws.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Conservation Element of the Napa County General Plan includes the following policies related to air quality (Napa County, 2008).

> **Goal CON-17:** Reduce air pollution and reduce local contributions to regional air quality problems, achieving and maintaining air quality in Napa County which meets or exceeds State and federal standards.
>
> > ***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-80e:*** The County shall seek to reduce particulate emissions and avoid exceedances of State particulate matter (PM) standards by 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-84: The County shall require the establishment and maintenance of adequate buffer distances or filters or other equipment modifications for new sources of toxic air contaminants (TACs) and odors near proposed or existing sensitive receptors consistent with local and State regulatory requirements and guidelines. [Implemented by Action Item CON CPSP-6].

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. [Implemented by Action Item CON CPSP-6].

4.3.4 Significance Criteria

The thresholds used to determine the significance of impacts related to air quality are based on Appendix G of the CEQA Guidelines. The Project could have a significant impact on air quality if it would:

a) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard.

b) Expose sensitive receptors to substantial pollutant concentrations.

c) Conflict with or obstruct implementation of the applicable air quality plan.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The 2022 BAAQMD CEQA Guidelines include project-level significance thresholds in Chapter 3 and recommended methods of analysis in Chapter 5. BAAQMD's emission thresholds represent the levels above which a project's individual emissions would result in a considerable contribution (i.e., significant) to the SFBAAB's existing non-attainment of NAAQS and CAAQS and thus establish a nexus to regional air quality impacts that satisfies CEQA requirements for evidence-based determinations of significant impacts. Therefore, an analysis of a project's emissions relative to the BAAQMD thresholds also addresses if the project would lead to or contribute to violations of the NAAQS and CAAQS.

Table 4.3-3 summarizes the significance thresholds used in this analysis.

Approach to Analysis

The analysis presented below is based on the approach and methodology detailed in the Air Quality and Greenhouse Gas Technical Report prepared in support of the Project and is incorporated here by reference (see **Appendix C**).

The study area for regional air quality impacts is the SFBAAB. The study area for localized health risk impacts is the area in the vicinity of the Project site, generally defined by the BAAQMD as the "zone of influence" extending 1,000 feet out from the Project site boundaries.

TABLE 4.3-3
BAAQMD CEQA AIR QUALITY SIGNIFICANCE THRESHOLDS

Pollutant	Construction Thresholds – Average Daily Emissions (pounds per day)	Operational Thresholds	
		Average Daily Emissions (pounds per day)	Maximum Annual Emissions (tons per year)
ROG	54	54	10
NOx	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other best management practices (BMPs)	Not applicable	
CO	Not applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	
Risks and hazards for new sources and receptors (individual project)	Same as operational thresholds	• Increased cancer risk of > 10.0 in 1 million • Increased non-cancer risk of > 1.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase > 0.3 $\mu g/m^3$ annual average OR Compliance with Qualified Community Risk Reduction Plan	
Risks and hazards for new sources and receptors (cumulative)	Same as operational thresholds	• Increased cancer risk of > 100 in 1 million • Increased non-cancer risk of > 10.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase > 0.8 $\mu g/m^3$ annual average OR Compliance with Qualified Community Risk Reduction Plan	

ABBREVIATIONS:$\mu g/m^3$ = micrograms per cubic meter; BAAQMD = Bay Area Air Quality Management District; CEQA = California Environmental Quality Act; CO = carbon monoxide; NOx = oxides of nitrogen; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter; PM_{10} = particulate matter 10 microns or less in diameter; ppm = parts per million; ROG = reactive organic gases

SOURCE: BAAQMD, 2023a.

The air quality analysis conducted for this impact assessment uses the emissions factors, models, and tools developed by a variety of industry experts and agencies including CARB, the California Air Pollution Control Officers Association (CAPCOA), the Office of Environmental Health Hazard Assessment (OEHHA), and U.S. EPA. The analysis also uses methods identified in the 2022 BAAQMD CEQA Guidelines. Therefore, this analysis applies the most recent guidance available, and deemed relevant and applicable by Napa County.

Criteria Air Pollutants

Construction and operation of the Project would result in emissions of criteria air pollutants, which result in impacts that are generally regional in nature. This analysis is presented in Impact AIR-1 and addresses the second significance criterion.

Emissions from construction of the Project would be generated primarily from heavy duty equipment which includes off-road construction equipment such as excavators, backhoes, front-end loaders, cranes, drill rigs, dozers, forklifts, pavers and rollers, in addition to off-site, on-road vehicle travel to transport construction workers, equipment and materials. Construction activities associated with the Project include

demolition of three existing structures, site clearing, excavation and grading, building construction, and/or hardscape and landscape materials installation. As described in Chapter 3, *Project Description*, the Project is proposed to be constructed over a duration of 3 years.

Construction emissions were estimated using methods consistent with the California Emission Estimator Model (CalEEMod version 2022.1) using emission factors from OFFROAD2017 and EMFAC2021. Inputs regarding construction phasing and schedule, equipment use by phase were based on information received from the Project Applicant. A complete list of the construction equipment for each phase, construction phase duration assumptions, and changes to modeling default values used in this analysis is included in Appendix C of this Draft EIR.[3]

Total emissions generated are estimated and summarized as emissions of pounds per day for each calendar year of construction and compared to the daily construction thresholds presented in Table 4.3-3.

The Project would generate operational emissions from a variety of sources, including area sources (consumer products, architectural coatings, and landscape equipment), natural gas combustion for building energy use, and from mobile sources (daily automobile and truck trips).

Project operational emissions were estimated using the CalEEMod emissions model. CalEEMod quantifies emissions from operational activities based on the Project land use types and user-defined inputs for project location, operational year, and climate zone. Mobile source emissions were modeled using the average daily vehicle trips generated by the Project as estimated by the transportation study for the Project. Refer to Appendix C for Project-specific adjustments made to default CalEEMod values for Project operation.

Estimated operational emissions were compared to both the average daily and maximum annual thresholds presented in Table 4.3-3.

Toxic Air Contaminants

The Project would result in a short-term increase of TAC emissions over the construction period. The main TAC of concern for the Project is DPM in diesel exhaust, identified by the CARB as a TAC with potential cancer and chronic non-cancer effects. As DPM is the TAC emitted in the largest quantity, it is used as a surrogate for other TACs within diesel exhaust. The operation of Project-associated off-road construction equipment and on-road diesel-fueled heavy-duty vehicles would emit DPM.

A Health Risk Assessment (HRA) was conducted to evaluate the health risk impacts of DPM emissions generated by construction equipment and vehicles associated with the Project on existing sensitive receptors located in the vicinity of the Project site. Consistent with BAAQMD requirements, the HRA evaluated the cancer and chronic non-cancer effects of inhaling DPM, as well as the annual average $PM_{2.5}$ concentration receptors would be exposed to.

[3] As presented in Appendix C, construction was assumed to begin in Spring 2024, rather than in 2027 as currently anticipated. Build-out was also expected to be completed earlier than now anticipated. These assumptions are conservative because they do not account for new emissions-reducing technologies or regulations that may become applicable over time.

The HRA was conducted using guidelines from BAAQMD (BAAQMD, 2023b), OEHHA (OEHHA, 2015), and approved risk assessment health values from CARB. Refer to Appendix C for more specific detail on the parameters and assumptions used for the HRA. Exposure of exiting sensitive receptors to DPM and $PM_{2.5}$ emissions addresses the third significance criterion and is discussed under Impact AIR-2.

Consistency with Air Quality Plan

The most recently adopted air quality plan for the air basin is the *2017 Clean Air Plan: Spare the Air, Cool the Climate* (BAAQMD, 2017c). The 2017 Clean Air Plan is a road map that demonstrates how the Bay Area will achieve compliance with the State ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. Consistency with the 2017 Clean Air Plan is the basis for determining whether the Project would conflict with or obstruct implementation of an applicable air quality plan, the first bulleted significance criterion identified above.

In determining consistency with the 2017 Clean Air Plan, this analysis considers whether the Project would (1) support the primary goals of the 2017 Clean Air Plan, (2) include applicable control measures from the 2017 Clean Air Plan, and (3) avoid disrupting or hindering implementation of control measures identified in the 2017 Clean Air Plan. Project consistency with the 2017 Clean Air Plan is addressed in Impact AIR-3.

Odors

With respect to odors, the BAAQMD CEQA Guidelines provide guidance in the form of screening distances, to help evaluate potential odor impacts. They identify potential odor sources of particular concern, such as wastewater treatment plants, oil refineries, asphalt plants, chemical manufacturing, painting/coating operations, coffee roasters, food processing facilities, recycling operations, and metal smelters, and recommend buffer zones around them to avoid potential odor conflicts. As the Project would not include any of these types of sources, analysis is conducted qualitatively. Odor analysis is presented in Impact AIR-4 and addresses the fourth significance criterion.

Cumulative Impacts

By definition, regional air pollution is largely a cumulative impact in that no single project is sufficient in size, by itself, to cause non-attainment of air quality standards. The contribution of a project's air emissions to regional air quality impacts is, by its nature, a cumulative effect. Emissions from past, present, and reasonably foreseeable future projects in the vicinity also have or will contribute to adverse regional air quality impacts on a cumulative basis. A project's individual emissions contribute to existing cumulative air quality conditions. As described above, the project-level thresholds for criteria air pollutants are based on levels by which new sources are anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, if a project's emissions are below the project-level thresholds, the project would not result in a considerable contribution to cumulative regional air quality impacts.

Potential cumulative health risks were analyzed at the Project's Maximally Exposed Individual Resident (MEIR). The analysis considers health risks from the Project in combination with health risk and TACs

from BAAQMD-permitted stationary sources and mobile sources (freeway, major streets and rail) within 1,000 feet of the MEIR (BAAQMD, 2023a).[4] Health risk data from BAAQMD-permitted stationary sources and background mobile source risks from on-road and rail sources were derived from the health risk screening and modeling tools available on the BAAQMD website (BAAQMD, 2023c; BAAQMD, 2023d). Combined health risks are compared to the BAAQMD's thresholds of significance for cumulative impacts shown in Table 4.3-3.

4.3.5 Impacts of the Project

Impact AIR-1: The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard. ***(Less than Significant with Mitigation)***

Construction of the Project has the potential to create temporary air quality impacts through emissions of criteria air pollutants, primarily associated with the use of heavy-duty construction equipment, construction workers' vehicle trips, and truck hauling trips. In addition, fugitive ROG emissions would be emitted during construction, predominantly from application of architectural coatings and ROG off-gassing emissions associated with asphalt paving.

Table 4.3-4 presents the estimated emissions generated by the Project for each year of construction. As shown in Table 4.3-4, emissions of all analyzed criteria air pollutants during all construction years would be well below the BAAQMD construction thresholds. Additionally, BAAQMD's approach to analysis of construction-related fugitive dust emissions is to emphasize implementation of effective and comprehensive dust control measures rather than detailed quantification of emissions. BAAQMD considers construction-related fugitive dust impacts of projects to be less than significant if a suite of recommended dust-control measures is implemented (BAAQMD, 2023a). Without implementation of these measures, fugitive dust impacts from construction activities would be considered potentially significant.

Therefore, to mitigate the potential for significant construction-related fugitive dust impacts, **Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization**, is identified to reduce construction-related fugitive dust impacts to less-than-significant levels. With the implementation of BAAQMD-specified dust control measures, the Project's construction-related impacts would be reduced to a less than significant level. The residual impact would therefore be **less than significant**.

Operation of the Project would have the potential to create air quality impacts, primarily associated with natural gas combustion for building energy use, mobile and area sources. Note that Mitigation Measure GHG-1a (see Section 4.7, *Greenhouse Gas Emissions*) would require that the Project's new buildings be designed as all-electric facilities and would not include new natural gas connections. The unmitigated scenario is shown in this analysis. Motor vehicle traffic would include daily vehicle trips generated by employees and hotel guests and was derived from the Project's Traffic Impact Study (Appendix L). Area sources include landscaping equipment, and the off-gassing associated with reapplication of architectural coatings as part of building maintenance during operations. Each of these sources were considered in calculating the Project's long-term operational emissions.

[4] The MEIR adequately captures analysis of all sensitive receptors.

TABLE 4.3-4
UNMITIGATED AVERAGE DAILY CRITERIA POLLUTANT EMISSIONS FROM PROJECT CONSTRUCTION

Construction Year[a]	Average Daily Emissions (lbs/day)[a]			
	ROG	NOx	Exhaust PM_{10}	Exhaust $PM_{2.5}$
2024	0.78	7.52	0.24	0.22
2025	0.57	5.66	0.12	0.11
2026	0.55	5.47	0.11	0.11
2027	10.01	3.96	0.08	0.08
Project Average[b]	*1.60*	*5.91*	*0.14*	*0.13*
BAAQMD Threshold	*54*	*54*	*82*	*54*
Exceed Threshold?	No	No	No	No

NOTES:

For each calendar construction year, annual emissions are divided over the number of construction workdays in the given year to determine the average daily emissions.

a. Calendar year of construction. Project construction would occur during a portion of Construction Years 1 and 4.
b. The Project Average is the total emissions generated over the duration of construction divided by the total number of construction workdays and is not the sum of the averages for the individual construction years.

SOURCE: Table compiled by ESA in 2024 based on Appendix C of this EIR.

Table 4.3-5 shows the total emissions generated from the operation of the Project as pounds per day and tons per year. As shown in the table, emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$, would all be below their respective daily and annual significance thresholds. This impact would therefore be **less than significant**.

TABLE 4.3-5
MAXIMUM ANNUAL AND DAILY EMISSIONS FOR PROJECT OPERATIONS

Emission Source	Average Daily Emissions (pounds per day)[a]				Total Annual Emissions (tons per year)			
	ROG	NO_X	PM_{10}	$PM_{2.5}$	ROG	NO_X	PM_{10}	$PM_{2.5}$
Mobile	2.63	3.4	5.37	1.42	0.48	0.62	0.98	0.26
Area	2.25	0.03	0.03	0.03	0.41	0.01	<0.005	<0.005
Energy	0.05	0.6	0.05	0.05	0.01	0.11	0.01	0.01
Total[b]	4.93	4.0	5.42	1.42	0.9	0.73	0.99	0.26
BAAQMD Threshold	54	54	82	54	10	10	15	10
Significant Impact?	No	No	No	No	No	No	No	No

NOTES:

a. Average daily emissions are calculated by dividing annual emissions by 365 days per year.
b. Emissions may not exactly add up to the totals presented due to rounding.

SOURCE: Table compiled by ESA in 2024 based on Appendix C of this EIR.

Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization.

During Project construction, the construction contractor shall comply with the BAAQMD's current basic and enhanced best management practices for reducing construction emissions of fugitive PM_{10} and $PM_{2.5}$. At a minimum, the construction contractor shall comply with the following measures:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12- inch layer of compacted wood chips, mulch or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD Air Pollution Complaints number shall also be included on the publicly visible signs to ensure compliance with applicable regulations.
- Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.
- Prior to disturbance install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Minimize the amount of excavated material or waste materials stored at the site.
- Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for 10 or more calendar days.

Significance after Mitigation: Less than Significant.

Impact AIR-2: The Project would not expose sensitive receptors to substantial pollutant concentrations. ***(Less than Significant)***

The Project would expose sensitive receptors in the vicinity to DPM and $PM_{2.5}$ emissions generated during construction. The results of the construction HRA for the Project are shown in **Table 4.3-6**.

TABLE 4.3-6
UNMITIGATED HEALTH RISKS FROM PROJECT CONSTRUCTION

Receptor Type	Incremental Cancer Risk (# in one million)	Chronic HI (unitless)	Annual Average $PM_{2.5}$ Concentration ($\mu g/m^3$)
MEIR – Resident Infant Receptor[a]	6.6	0.007	0.05
MEIW – Worker Receptor[b]	0.7	0.052	0.24
BAAQMD Threshold	*10.0*	*1.0*	*0.3*
Exceeds Threshold?	No	No	No

NOTES:

For each calendar construction year, annual emissions are divided over the number of construction workdays in the given year to determine the average daily emissions.

a. The resident infant MEIR for incremental cancer risk, chronic HI, and annual average $PM_{2.5}$ concentration is located at 1179 Lodi Lane adjacent to the South Parcel hotel development. Exposure is assumed to begin in the third trimester of an unborn child.
b. The MEIW for incremental cancer risk, HI and annual average $PM_{2.5}$ concentration is located on site at the Office Building adjacent to the North Parcel hotel development.

SOURCE: Table compiled by ESA in 2024 based on Appendix C of this EIR.

As shown, the unmitigated incremental cancer risk, chronic Hazard Index, and annual average $PM_{2.5}$ concentration at the residential MEIR would not exceed the BAAQMD's project-level threshold of 10 in one million, 1.0 and 0.3 $\mu g/m^3$, respectively. All health risks at the Maximum Exposed Individual Worker (MEIW) would also be less than the BAAQMD thresholds. Therefore, the Project would not expose sensitive receptors to substantial TAC concentrations and this impact would be **less than significant**.

Mitigation: None required.

Impact AIR-3: The Project would not conflict with or obstruct implementation of the applicable air quality plan. ***(Less than Significant)***

In determining consistency with the 2017 Clean Air Plan, BAAQMD recommends that the analysis consider whether a project would (1) support the primary goals of the 2017 Clean Air Plan, (2) include applicable control measures from the 2017 Clean Air Plan, and (3) avoid disrupting or hindering implementation of control measures identified in the 2017 Clean Air Plan.

The primary goals of the 2017 Clean Air Plan are to protect air quality and public health at the regional and local scale and protect the climate by reducing regional criteria air pollutant emissions and reducing local air quality-related health risks (by meeting State and national ambient air quality standards). To meet these goals, the 2017 Clean Air Plan includes 85 control measures aimed at reducing air pollutants in the SFBAAB (BAAQMD, 2017c). These control measures are grouped into the following sectors: stationary (industrial) sources, transportation, energy, buildings, agriculture, natural and working lands, and waste management.

The vast majority of the control measures included in the 2017 Clean Air Plan do not apply directly to the Project because they target facilities or land uses that do not currently exist and are not proposed as part of the Project (e.g., energy generation, waste management, forest or pasture lands); vehicles or equipment that

would not be employed by the Project (e.g., airplanes,); and/or involve rulemaking or other actions under the jurisdiction of agencies not directly involved with design and approval of the Project and its related actions. In addition, 40 of these measures address stationary sources (such as oil refineries and cement kilns, and large boilers used in commercial and industrial facilities) and will be implemented by the BAAQMD using its permit authority and are therefore not suited to implementation through local planning efforts.

Most of the control measures identified in the 2017 Clean Air Plan fall under the implementation responsibility of the BAAQMD or other regional agencies and would not be directly implementable at the project level. However, the Project would include features, either by design or required as part of compliance with regulations, that support implementation of transportation-, energy-, building-, waste-, and water conservation-related measures included in the 2017 Clean Air Plan. The Project would be consistent with measures to reduce PM from trackout and fugitive dust at construction sites as it would implement all BAAQMD recommended dust control measures.

Further, the Project would not cause disruption or delay in the implementation of any of the Clean Air Plan's control measures. The Project would therefore be consistent with the BAAQMD's 2017 Clean Air Plan, and this impact would be **less than significant**.

Mitigation: None required.

Impact AIR-4: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. ***(Less than Significant)***

During construction of the Project, the use of diesel-powered vehicles and equipment could temporarily generate localized odors, however these odors would cease upon completion of construction, and would therefore not result in a significant odor impact.

The BAAQMD CEQA Guidelines identifies land uses that have potential to generate continuous odorous impacts and odor complaints during operation. These land uses include wastewater treatment plants, landfills, confined animal facilities, composing stations, food manufacturing plants, refineries, and chemical plants (BAAQMD, 2023a). Wastewater from new development on the North Parcel would be collected and conveyed to the existing Markham CWMS, which is located on the adjacent Markham Vineyards property and is operated under a waste discharge order approved by the San Francisco Regional Water Quality Control Board. However, wastewater generated by the Project would be disposed of through discharge to the existing underground septic system and disposal to a new on-site gray water treatment system. The gray water treatment would meet NSF 350 requirements for gray water systems in jurisdictions with no local requirements for these systems. Treated gray water would be stored and reused through surface drip irrigation on-site. Compliance with NSF 350 odor requirements would ensure that odors would be controlled during system operations. Therefore, the Project would have a **less-than-significant** impact with respect to odor sources.

Mitigation: None required.

4.3.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to air quality could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

The SFBAAB is a nonattainment area for both the federal and State ozone standards; therefore, an air quality impact already exists. Additional emissions of ozone precursors NO_X or ROG over threshold amounts would further degrade air quality related to ozone. Impact AIR-1 determined that the Project's contribution to this significant impact would be less than significant with mitigation. The BAAQMD's project-level criteria air pollutant thresholds are based on levels below which new sources would not result in a cumulatively considerable net increase in criteria air pollutants for which the region is in nonattainment. The potential for the project to result in significant criteria air pollutant emissions, and therefore a cumulatively considerable contribution to non-attainment criteria pollutants, is addressed under Impact AIR-1. Therefore, no separate cumulative criteria air pollutant analysis is required.

Impact AIR-3 addresses potential impacts related to consistency with the BAAQMD 2017 Clean Air Plan. Because the 2017 Clean Air Plan focuses on reducing population exposure to air pollutants throughout the region, the assessment in Impact AIR-3 is a cumulative analysis in itself as it assesses consistency with a region wide air quality plan. Therefore, a separate cumulative assessment of consistency with the 2017 Clean Air Plan is not required.

Impact AIR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative health risk impacts. ***(Less than Significant)***

Table 4.3-7 shows that the Project's health risk in conjunction with other permitted stationary sources within 1,000 feet of the MEIR and background health risks from mobile sources on highways, major streets and rail would result in cumulative lifetime cancer risk, chronic hazard index and annual average $PM_{2.5}$ concentration below the BAAQMD's cumulative thresholds, which are 100 in a million for incremental lifetime cancer risk, 10.0 for non-cancer Hazard Index (acute or chronic), and 0.8 $\mu g/m^3$for average annual concentration. Therefore, the cumulative health risk impact would be **less than significant**.

Mitigation: None required.

TABLE 4.3-7
SUMMARY OF CUMULATIVE EXCESS LIFETIME CANCER RISK, NON-CANCER CHRONIC RISK, AND ANNUAL AVERAGE $PM_{2.5}$ CONCENTRATION AT THE PROJECT MEIR

Emissions Source	Excess Lifetime Cancer Risk (per million)[a]	Non-Cancer Chronic Hazard Index (unitless)[a]	Annual Average $PM_{2.5}$ Concentration ($\mu g/m^3$)[a,b]
Project Contribution			
Project Construction[b]	6.64	0.007	0.054
Background Cumulative Contributions from Sources within 1,000 feet of MEIR			
BAAQMD Permitted Stationary Sources[c]	7.52	0.002	0.010
Roadways, Highways and Major Streets[d]	5.59	0.014	0.054
Rail[e]	--	--	--
Total Background Cumulative	13.1	0.016	0.119
Project Plus Cumulative			
Cumulative Total	19.8	0.02	0.17
Cumulative Significance Thresholds	100	10.0	0.8
Significant?	No	No	No

NOTES:

$PM_{2.5}$ = particulate matter that is 2.5 microns or less in diameter; = $\mu g/m^3$ micrograms per cubic meter; MEIR = maximally exposed individual receptor

a. **Bold values** = threshold exceedance
b. For onsite construction, $PM_{2.5}$ concentrations include exhaust and fugitive dust emissions as required by the most recent BAAQMD Guidelines.
c. Health risks from BAAQMD permitted stationary sources available through the BAAQMD's Stationary Source Screening Map.
d. Background health risks from mobile sources derived from BAAQMD's Mobile Source Screening Map.

SOURCE: Table compiled by ESA in 2024 based on Appendix C of this EIR.

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4.4 Biological Resources

4.4.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on biological resources. This section first includes a description of the existing environmental setting as it relates to biological resources, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on biological resources. This section uses the following terms:

- **Project area/site:** This area is synonymous with the limits of work (e.g., ground disturbance and work in or over potentially jurisdictional wetlands and waters). It defines the area in which direct and indirect impacts on biological resources could occur.
- **Study area:** For purposes of the biological resources analysis, the study area is the project area plus a 500-foot buffer, which encompasses the area within which indirect impacts on biological resources could occur.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020 and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to biological resources received during the NOP comment period include concerns related to providing sufficient descriptions for the environmental setting and impact analysis and mitigation measures for any potentially impacted biological resources.

Project-related impacts on riparian habitat, sensitive natural communities, protected wetlands, wildlife movement, migratory wildlife corridors, native wildlife nursery sites, and conflicts with an adopted habitat conservation or natural community conservation plan are introduced in Appendix B, *Initial Study*, and are expanded upon in this Draft EIR. Additional information on biological resources is available in the Biological Resources Report prepared for the Project (**Appendix D**).

4.4.2 Environmental Setting

Regional Setting

The Project is located approximately 0.5-mile north of the city limits of St. Helena, in unincorporated Napa County. Napa County is located within the California Floristic Province and has a Mediterranean climate. Napa County is north of San Pablo Bay and is located at the southern portion of the Mayacamas mountain range. This region is characterized by expansive grasslands and savannah-like oak woodlands and has a long history of livestock grazing and agriculture, especially vineyards.

Project Site Setting

The Project is located on a 15.13-acre site at Lodi Lane along SR 29, approximately 0.5 mile north of the city limits of St. Helena, in unincorporated Napa County. The Project is comprised of six parcels that are broken into two sections separated by Lodi Lane, referred to as the “North Parcel” and the “South Parcel.

a) The "North Parcel" is approximately 10.30 acres and consists of the four parcels located north of Lodi Lane. The four contiguous parcels are Assessor's Parcel Numbers [APNs] 022-130-027, 022-120-028, 022-130-023, 022-130-024. The North Parcel is bounded by vineyards to the north, a commercial inn to the east, Lodi Lane to the south, and State Route (SR) 29 to the west.

b) The "South Parcel" is approximately 4.83 acres and consists of the two parcels located south of Lodi Lane. The two contiguous parcels are APN 022-220-028, 022-220-029. The South Parcel is bounded by Lodi Lane to the north, agricultural uses to the east and south, and SR 29 to the west.

Habitat Types

Oak Woodland

Oak woodland is present within the study area on the northern area of the North Parcel, surrounding the water tank and lining the vineyards. Oak woodland is also present on the eastern border of the South Parcel. Dominant overstory vegetation on both parcels include valley oak (*Quercus lobata*) and coast live oak (*Quercus agrifolia*). Dominant understory vegetation on the North Parcel includes wild oats (*Avena fatua*) and pacific poison oak (*Toxicodendron diversilobum*). Vegetation on the South Parcel included sharp-leaved fluellen (*Kickxia elatine*) and *Populus* trees.

On the North Parcel, American crow (*Corvus brachyrhynchos*), California scrub-jay (*Aphelocoma californica*), pileated woodpecker (*Dryocopus pileatus*), turkey vulture (*Cathartes aura*), and Northern mockingbird (*Mimus polyglottos*) were observed using the oak woodland habitat. On the South Parcel, California ground squirrels (*Otospermophilus beecheyi*) were observed utilizing the oak woodland habitat.

Developed

Developed areas such as paved roads, parking lots, and buildings generally lack habitat for wildlife; however, common wildlife such as striped skunk (*Mephitis mephitis*) and raccoon (*Procyon lotor*) could use these areas to occasionally forage for human food waste, shelter from predators and weather, or move to and from patches of undeveloped habitat. Abandoned buildings can also support bat species such as Mexican free-tailed bat (*Tadarida brasiliensis*). Landscaped areas in an otherwise urban environment can provide cover, foraging, and nesting habitat for a variety of bird species, as well as common reptiles and small mammals, especially those that are tolerant of disturbance and human presence. Developed and otherwise disturbed areas occur along the southern portion of the North Parcel where the existing winery and parking lot are located. Manicured vegetation occurs throughout this area. The restaurant building is overgrown with vegetation that may provide suitable habitat for nesting birds.

Developed areas occur along the northern, western, and southern portions of the South Parcel including where the motel, commercial building, and parking lots are located. Vegetation around the commercial building and parking lot consists of Greek strawberry trees **(***Arbutus andrachne*) and desert willow trees (*Chilopsis linearis*). Minimal vegetation around the motel. Developed habitat does not provide suitable habitat for most species, although, buildings and bridges may be used by bat species for day or night roosts and by birds for nesting.

Agriculture

Vineyards are present on the northeastern area of the North Parcel. Vineyards make up the majority of habitat surrounding the study area. Ground beneath vineyards is typically kept bare and often seasonally

planted with a cover crop and is unlikely to support local native plants. Wildlife, such as deer and rabbits browse on the vines; and numerous birds target the fruit and are considered agricultural pests. Vineyards can be beneficial to wildlife during hot summer periods. Turkey vulture and American crow were observed foraging in the agriculture areas.

Ruderal/Disturbed

Ruderal vegetation is typified by plants that are often the first to colonize a disturbed area, arising spontaneously and spreading widely without deliberate human intervention (i.e., control). In California, ruderal vegetation is often composed of an assemblage of non-native grasses and forbs (Sawyer et al., 2009; CDFW, 2023; Holland, 1986). Ruderal habitat is located on the southeast portion of the South Parcel. These areas are bordered by oak woodland and developed habitat. At the time of the July 20, 2023 reconnaissance survey, this area was dominated by mowed non-native annual grasses and upland forbs such as chicory (*Cichorium intybus*).

Engineered Drainage Ditch

An engineered ephemeral drainage ditch occurs within the study area on the north edge of the North Parcel between two sections of vineyard running towards Lodi Lane. The ditch appears to seasonally convey agricultural and stormwater runoff towards Lodi Lane. Dominant vegetation within and surrounding the drainage ditch includes tall flatsedge (*Cyperus eragrostis*) and coast live oak. The drainage ditch was determined to be non-jurisdictional (i.e., not a water of the U.S. or State). This feature is outside of the proposed construction footprint. As such, no Project related impacts to the drainage ditch are anticipated.

Special-Status Species

Special-status species are legally protected under the State and federal Endangered Species Acts or other regulations, or are species that are considered sufficiently rare by the scientific community to qualify for such listing. These species are in the following categories:

- Species listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (FESA) (50 Code of Federal regulations [CFR] 17.12 [listed plants], 17.11 [listed animals] and various notices in the Federal Register [FR] [proposed species]);
- Species that are candidates for possible future listing as threatened or endangered under FESA (61 FR 40, February 28, 6);
- Species listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations [CCR] 670.5);
- Plants listed as rare or endangered under the California Native Plant Protection Act (NPPA) (California Fish and Game Code, Section 1900 et seq.);
- California Department of Fish and Wildlife (CDFW) designated species of special concern;
- Animals fully protected under Fish and Game Code (California Fish and Game Code, Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]);
- Species that meet the definitions of rare and endangered under CEQA. CEQA Section 15380 provides that a plant or animal species may be treated as “rare or endangered” even if not on one of the official lists (CEQA Guidelines, Section 15380); and

- Plants considered under the CDFW and California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (California Rare Plant Rank [CRPR] 1A, 1B, and 2) as well as CRPR Rank 3 and 4[1] plant species.

Appendix D presents the findings of a focused database and literature search for special-status plants and wildlife with known occurrences near the study area. A full account of these species can be found in Appendix D. There are four special-status plant species and four special-status wildlife species that have a moderate potential to occur in the study area. **Table 4.4-1**, **Special-Status Species Potentially Occurring in the Study Area**, lists the species, their general habitat requirements, and the potential for occurrence on and near the study area. The study area is heavily developed, lacking suitable habitat for many species. These species have little to no potential for occurrence and are not individually addressed. Special-status species with potential to occur in the study area are discussed below.

TABLE 4.4-1
SPECIAL-STATUS SPECIES WITH POTENTIAL TO OCCUR IN THE STUDY AREA

Scientific Name	Common Name	Listing Status: Federal/State/ Other	Habitat Description	Potential for Occurrence within the Study area
Plants				
Amorpha californica var. *napensis*	Napa false indigo	--/--/1B.2	Openings in broad-leafed forest, chaparral, cismontane woodland. Blooms April through June.	**Moderate:** Nearest occurrence record approximately 0.5 mile west of the study area. Not observed during July 2023 site visit, but oak woodland portion of site provides potentially suitable habitat.
Brodiaea leptandra	Narrow-anthered brodiaea	--/--/1B.2	Openings in broad-leafed forest, chaparral, lower montane coniferous forest. Blooms May through July.	**Moderate:** Nearest occurrence record approximately 0.5 mile west of the study area. Not observed during July 2023 site visit, but oak woodland portion of site provides potentially suitable habitat.
Layia septentrionalis	Colusa layia	--/--/1B.2	Annual herb found in chaparral, cismontane woodland, and valley and foothill grassland, which is occasionally on sandy, serpentine substrate, from 328 to 3,592 feet (100 to 1,095 meters). Blooms April through May.	**Moderate**. The oak woodland provides potentially suitable habitat for this species.
Trichostema ruygtii	Napa bluecurls	--/--/1B.2	Annual herb found in chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, and vernal pools from 98 to 2,231 feet (30 to 680 meters). Blooms June through October.	**Moderate.** The oak woodland within the study area provides potentially suitable habitat for this species.

[1] CRPR 3 and 4 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a CRPR 3 or 4 plant are significant even if individual project impacts are not. CRPR 3 and 4 plants may be considered regionally significant if, for example, the occurrence is located at the periphery of the species' range, or exhibits unusual morphology, or occurs in an unusual habitat/substrate. For these reasons, CRPR 3 and 4 plants should be included in the special-status species analysis. CRPR 3 and 4 plants are also included in the California Natural Diversity Database Special Plants, Bryophytes, and Lichens List. [Refer to the current online published list available at: http://www.dfg.ca.gov/biogeodata.].

TABLE 4.4-1
SPECIAL-STATUS SPECIES WITH POTENTIAL TO OCCUR IN THE STUDY AREA

Scientific Name	Common Name	Listing Status: Federal/State/ Other	Habitat Description	Potential for Occurrence within the Study area
Birds				
Elanus leucurus	White-tailed kite	--/FP/--	Found throughout California in a range of habitats including marshes, grassland, and oak woodlands, and commonly perches on top of treetops, wires, and fence posts. Typically nests in the upper third of trees that can be anywhere from 10 feet to 160 feet tall, generally in open country and growing in isolation.	**Moderate.** Study area provides suitable nesting and foraging habitat.
Progne subis	Purple martin	--/CSC/--	Inhabits woodlands and low elevation coniferous forest of Douglas-fir (*Pseudotsuga menziesii*), ponderosa pine (*Pinus ponderosa*), and Monterey pine (*Pinus radiata*). Nests primarily in old woodpecker cavities, also in human-made structures. Nest often located in tall, isolated tree/snag.	**Moderate**. The study area provides potentially suitable nesting habitat for this species. Woodpeckers were observed in Study area.
Mammals				
Antrozous pallidus	Pallid bat	--/CSC/High	Inhabits oak woodland, savannah, and riparian habitats. Roosts in crevices and hollows in trees, rocks, cliffs, bridges, and buildings.	**Moderate**. The developed areas associated with the restaurant building may provide suitable roosting habitat.
Corynorhinus townsendii	Townsend's big-eared bat	--/CSC/High	Throughout California in a wide variety of habitats. Most common in mesic sites. Maternity roosts are found in caves, tunnels, mines, or other human-made structures. May use separate sites for night, day, hibernation, or maternity roosts.	**Moderate**. The developed areas associated with the restaurant building may provide suitable roosting habitat.

KEY:
Western Bat Working Group:
High = Highest priority for funding, planning, and conservation actions
State: (CDFW)
ST = Listed as Threatened by the State of California
CSC = California Species of Special Concern
FP = CDFW Fully Protected Species
California Rare Plant Rank (CRPR):
Rank 1B = Plants rare, threatened, or endangered in California and elsewhere
0.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

Napa False Indigo (*Amorpha californica* var*. napensis*)

Napa false indigo has a California Rare Plant Rank (CRPR) of 1B.2, 1B meaning the plants are rare, threatened, or endangered in California and elsewhere, and 0.2 meaning a moderate degree and immediacy of threat. Napa false indigo is flowering plant found in openings in forest, woodland or in chaparral from 98 to 2,411 feet (30 to 735 meters). The blooming period for this species is from April to June. The oak woodland within the study area provides habitat for Napa false indigo. The closest occurrence record for this species is located approximately 0.5 mile west of the study area (Occurrence No. 60) (CDFW, 2023). While this species was not observed within the study area, this species could potentially be present in undisturbed or undeveloped portions of the study area, specifically within oak woodland habitat in the North Parcel and south of developed areas in the South Parcel and not have been detected. Therefore, this species has a moderate potential to occur within such areas.

Narrow-anthered Brodiaea (*Brodiaea leptandra*)

Narrow-anthered brodiaea has a CRPR of 1B.2. Narrow-anthered brodiaea is a perennial herb found in broad-leafed forest, chaparral, lower montane coniferous forest in volcanic substrates from 98 to 1,935 feet (30 to 590 meters). The blooming period is from May through July. The closest occurrence record for this species is this species is located approximately 0.5 mile west of the study area (Occurrence No. 39). The oak woodland within the study area provides potentially suitable habitat for narrow-anthered brodiaea. While this species was not observed within the study area, this species could potentially be present within undisturbed or undeveloped portions of the study area and not have been detected. Therefore, this species has a moderate potential to occur within such areas.

Colusa Layia (*Layia septentrionalis*)

Colusa layia has a CRPR of 1B.2. Colusa layia is an annual herb found in chaparral, cismontane woodland, and valley and foothill grassland, which is occasionally on sandy, serpentine substrate from 328 to 3,593 feet (100 to 1,095 meters). The blooming period is from April through May. The oak woodland within the study area provides habitat for Colusa layia. While this species was not observed within the study area, this species could potentially be present within the undisturbed or undeveloped portions of study area and not have been detected, therefore this species has a moderate potential to occur within such areas.

Napa Bluecurls (*Trichostema ruygtii*)

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

White-tailed Kite (*Elanus leucurus*)

White-tailed kite is a CDFW Fully Protected species. This species is found throughout California in a range of habitats including marshes, grassland, and oak woodlands, and commonly perches on top of treetops, wires, and fence posts. The white-tailed kite typically nests in the upper third of trees that can be anywhere from 10 feet to 160 feet tall, generally in open country and growing in isolation.

Trees within the study area provide suitable nesting habitat for white-tailed kites. Vineyards and undeveloped ruderal areas provide potential foraging habitat. While there are no California Natural Diversity Database (CNDDB) records for this species within 10 miles of the area, there are several research-grade iNaturalist records for white-tailed kite throughout Napa County (iNaturalist, 2023). This species is also known to nest within the county (CDFW, 2023). This species has a moderate potential to nest and forage within the study area.

Purple Martin (*Progne subis*)

Purple martin is a California species of special concern. Purple martin nests in tree cavities, crevices in rocks, and abandoned woodpecker holes in the vicinity of water. This species inhabits woodlands, low

elevation coniferous forest of Douglas-fir (*Pseudotsuga menziesii*), ponderosa pine (*Pinus ponderosa*), and Monterey pine (*Pinus radiata*). This species forages over fields, water, and marshes.

There is one CNDDB record for this species within 10 miles of the study area. Occurrence Number 12 is from 1941 and is located 8 miles north of the study area near Granite Lake. The record states that a single individual was observed (CDFW, 2019). The trees and several snags within the oak woodland and riparian woodland provide nesting habitat for this species. No purple martin were observed during the July 2023 biological survey of the study area. This species has a moderate potential to nest within the study area during the nesting season.

Other Nesting Raptors and Birds

Most bird species that could occur in the Project area are protected by the Migratory Bird Treaty Act (MBTA) and by CFGC Sections 3503–3513. These species include locally common species such as Anna's hummingbird (*Calypte anna*), black phoebe (*Sayornis nigricans*), house finch (*Haemorhous mexicanus*), American crow, American robin (*Turdus migratorius*), red-tailed hawk (*Buteo jamaicensis*), bushtit (*Psaltriparus minimus*), dark-eyed junco (*Junco hyemalis*), and northern mockingbird (*Mimus polyglottos*), among many others.

Because protected birds could nest in trees, shrubs, ruderal areas and grasses, barren ground, and human-made structures, many parts of the Project area are considered potential nesting habitat.

Pallid Bat (*Antrozous pallidus*)

Pallid bat is a California species of special concern and ranks High on the Western Bat Working Group (WBWG) Matrix for this region. Pallid bats occur throughout California except in parts of the high Sierra and the northwestern corner of the State (Zeiner et al., 1990). The pallid bat inhabits a variety of habitats, such as grasslands, shrublands, woodlands, and forests; however, it is most abundant in open, dry habitats with rocky areas for roosting. Pallid bats roost alone, in small groups, or gregariously (WBWG, 2017). Roosts include caves, crevices in rocky outcrops and cliffs, mines, trees, and various man-made structures (e.g., bridges, barns, porches) with unobstructed entrances/exists that are high above the ground, warm, and inaccessible to terrestrial predators. Year-to-year and night-to-night roost reuse is common; however, bats may switch day roosts on a daily and seasonal basis.

There are multiple CNDDB records for this species within 10 miles of the study area. The nearest recent (within the past 50 years), extant record is from 2017 (Occurrence No. 436) near Napa River under the Dunaweal Lane Bridge. The record states that the bridge was used as a night roost by 4 adults (CDFW, 2023). Trees and buildings within the study area provide potential roosting habitat for this species. No bats of any species were observed during the July 2023 biological survey. This species has a moderate potential to occur within the study area.

Townsend's Big-eared Bat (*Corynorhinus townsendii*)

Townsend's big-eared bat is a California species of special concern and ranks High on the WBWG Matrix for this region. Townsend's big-eared bat inhabits coniferous forests, mixed mesophytic forests, deserts, native prairies, riparian communities, active agricultural areas, and coastal habitat (WBWG, 2017). Their typical habitat is arid western desert scrub and pine forest regions. Maternity roosting locations for this

species through the west are strongly correlated with the availability of caves and cave-like roosting habitat, including abandoned mines, tunnels, or other human-made structures. This species may use separate sites for night, day, hibernation, or maternity roosts.

There are 5 CNDDB records for this species within 10 miles of the study area. The nearest record (Occurrence No. 450) is from 1955 and is less than a mile southeast of the study area. The occurrence states that 20 Townsend's big-eared bats were observed hibernating in a wooden barn nearby on the Forni Ranch. The trees within the oak woodland and riparian woodland and the restaurant building associated with the developed areas within the study area provide roosting habitat for this species. No bats were observed during July 2023 biological survey. This species has a moderate potential to roost within the study area.

Critical Habitat and Sensitive Natural Communities

The U.S. Fish and Wildlife Service (USFWS) defines the term critical habitat in the federal Endangered Species Act as a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The study area is not within designated critical habitat for any listed wildlife or plants.

Sensitive natural communities are designated by various resource agencies such as CDFW, or in local policies and regulations; are generally considered to have important functions or values for wildlife and/or are recognized as declining in extent or distribution; and are considered threatened enough to warrant some level of protection. CDFW tracks communities of conservation concern through its *California Sensitive Natural Community List* (CDFW, 2019). Natural communities with ranks of S1 to S3 are considered sensitive natural communities, to be addressed in the environmental review processes of CEQA and its equivalents.

No sensitive natural communities were identified on the Project site. Oak woodland (Valley Oak Woodland and Forest, *Quercus lobata – Quercus agrifolia*/grass) was observed within the surrounding study area, as described above. While some oak trees near the Stone Building are proposed for removal, habitat identified as oak woodland would not be impacted. No other sensitive natural communities with a rarity ranking of S1 to S3, or communities considered sensitive as marked with a "Y" on the California Sensitive Natural Community List, were identified in the study area.

4.4.3 Regulatory Setting

This subsection briefly describes federal, State, and local regulations, permits, and policies pertaining to biological resources as they apply to the Project.

Federal

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (United States Code title 16, Section 703 et seq. [1989]) is the domestic law that affirms and implements a commitment by the United States to four international conventions (with Canada, Mexico, Japan, and Russia) for the protection of a shared migratory bird resource. Unless and except as permitted by regulations, the MBTA states that without a permit issued by

the U.S. Department of the Interior (DOI), it is unlawful to pursue, hunt, take, capture, or kill any migratory bird. The law also applies to the intentional disturbance and removal of nests occupied by migratory birds or their eggs during the breeding season.

On December 22, 2017, under Solicitor's Opinion M-37050, the DOI redefined incidental take under the MBTA, stating that "the MBTA's prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control" (DOI, 2017). Under this definition, the federal MBTA definition of take does not prohibit or penalize the incidental take of migratory birds that results from actions that are performed without motivation to harm birds. On January 7, 2021, USFWS (a department within the DOI) published a final rule (the "MBTA rule") defining incidental take as described above. On February 5, 2021, USFWS delayed the MBTA rule's effective date until March 8, 2021, and requested public comments to inform its review of the MBTA rule and determine whether a further extension of the effective date would be necessary (Federal Register volume 86, number 25, pp. 8715–8717, February 9, 2021). On March 8, 2021, the DOI rescinded Solicitor's Opinion M-37050 on the MBTA, and the DOI has yet to issue a replacement rule. However, CDFW issued an advisory in 2018 affirming that California law continues to prohibit incidental take of migratory birds (CDFW, 2018).

All native bird species occurring throughout the study areas are protected by the MBTA and, if present, could be affected by the Project.

State

California Fish and Game Code

Fully Protected Species

Certain species are considered *fully protected*, meaning that the code explicitly prohibits all take of individuals of these species except for take permitted for scientific research. California Fish and Game Code § 5050 lists fully protected amphibians and reptiles, §5515 lists fully protected fish, §3511 lists fully protected birds, and §4700 lists fully protected mammals.

It is possible for a species to be protected under the California Fish and Game Code, but not fully protected. For instance, mountain lion (*Puma concolor*) is protected under §§4800 et seq. but is not a fully protected species.

Protection of Birds and Their Nests

Under California Fish and Game Code §3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Code §3503.5 prohibits take, possession, or destruction of any "birds of prey", which includes birds in the orders Falconiformes (hawks) or Strigiformes (owls), or of their nests and eggs. Migratory non-game birds are protected under Section 3800, while other specified birds are protected under §3505.

California Species of Special Concern

California Species of Special Concern is a designation used by the CDFW for species with limited distribution, diminishing habitat, and declining populations, or species that otherwise possess unusual

scientific, recreational, or educational value. This designation does not provide legal protection but signifies that these species are recognized as having special-status by the CDFW. Under CEQA Guidelines (§15380), potential impacts to these species must be assessed.

Native Plant Protection Act

California Fish and Game Code §1900–1913, also known as the Native Plant Protection Act, is intended to preserve, protect, and enhance endangered or rare native plants in California. The act directs CDFW to establish criteria for determining what native plants are rare or endangered. Under Section 1901, a species is endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more cause. A species is rare when, although not threatened with immediate extinction, it is in such small numbers throughout its range that it may become endangered. The act also directs the California Fish and Game Commission to adopt regulations governing the taking, possessing, propagation, or sale of any endangered or rare native plant.

Vascular plants that are identified as rare by the CNPS, but which may have no designated status or protection under federal or State endangered species legislation, are defined as follows:

c) **List 1A:** Plants Presumed Extinct.

d) **List 1B:** Plants Rare, Threatened, or Endangered in California and elsewhere.

e) **List 2:** Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere.

f) **List 3:** Plants about Which More Information is Needed – A Review List.

g) **List 4:** Plants of Limited Distribution – A Watch List.

In general, plants appearing on CNPS List 1A, 1B, or 2 are considered to meet the criteria of CEQA Guidelines Section 15380 and effects to these species are considered "significant" in this EIR. Additionally, plants listed on CNPS List 1A, 1B or 2 meet the definition of Section 1901, Chapter 10 (Native Plant Protection Act) and Sections 2062 and 2067 (California Endangered Species Act) of the California Fish and Game Code.

Regional

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Conservation Element of the Napa County General Plan includes the following goals and policies related to conservation of natural resources (Napa County, 2008).

> ***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-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), CNDDB, 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. [Implemented by Action Item CON NR-5]

***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 specifics 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-24*[2]:** Pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018, require a permit for any oak removal within the Agricultural Watershed Continue to maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:

a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.

b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.

c) Provide replacement of lost oak woodlands or preservation of like habitat at a minimum 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible. Within the Agricultural Watershed zoning district, require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible, except where the Napa County Watershed and Oak Woodland Protection Initiative of 2018 provides for an exception to this requirement.

d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.

e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.

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

[2] Shown as amended in Napa County Oak Watershed and Oak Woodland Protection Initiative of 2018, Ordinance No. 2018-01.

4.4.4 Significance Criteria

The thresholds used to determine the significance of impacts related to biological resources are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Approach to Analysis

Impacts on biological resources are identified and evaluated based on relevant CEQA and local standards, policies, and guidelines; on the likelihood that special-status species, sensitive habitats, wetlands and waters, and wildlife corridors may be present within the study area; and on the likely effects that Project development may have on these resources. Special-status species that have no or low potential to occur in the study area (as presented in Appendix D) are not considered in the impact analysis.

This section analyzes potential Project impacts to biological resources from Project construction and operation and the resulting modification or loss of habitat. This analysis addresses potential direct, indirect, and cumulative impacts of the Project to special-status species, sensitive natural communities, wetlands and waters of the U.S., and other biological resources. Direct impacts are those resulting from the Project and that could occur at the same time and place. Indirect impacts are caused by the Project but could occur later in time or are farther removed in distance, while still reasonably foreseeable and related to the Project. Impact analyses typically characterize effects to biological resources as temporary or permanent,[3] with a permanent impact referring to areas that are developed or otherwise precluded from restoration to a pre-project state.

[3] Impacts are considered permanent or long term if the activity lasts for more than 1 year and/or altered habitat requires more than one growing season following restoration to regain applicable pre-project ecological function for the relevant species. Temporary impacts are defined as the activity duration lasts for 1 year or less and/or altered habitat regains applicable pre-project ecological function following restoration within one growing season or less for the relevant species.

For the purposes of this Draft EIR, the word "substantial," as used in the significance criteria above for biological resources, is related to the magnitude and duration of the impact (e.g., substantial/not substantial), the uniqueness of the affected resource (rarity, status), and the susceptibility of the affected resource to disturbance. Impacts to biological resources were analyzed concerning species and natural communities, their legal protection status, and how the impacts would affect a species' life history traits, such as survival, reproduction, and competition with other species. The evaluation of significance must consider the interrelationship of these three components. Impacts are generally considered less than significant if the habitats and species affected are common and widespread in the region and the State. Impacts are considered beneficial if the action causes no detrimental impacts and results in an increase of habitat quantity and quality.

ESA reviewed publicly available data and subscription-based biological resource data in addition to conducting a biological survey. Data sources that assisted in this analysis included:

- The CNDDB list of plant and wildlife species documented within 10 miles of the study area (CDFW, 2023);
- The CNPS online database of plant species documented on the Walter Springs, Chiles Valley, Aetna Springs, Calistoga, Detert Reservoir, Yountville, Rutherford, Kenwood, and St. Helena USGS topographic quadrangles (CNPS, 2023);
- A USFWS Information for Planning and Consultation (IPaC) list of species that may occur in the vicinity of the study area (USFWS, 2023);
- Historic and current aerial imagery (Google Earth, 2023); and
- California Wildlife Habitat Relationships (CWHR) database.

The USFWS, CDFW, and CNPS lists are provided in Appendix D.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact or less than significant impacts to the following topics based on the Initial Study prepared for the Project (see Appendix B). These topics are not addressed further in this document for the following reasons:

- ***Adverse effect on any riparian habitat or other sensitive natural community (criterion b)***. As discussed in Appendix B, Section IV, the Project site is fully developed with existing uses and is in an area identified as developed and agricultural cropland (Napa County 2007:4.5-4). While oak woodland habitat was identified in the surrounding study area, no riparian habitat or sensitive natural communities are located on the Project site. Therefore, the Project would have no impact on riparian habitat or sensitive natural communities and this significance criterion is not discussed further.
- ***Adverse effect on protected wetlands (criterion c)***. As discussed in Appendix B, Section IV, the Project would be constructed in an area that is currently entirely paved and disturbed, and it would not include disturbance of or placement of fill into any waterways. An engineered drainage ditch is located within the study area but would not be impacted, as discussed in Section 4.4.2. As discussed further in Section 4.8, *Hydrology and Water Quality*, the existing hydrology of the site would be maintained, and the site's contribution to surface water flows into the Napa River would not be affected. Therefore, this impact would be less than significant, and this significance criterion is not discussed further.

- ***Interfere with movement of wildlife (criterion d)***. As discussed in Appendix B, Section IV, the Project would be located on a property that is currently disturbed, paved, and used for winery, commercial, retail, and restaurant uses. Because the site has been previously developed with buildings and parking areas, implementation of the Project is not anticipated to substantially interfere with the movement of any native resident or migratory fish or wildlife species, or with established wildlife corridors, nor would it impede the use of native wildlife nursery sites. In addition, the Project area is not part of major or local wildlife corridor/travel routes according to the CDFW's Essential Habitat Connectivity natural landscape blocks. Therefore, this impact would be less than significant, and this significance criterion is not discussed further.
- ***Conflict with Habitat Conservation Plan or Natural Community Conservation Plan (criterion f)***. As discussed in Appendix B, Section IV, the Project site is not located in any habitat conservation or natural community conservation plan area (Napa County 2007:4.5-13). Therefore, the Project would not conflict with a habitat conservation or natural community conservation plan. This impact would be less than significant, and this significance criterion is not discussed further.

4.4.5 Impacts of the Project and Mitigation Measures

Impact BIO-1: The Project would not have an adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service. ***(Less than Significant with Mitigation)***

The study area does not include suitable habitat or is outside of the known geographic or elevation range, for many of the terrestrial species documented in the CNDDB, USFWS, and CNPS searches. The study area includes suitable habitat for the following species and is within the species' known range: Napa false indigo, narrow-anthered brodiaea, Colusa layia, Napa bluecurls, white-tailed kite, purple martin, pallid bat, and Townsend's big-eared bat. Therefore, the following analysis is limited to potential impacts on these species, which are considered to have at least a moderate potential to occur in the study area (Appendix D).

Special-Status Plants

Special-status plants have not been identified on or adjacent to the Project site and are not expected to be encountered during Project construction or operations. Local occurrences of such species are associated with mountainous woodland habitat located approximately 0.5 miles west of the Project site, and much of the site is developed or has been historically disturbed. However, out of an abundance of caution and because focused rare plant surveys are still pending for the Project, it is possible that one of four locally-occurring rare plants could be encountered within oak woodland habitat in the North Parcel or south of developed areas on the South Parcel. Construction-related direct impacts to special-status plant species, if present, such as Napa false indigo, narrow-anthered brodiaea, Colusa layia, and Napa bluecurls could result from ground disturbance, including removal of trees and other vegetation and staging of equipment, within undisturbed, vegetated portions of the Project area. While construction is expected to primarily impact previously developed or otherwise disturbed areas, if activities result in removal of special-status plant species, this impact would be potentially significant. Operational activities are not expected to impact special-status plants as the existing site uses would not significantly change. To reduce the potentially significant construction-related impacts, **Mitigation Measure BIO-1a: Protocol Level**

Surveys for Special-Status Plants, and **Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants**, would be required.

Implementation of Mitigation Measure BIO-1a and BIO-1b would be consistent with General Plan Policies CON-13 and CON-16 and would reduce the potential impact to special-status plant species to a less-than-significant level because they would require surveys to identify the presence and location of any special-status plants. If special-status plant species are found within the Project area they would be avoided wherever possible, for example, by minimizing the construction footprint around rare plants. For rare plants that cannot be avoided, a mitigation and monitoring plan would be implemented that describes the methods and specifies success criteria and monitoring criteria for transplanted plants, and related long-term protection and management of transplanted plants. Therefore, with Mitigation Measures BIO-1a and BIO-1b potential impacts related to special status-plants would be **less-than-significant**.

Nesting Birds

Construction-related direct impacts on nesting birds protected by the Migratory Bird Treaty Act could result from the removal of trees and vegetation and/or demolition of buildings while an active bird nest is present. In addition, earth moving, operation of heavy equipment, and increased human presence could result in noise, vibration, and visual disturbance. These conditions could indirectly result in nest failure (disturbance, avoidance, or abandonment that leads to unsuccessful reproduction), or could cause flight behavior that would expose an adult or its young to predators. These activities could cause birds that have established a nest before the start of construction to change their behavior or even abandon an active nest, putting their eggs and nestlings at risk for mortality. Operational activities are not expected to impact nesting birds as the existing site uses would not significantly change.

Because of the potential for nest failure during the construction activities described above, this impact would be potentially significant. Generally, nest failure would be a violation of CFGC Sections 3503–3513. Impacts during the non-breeding season generally are not considered significant, primarily because of the birds' mobility and ability to access other comparable foraging habitat in the region.

To reduce the potentially significant construction-related impact, **Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds**, would be required. Implementation of Mitigation Measure BIO-2 would be consistent with General Plan Policies CON-13 and CON-16 and would reduce the potential impact to nesting special-status and other migratory bird species to a less-than-significant level. Mitigation Measure BIO-2 would ensure that either vegetation removal and demolition would occur outside of the nesting season, or that appropriate buffers are established around nests until young have fledged to avoid loss of eggs and young should vegetation removal and demolition occur during the nesting season, Therefore, with implementation of Mitigation Measure BIO-2, potential impacts related to nesting birds would be **less than significant**.

Roosting Bats

Operational activities are not expected to impact roosting bats as the existing site uses would not significantly change. The Project could impact special-status bats if they are present in buildings that would be demolished or in mature trees that would be removed or pruned to accommodate Project construction. Special-status bat species that have the potential to occur in the Project area include pallid bat and Townsend's big-eared bat. If tree removal or building demolition were to occur during periods of

winter torpor or maternity roosting, any bats present would likely not survive the disturbance (Tuttle, 1991). The impact of these disturbances would be potentially significant.

To reduce the potentially significant construction-related impact, **Mitigation Measure BIO-3: Roosting Bat Surveys**, would be required. Implementation of Mitigation Measure BIO-3 would be consistent with General Plan Policies CON-13 and CON-16 and would reduce the potential impact to special-status bat species to a less-than-significant level because it would ensure that bats are absent from potential roost sites before demolition or tree removal. Therefore, with implementation of Mitigation Measure BIO-3, impacts related to roosting bats would **be less than significant**.

Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants.

Prior to earth disturbing activities within oak woodland habitat in the North Parcel and undeveloped lands on the South Parcel, a qualified botanist shall conduct a rare plant survey of the construction disturbance area within the appropriate bloom period for Napa false indigo, narrow-anthered brodiaea, Colusa layia, and Napa bluecurls. Surveys and reporting shall be conducted following the current California Department of Fish and Wildlife (CDFW) protocol. In the absence of rare plants, no further mitigation is needed. If special-status plant species are found and plants cannot be avoided, then Measure BIO-1b shall be implemented to avoid, minimize and compensate for rare plant impacts.

Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants.

If special-status plant populations are identified and cannot be avoided, the Project Applicant shall confer with CDFW to coordinate relocation of special-status plants. In advance of plant relocation, the applicant shall prepare a Mitigation and Monitoring Plan (Plan) that describes the methods and specifies the success criteria and monitoring period for transplanted plants and related long-term protection and management of transplanted or planted individuals. This plan shall be subject to review and approval by the Napa County Planning, Building, and Environmental Services Department prior to the initiation of any Project activities that will impact the special-status plant(s). The Plan shall include the following provisions:

1. Special-status plants that would be impacted by the Project shall be relocated within suitable habitat on site. This can be done either through salvage and transplanting on-site or by collection and propagation of seeds or other vegetative material for on-site planting. Plant relocation shall be performed under the supervision of a qualified biologist.
2. The Plan shall detail relocation methods or appropriate replacement ratios and methods for implementation, success criteria, monitoring and reporting protocols, and contingency measures that shall be implemented if the initial mitigation fails. The Plan shall be developed in coordination with the Napa County Planning, Building, and Environmental Services Department and appropriate agencies (depending upon plant listing status) prior to the start of earth disturbing activities. At a minimum, success criteria shall require mitigation areas to provide equal or better habitat and populations than the impacted area (e.g., at least 75% survival of transplanted, planted, or seeded individuals; minimal weeds within the planting area, and plants in fair or better condition at the completion of the restoration effort). Where appropriate, depending upon the target species, restoration efforts shall require maintenance of the restored areas, for example through irrigation, weeding, and replacement plantings when annual performance thresholds are not met.

3. If compensatory restoration or reintroduction of plants or seed is implemented, the Project Applicant shall maintain and monitor the relocation sites and/or restored areas for 5 years following the completion of construction and restoration activities. The applicant shall submit annual monitoring reports to the Napa County Planning, Building, and Environmental Services Department, at the completion of restoration. Monitoring reports shall include photo-documentation, planting specifications, a site layout map, descriptions of materials used, and justification for any deviations from the Plan. Success criteria for restored areas shall be identified in the Plan.

Mitigation Measure BIO-2: Preconstruction Survey for Breeding Birds.

For earth-disturbing activities commencing between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the Project site and experienced with conducting pre-construction nesting bird and raptor surveys as determined by the Napa County Planning Division) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the Project site, and all suitable nesting habitat within 500 feet of the Project site. The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, or if there is a lapse in Project activities of seven (7) days or more during the nesting season surveys shall be repeated. A copy of the survey report shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

In the event that the survey finds active nests, the qualified biologist shall determine adequate no-disturbance buffer distances from all active nests based on the species and in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of Project activities.

All active nests shall be monitored during construction hours by a qualified biologist for the first week during Project activities to ensure the established buffer distances are adequate to avoid disturbances to the nest. If the qualified biologist observes bird behavior that may indicate nest disturbance, the qualified biologist shall have the authority to immediately cease Project activities. In this event, the qualified biologist shall consult with CDFW regarding larger buffer distances, and buffer zones shall be refenced accordingly, prior to resuming Project activities. If larger buffer distances cannot be established, Project activities shall be delayed until the nest is no longer active (i.e. the young have fledged the nest and can feed independently, or the nest fails due to natural causes), as determined by the qualified biologist.

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

Mitigation Measure BIO-3: Roosting Bat Surveys.

In advance of tree removal and building demolition, a qualified biologist shall conduct a pre-construction survey for special-status bats to characterize potential bat habitat and identify active roost sites within 100 feet of the Project site. Should potential roosting habitat or active bat roosts

be found in trees and/or structures to be removed under the Project or within a 100-foot buffer zone from these areas, the following measures shall be implemented:

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

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

Significance after Mitigation: Less than Significant.

Impact BIO-2: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. ***(Less than Significant with Mitigation)***

General Plan Conservation Element Policy CON-24 lists trees and land cover types (primarily oak species and oak woodlands) that the County desires to retain. A tree removal plan and landscape plan have been prepared for the Project (Figure 3-21 and 3-22). The Project would retain many of the existing trees on the Project site but would require removal of approximately 97 trees, including 73 trees on the North Parcel and 24 trees on the South Parcel (Figure 3-22). The trees to be removed are mainly concentrated along the eastern side of the North Parcel (along SR 29) where the new North Hotel Building would be

constructed. The majority of trees proposed for removal are non-native ornamental trees. Several oak trees near the existing Stone Building are also proposed for removal. While these trees are not within the study area's identified as oak woodland habitat, they may be remnant trees from historical oak woodlands.

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

Removal of oak trees would be potentially significant. To reduce the potentially significant construction-related impact, **Mitigation Measure BIO-4: Mitigate for Oak Tree Removal**, would be required. Mitigation Measure BIO-4 would be consistent with General Plan Policy CON-24 and would reduce the potential impact to oak trees to a **less-than-significant** level by requiring mitigation for oak tree removal.

> **Mitigation Measure BIO-4: Mitigate for Oak Tree Removal.**
>
> The Project Applicant shall mitigate impacts to oak trees by mitigating for removal of oak trees at a minimum 2:1 ratio either by replacing removed oak trees or permanent preservation of comparable habitat.
>
> **Significance after Mitigation:** Less than Significant.

4.4.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to biological resources could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on biological resources is Napa County.

Impact BIO-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on biological resources. ***(Less than Significant)***

As previously described, the Project site is a developed site that is bordered by SR 29 and vineyards and provides limited habitat for biological resources. Construction of the Project would not impact jurisdictional waters or sensitive natural communities as neither of these resources are located within the Project site. The Project would not have an adverse effect on wildlife nursery sites or migration corridors. Because there would be no adverse effect from the Project on these resources, there would be no incremental contribution to cumulative impacts within the region on these resources.

Project construction may result in impacts to nesting birds and special-status bat roosts as described under Impact BIO-1 above. The Project would also result in the removal of several native oak trees. These trees are not located within portions of the study area identified as oak woodland habitat and are not located along stream or wetland areas but may be remnants of historical oak woodland. The Project has the potential to impact special-status plants, which, if present, are expected within oak woodland habitat that would not be impacted by the Project. No rare plant populations were identified in the regional area that are subject to impacts by cumulative projects. If such species were identified, individual cumulative projects would be subject to avoidance, mitigation, and compensation measures similar to the Project that would reduce impacts to a less than significant level. Such impacts would not be cumulatively significant. Therefore, the Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on biological resources and the impact would be **less than significant**.

Mitigation: None required.

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4.5 Cultural Resources

4.5.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on cultural resources. This section first includes a description of the existing environmental setting as it relates to cultural resources, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on cultural resources.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. No comments were received relating to cultural resources during the NOP comment period.

Project-related impacts on archaeological resources and human remains are addressed in Appendix B, *Initial Study*, of this Draft EIR. However, to provide supplementary information and analysis, these topics are also discussed in this section.

Definitions

Architectural resources include buildings, structures, objects, and historic districts. Residences, cabins, barns, industrial buildings, and bridges are examples of architectural resources. CEQA Guidelines define an architectural historical resource as: (1) a resource in the California Register of Historical Resources (California Register); (2) a resource included in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (3) any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

Archaeological resources consist of pre-contact Native American and historic-era archaeological resources. Pre-contact Native American archaeological resources consist of village sites, temporary camps, lithic scatters, roasting pits/hearths, milling features, petroglyphs, rock features, and burials. Associated artifacts include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs). Historic-era archaeological resources include townsites, homesteads, agricultural or ranching features, mining-related features, refuse concentrations, and features or artifacts associated with early military and industrial land uses. Associated artifacts include stone, concrete, or adobe footings and walls; artifact-filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If a lead agency determines that an archaeological site is an historical resource, the provisions of PRC Section 21084.1 and CEQA Guidelines Section 15064.5 apply. If an archaeological site does not meet the CEQA Guidelines criteria for a historical resource, then the site may meet the criteria of PRC Section 21083.2 regarding unique archaeological resources.

Tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, State, or local register of historical resources (PRC Section 21074[a][1]). Refer to Section 4.14, *Tribal Cultural Resources*, for analysis related to these resources.

Data Sources

The architectural resources information and analysis included in this section are based on the *Inn at the Abbey Project Historic Resource Evaluation Memorandum* (HRE) (ESA, 2023), which is included in **Appendix E** of this Draft EIR and a preliminary cultural resources assessment prepared for the Project in 2019 (Barrow, 2019). The archaeological resources information and analysis included in this section are based on the Inn at the Abbey Project – Archaeological Resources Findings Memorandum (Mattes, 2024) and Barrow, 2019. These documents are confidential and on file at Napa County.

4.5.2 Environmental Setting

Pre-Contact Setting

Categorizing the pre-contact period into cultural stages allows researchers to describe a broad range of archaeological resources with similar cultural patterns and components during a given timeframe, thereby creating a regional chronology. Milliken et al. (2007) provide a framework for interpreting the San Francisco Bay Area and have divided human history of the region into four periods: the Paleoindian Period, the Early Period, the Middle Period, and the Late Period. Economic patterns, stylistic aspects, and regional phases further subdivide cultural patterns into shorter phases. This scheme uses economic and technological types, socio-politics, trade networks, population density, and variations of artifact types to differentiate between cultural periods.

The Paleoindian Period (11,500 to 8000 B.C.) was characterized by big-game hunters occupying broad geographic areas. Evidence of human habitation during the Paleoindian Period has not yet been discovered in the Bay Area.

During the Early Period (8000 to 3500 B.C.), also known as the Lower Archaic, geographic mobility continued from the Paleoindian Period. The period is characterized by the milling slab and handstone as well as large wide-stemmed and leaf-shaped projectile points. The first cut-shell beads and the mortar and pestle are documented in burials during the Early Period (3500 to 500 B.C.), indicating the beginning of a shift to sedentism.

During the Middle Period, which includes the Lower Middle Period (500 B.C. to A.D. 430), and Upper Middle Period (A.D. 430 to 1050), geographic mobility may have continued, although groups began to establish longer-term base camps in localities from which a more diverse range of resources could be exploited. The first rich midden sites are recorded from this period. The addition of milling tools, obsidian and chert concave-base projectile points, and the occurrence of sites in a wider range of environments suggest that the economic base was more diverse. By the Upper Middle Period, highly mobile hunter-gatherers were increasingly settling down into numerous small villages. Around A.D. 430 a dramatic cultural disruption occurred as evidenced by the sudden collapse of the Olivella saucer-bead trade network.

The Initial Late Period (A.D. 1050 to 1550) is characterized by social complexity developed toward lifeways of large, central villages with resident political leaders and specialized activity sites. Artifacts associated with the period include the bow and arrow, small corner-notched projectile points, and a diversity of beads and ornaments.

Historic Context

Spanish and Mexican Period

The Napa Valley was first explored by Euro-Americans in 1823. Spaniards Father Jose Altamira and Alfred Jose Sanchez traveled north from San Francisco, passing through San Rafael and Olompali, exploring the Sonoma, Napa, and Suisun Plains for potential sites for new missions. Mission San Francisco Solano, the northernmost Spanish Mission, was established in 1823 in Sonoma. Following secularization of the missions in 1833, the awarding of land grants by the Mexican government accelerated and encouraged the European and American settlement of the Valley (Beck and Haase, 1974).

George Yount first arrived in the Napa Valley in 1831. General Mariano Vallejo awarded Rancho Caymus (11,887 acres), the first land grant to a European in Napa Valley, to Yount in 1836. Governor Juan Alvarado granted Rancho Carne Humana to Edward Turner Bale in 1841. Rancho Carne Humana encompassed approximately 18,000 acres, including a portion of the Project site, in Napa Valley north of Rancho Caymus (Hoover et al., 2002).

American Period

In 1848, after a brief conflict, Mexico ceded California to the U.S. With the discovery of gold that same year and the subsequent gold rush of the early 1850s, the population of California grew exponentially. As a previously established American-occupied area, Napa County drew in many of the miners disillusioned by the gold fields and the severe winter in the Sierra Nevada. Saw mills, timber harvesting, and cattle ranches provided employment within Napa Valley. Between 1840 and 1845 many emigrant American families settled in the Napa Valley area. It was in 1848 that Napa City was laid out by Nathan Coombs on property he acquired from Nicholas Higuera's Rancho Entre-Napa. The burgeoning population helped build Napa City from a tent city along Main Street to the primary business and economic center for the Napa Valley it is today.

Early Viticulture and Winemaking in the Napa Valley

George Yount planted the first grapes in the Napa Valley in 1839. Soon after, other pioneers, such as John Patchett and Hamilton Walker Crabb, helped introduce the first *Vitis vinifera* grapes to the area. In St. Helena, Charles Krug, son-in-law of Edward Turner Bale, is credited with establishing Napa Valley's first commercial winery in 1861. His success sparked a wave of new growth in the wine industry, and by 1889 there were more than 140 wineries in operation in the Valley.

Stone Wineries of Napa County

As early as the 1870s, stone became a preferred building material for commercial and industrial buildings in Napa County. Stone construction provided fire protection, and it also provided control over temperature and climate for wineries in particular. Plentiful sandstone and tufa were sourced from local quarries, and

many foreign-born laborers and stonemasons were employed in constructing stone buildings, bridges, and walls that contribute significantly to Napa Valley's historic architectural character (Napa County Landmarks, 2015).[1]

In St. Helena during the late 19th and early 20th centuries, it was common for property owners to replace wood-frame buildings with brick and/or stone masonry buildings as this signified permanence, prominence, and a healthy economy. Naturally, this trend included local wineries for the prosperous wine industry. Stone wineries in St. Helena include Charles Krug (built in 1873), Beringer Brothers (built in 1876), J.C. Weinberger (built in 1876), F. Kraft/Spottswood (built in 1884), B. Ehlers (built in 1886), William Bourn/Greystone Cellars (built in 1885), V. Sattui (built in 1890), Carlo Rossini (built in 1891), and Lombarda Cellar (built in phases from 1899 to ca. 1908) (Napa County Landmarks, 2015).

History of the Project Site

As described in Chapter 3, the Project site comprises two sections separated by Lodi Lane (i.e., the North Parcel and South Parcel). Four buildings that currently meet (in 2024) the 45-year age threshold for consideration as potential historical resource for the purposes of CEQA (i.e., those constructed in and before 1978) are located in the Project site.

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

Within the South Parcel is a Streamline Moderne-style commercial building at 3000 SR 29 (P-28-002464) that was constructed in the late 1940s as the Traveler's Inn restaurant. It has had many commercial occupants over the years and most recently functioned as a winetasting room that was not associated with Freemark Abbey Winery and that closed in 2013. The building is currently vacant. Also within the South Parcel is a five-unit motel at 1189 Lodi Lane. The original portion of the building was constructed in the mid-1930s, and a large addition was built in the late 1950s. All residential dwelling units were occupied as of August 2023. All four buildings were purchased by Jackson Family Investments III, LLC (the current owner of Freemark Abbey Winery), between 2006 and 2019. As discussed in the HRE (Appendix E), the four buildings were developed independently of one another over a period of approximately 75 years are not historically related.

Josephine Tychson and Tychson Cellar

Josephine Marlin Tychson was the first woman to build and operate a commercially producing winery in California. In 1881, she and her husband, John C. Tychson, purchased a 147-acre parcel of land with

[1] While this reference lists Stacey De Shazo and Brian Matuk as the preparers, Ms. De Shazo confirmed to ESA staff that the 2015 draft nomination was actually prepared by Napa County Landmarks staff. Draft National Register of Historic Places Registration Form for Lombarda Cellar (Freemark Abbey Winery), prepared by Napa County Landmarks, 2015, on file at Evans & De Shazo, Inc., (Sebastopol, CA), 8–9.

26 acres of vineyards from Captain William James Sayward who, in turn, had purchased it from winemaker Charles Krug in 1867 (Prchal, 1986). The Tychsons made their home on this property, and it later became known as "Tychson Hill."

After John Tychson's death in April 1886, Josephine Tychson proceeded with plans to establish a winery on Tychson Hill. That year, she completed the construction of a 2,500-square-foot redwood building that would serve as a winery on the present-day site of the Stone Building at 3022 SR 29 (Heintz, 1975; Prchal, 1986). For the next eight years, she successfully produced wine in collaboration with her foreman, an experienced vintner named Nels Larsen (Heintz, 1975; Prchal, 1986). In 1893, an outbreak of phylloxera (*Daktulosphaira vitifoliae*) swept through the Napa Valley (Gudgel, 2023). The parasite, which destroys the roots of vines, destroyed at least 10 acres of the Tychson Cellar vineyards. In 1894, Tychson sold the winery and approximately 10 surviving acres of vineyards to Larsen. Tychson would spend her remaining years living in the two-story home on the original Tychson Hill property (*St. Helena Star*, 1939; Prchal, 1986).

Antonio Forni and Lombarda Cellar

In 1895, Italian immigrant Antonio Forni leased the former Tychson Cellar and later purchased the 10-acre property in 1898 (Gudgel, 2023). The following year, Forni replaced the old redwood cellar on Tychson Hill with a one- and two-story stone building designed by his long-time associate and master stonemason Gaetano Rossi. Forni christened the new winery building "Lombarda Cellar" in honor of his hometown in Lombardy, Italy (*Sacramento Bee,* 1940).

In 1900, the Lombarda Cellar Winery comprised the Stone Building, 15 acres of vineyards, a foreman's residence, and an olive grove, and Antonio Forni owned and operated the winery until his death in 1908 (*St. Helena Star,* 1908). Upon her husband's death, Marianna Forni inherited the winery and hired Antonio's cousin, Charles Forni, to take over the daily operations of the winery (Evans & De Shazo, Inc., 2018). During Prohibition, Lombarda Cellar was among the wineries that produced sacramental wine for the Catholic Church ("History," 2023). In 1932, the winery briefly resumed operation under the management of Joe Gaggetta and Walter Martini. The following year, the winery was sold to the Napa Cantina Winery Corporation, which was headed by Patrick Murphy and James Mahoney of Crockett, California. Mahoney oversaw the operation of the winery until 1937 when, due to a mortgage foreclosure, ownership was transferred back to Marianna Forni. For the next three years, the winery halted production of its wines, although wine under the Lombarda Cellar name continued to be manufactured and sold by Napa Valley winemaker Walter Martini (Lapsley, 1997).

Prohibition Era and the Great Depression: 1920–41

The beginning of the Prohibition Era in the United States (1920–33) was marked by the adoption of the 18th Amendment, which outlawed the production, sale, and transportation of nearly all alcoholic beverages. In Napa County, federal law enforcement raided and arrested dozens of vintners. Many others adapted their businesses to produce medicinal and sacramental wine, which were legally permitted, as well as unfermented grape juice (JRP Historical Consulting, 2020). Lombarda Cellar was among the wineries that produced sacramental wine for the Catholic Church ("History," 2023). Some vineyards in Napa County were replaced with more profitable plum and walnut orchards (JRP Historical Consulting, 2020).

Prohibition was repealed in 1933, but the domestic and international demand for fine wines had dwindled, and only 15 Napa County wineries survived. Charles Forni, who had previously managed Lombarda Cellar's operations, played an important role in pairing capable new property owners with defunct agricultural operations in the region. The Great Depression (1929–41) continued for several years, and the revival of the wine industry in Napa County was slow for several reasons. First, vintners in other parts of California began producing inferior wines, and this tainted the public's association with all California wines. Second, during 13 years of Prohibition, technical knowledge of winemaking and the qualities of enjoying fine wines had largely gone by the wayside. This began to change in 1934 when California winemakers established the Wine Institute to cultivate and share information about viticulture and enology (JRP Historical Consulting, 2020).

Freemark Abbey Winery

In 1940, Albert "Abbey" Ahern and his partners Charles Freeman and Mark Foster purchased Lombarda Cellar and operated it under an amalgamation of their three names: Freemark Abbey (*St. Helena Star,* 1940; Sullivan, 1994; Gudgel, 2023). The winery experienced a resurgence under the new ownership until it closed in 1959 following Ahern's death (Sullivan, 1994).

In 1967, Freemark Abbey was purchased by a partnership consisting of Charles Carpy, Laurie Wood, Ralph Bradford "Brad" Webb, Bill Jaeger, John Bryan, Dick Heggie, and Jim Warren (Niemi, 1986). The new partnership ushered in yet another resurgence for Freemark Abbey Winery. Brad Webb's academic background and experience in winemaking shaped the style of Freemark Abbey wines into the 1970s. In 1968, Carpy and John Bosché, who owned 20 acres of vineyards in Rutherford, formed a grower/producer partnership in 1968, wherein Freemark Abbey vintners made separate batches from Bosché's 1968 grapes, and it was the cabernet sauvignon made from these grapes that Freemark Abbey became most famous for (Gudgel, 2023; *Wine Spectator,* 1985). The resulting 1970 Cabernet Bosché, which winemaker Jerry Luper blended with merlot, won acclaim at the 1974 International Wine and Food Society convention in San Francisco (Sullivan, 1994; Gudgel, 2023).

One of the most significant events to impact the international community of winemakers was the 1976 Judgment of Paris. During a blind wine tasting in Paris, a coalition of prestigious wine judges widely lauded vintages from California's Napa Valley, and this was significant because older, more established European wineries were expected to dominate the rankings. Freemark Abbey was the only winery to receive recognition for both its white and red wines made by Jerry Luper. His 1972 chardonnay won sixth place in the white wine category, and his 1969 cabernet sauvignon placed tenth in the red wine category (Sullivan, 1994; Gudgel, 2023). The results of the Judgment of Paris brought lasting international recognition to Napa Valley vintners, grape growing techniques, and wine production methods.

Cultural Resources on the Project Site

Archaeological Resources

Through the archaeological surface and subsurface surveys conducted for the Project in July 2023 and February 2024, in collaboration with the Mishewal Wappo Tribe of Alexander Valley, and research conducted through the California Historical Resources Inventory System at the Northwest Information Center (CHRIS-NWIC), one pre-contact archaeological resource (P-28-000389) and one multi-component

(i.e., pre-contact and historic-era) archaeological resource (P-28-000952) are recorded in the vicinity of the Project site. The records search also indicates that four additional pre-contact archaeological resources are mapped within 0.5-mile of the Project site.

P-28-000389

Archaeological site P-28-000389 (CA-NAP-503) is a pre-contact lithic scatter consisting of obsidian flakes and natural nodules (Barrow, 2017). Originally documented in 1976 during a cultural resources pedestrian survey, the site was first recorded as an assemblage of groundstone tool fragments, chipped basalt and obsidian tools and debitage (i.e., culturally modified flakes), and patinated obsidian nodules that were visible primarily on the ground surface, and also presented in association with culturally impacted soil deposits (i.e., midden soil), fire affected rock, and a possible hearth feature that were visible from approximately 10 to 60 centimeters (cm) bgs (0.3 to 2 feet bgs) along drainage ditch cuts (Roop, 1981). Original documentation of P-28-000389 also noted that stone tools were collected from the site at the time of recordation for laboratory analysis (Barrow, 2017:6). Subsequent pedestrian survey in 2017 at the mapped location of P-28-000389 identified obsidian flakes and patinated nodules, but no tools, debitage, midden soil, or indicators of archaeological features were observed (Barrow, 2017). Roop (1981) and Barrow (2017, 2019) speculated that the site may have been a lithic raw material collection and processing area similar to nearby archaeological sites, and that it is highly impacted and possibly destroyed by looting and historic-era and modern residential, commercial, agricultural, and infrastructural development. Prior to 2024, the site had not received subsurface testing to determine its vertical and horizontal boundaries or formal evaluation to address its eligibility for the California Register of Historical Resources (California Register).

No pre-contact archaeological materials were found on the ground surface during the 2023 pedestrian survey of the Project site (Mattes, 2024:5-7), which comports with the assessment that the surface of the Project site is heavily impacted through historic and modern development. Following the pedestrian survey for the current Project, further investigation was warranted to determine the vertical and horizontal extent of site P-28-000389 with respect to Project ground-disturbing activities in the vicinity of the mapped boundaries of the resource. Subsurface survey included several shovel test probes adjacent to the mapped boundaries of P-28-000389 and within the vicinity of planned Project excavations. Five small fragments of obsidian debitage were identified in one probe unit. However, the debitage was found in a disturbed context, as evident by the presence of a historic-era nail underlying the deposit (Mattes, 2024:8-14). Given the disturbed context, it was determined that site P-28-000389 does not extend into the area of ground disturbance associated with the Project.

P-28-000952

P-28-000952 (CA-NAP-832) is a multi-component archaeological site comprising one historic-era residence and a pre-contact lithic scatter consisting of obsidian flakes and one obsidian tool core. The site was initially recorded during an archaeological pedestrian survey for a Caltrans undertaking in 1992 and then revisited in 2005 for a Pacific Gas and Electric utility pole installation, during which a new pedestrian survey and a subsurface examination took place within the utilities work right-of-way (Leach-Palm et al., 2006). During the 2005 investigation, obsidian flakes were observed from the ground surface to approximately 30 cm bgs (1-foot bgs), but it was noted that there was an abundance of natural obsidian present and a minority of those observed evidenced possible cultural modification (Leach-Palm et al.,

2006:10). A subsequent pedestrian survey reported by Chavez et al. (2013) analyzed the obsidian and determined them to be natural deposits imported with road fill and not culturally modified. Caltrans evaluated P-28-000952 in 2000 to address its significance per National Register of Historic Places (National Register) criteria and determined it to be not eligible for inclusion due to poor site integrity attributable to historic-era and modern developmental processes and lack of information potential (Barrow, 2019:12, 15). California Register evaluation criteria align with criteria for National Register eligibility, and the site is also not considered eligible for the California Register. No further consideration of this resource is necessary.

Architectural Resources

The HRE (Appendix E) identified and evaluated four buildings that currently meet (in 2023) the 45-year age threshold for consideration as a potential historical resource for the purposes of CEQA (i.e., those constructed in and before 1978). These four buildings include:

- 3022 SR 29 (Assessor Parcel Number [APN] 022-130-027) – The Stone Building that is part of the Freemark Abbey Winery (P-28-001848);
- 3010 SR 29 (APN 022-130-028) – A restaurant building that is currently vacant;
- 3000 SR 29 (APN 022-220-028; P-28-002464) – A commercial building that is currently vacant; and
- 1189 Lodi Lane (APN 022-220-028) - A five-room motel located across the street from the Freemark Abbey Winery complex.

Overview of Historical Resource Eligibility

Stone Building at 3022 SR 29

Based on archival research and analysis, the Stone Building at 3022 SR 29 (P-28-001848) appears individually eligible at the local level for listing on the California Register under multiple criteria. Under Criterion 1 (event), the building is associated with the patterns of events that established and perpetuated the region's winemaking industry and its heritage during the 20th century, and the period of significance is from 1899 (when Antonio Forni established Lombarda Cellar) to 1976 (when the Judgment of Paris occurred). Under Criterion 2 (person), the building is significantly associated with the productive life of winemaker Jerry Luper whose two Freemark Abbey wines ranked among the top California wines entered in the 1976 Judgment of Paris, an event that put Napa County on the map as a world-class wine region and destination. The period of significance for Criterion 2 is 1970–76, the years he worked at Freemark Abbey. Under Criterion 3 (design/construction), the building embodies the distinctive characteristics of late-19th and early 20th-century stone wineries in Napa County. The period of significance for Criterion 3 is 1899–1908, the period during which time Antonio Forni operated Lombarda Cellar and Gaetano Rossi constructed the building in phases. Additionally, the Stone Building retains sufficient integrity to convey its historic significance under all three criteria. Therefore, the Stone Building at 3022 SR 29 (P-28-001848) would be considered a historical resource for the purposes of CEQA.

Character-Defining Features

The Stone Building at 3022 SR 29 (P-28-001848) possesses significance under multiple criteria. Under Criterion 1, the period of significance is 1899–1976. Under Criterion 2, the period of significance is

1970–76. Under Criterion 3, the period of significance is 1899–1908. The character-defining features of the Stone Building include:

- Stone construction including ashlar and rough-cut masonry units;
- L-shaped building footprint;
- One- and two-story massing;
- Segmentally arched, stone doorways and window openings (but not the doors or wood-sash windows themselves);
- Rectangular, stone window openings (but not the wood-sash windows themselves);
- Stepped parapet on primary (southwest) façade with crenellations, scrollwork, and vertical ornamental elements;
- Stone and bronze plaques on southwest and northeast façades;
- Originally gabled roof forms (but not the roofing materials themselves);
- Original lumber structural elements (these are visible primarily on the interior of the lower floor); and
- Use for wine tasting and winery-related functions; and
- Low, stone fence/wall between the building and SR 29 (P-28-001215).[2]

Overview of Integrity Analysis

The HRE (Appendix E) concludes that, despite alterations (most of which have been to the interior), the Stone Building retains a high degree of integrity to its periods of significance (see Appendix E). Therefore, the Stone Building retains sufficient integrity to convey its historical significance.

3010 SR 29, 3000 SR 29, and 1189 Lodi Lane

The other three buildings located in the Project site are not recommended as eligible for listing under any California Register criteria, and none are currently designated as Napa County Landmarks. Therefore, they would not be considered historical resources for the purposes of CEQA.

Historic District Analysis

The HRE (Appendix E) concludes that the four buildings located within the Project site that meet the age-threshold for consideration as historic resources—3022 SR 29 (P-28-001848), 3010 SR 29, 3000 SR 29 (P-28-002464), and 1189 Lodi Lane—do not together form a historic district. They were constructed independently of one another over the course of nearly 75 years, and until recently, they had different property owners. No cohesive design or use unites the grouping of buildings. None of the buildings appear to be related in terms of architectural design, function, or historical development. As such, none of the subject buildings contribute to a potential historic district.

[2] This fence/wall was constructed ca. 1870 and predates the Stone Building. It has remained a prominent site feature throughout the building's existence and is considered to contribute to the historic character of the winery. This is consistent with previous evaluations of the Stone Building (i.e., the 2015 draft Historic Preservation Certification Application Part 1 prepared by Evans & De Shazo and the 2015 draft National Register of Historic Places Registration Form prepared by Napa County Landmarks).

4.5.3 Regulatory Setting

The following section summarizes federal, state, and local plans and policies that have regulatory authority over cultural resources.

Federal

Although the Project is not anticipated to require with federal regulations, the federal guidelines related to the treatment of cultural resources are relevant for the purposes of determining whether cultural resources, as defined under CEQA, are present and guiding the treatment of such resources. The sections below summarize the relevant federal regulations and guidelines.

National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA), as amended, was passed primarily to acknowledge the importance of protecting our nation's heritage from rampant federal development. The National Historic Preservation Act:

- Sets the federal policy for preserving our nation's heritage;
- Establishes a federal-state and federal-tribal partnership;
- Establishes the National Register of Historic Places and National Historic Landmarks Programs;
- Mandates the selection of qualified State Historic Preservation Officers;
- Establishes the Advisory Council on Historic Preservation;
- Charges federal agencies with responsible stewardship; and
- Establishes the role of Certified Local Governments within the States.

While the NHPA sets federal policy for historic preservation, the actual regulations can be found in 36 Code of Federal Regulations part 800, Protection of Historic Properties. This provides guidelines on how to follow the policy set forth in the NHPA.

National Register of Historic Places

The National Register of Historic Places (National Register) is the nation's master inventory of cultural resources worthy of preservation. Administered by the National Park Service, the National Register includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archeological, or cultural significance at the national, state, or local level. Typically, a resource that is more than 50 years of age is eligible for listing in the National Register if it meets any one of the four eligibility criteria and retains sufficient historical integrity. A resource less than 50 years old may be eligible if it can be demonstrated that it is of "exceptional importance" or a contributor to a historic district. National Register criteria are defined in *National Register Bulletin Number 15: How to Apply the National Register Criteria for Evaluation*.[3]

[3] U.S. Department of the Interior, National Park Service, *National Register Bulletin,* 1997, https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf, accessed May 10, 2021.

A structure, site, building, district, or object would be eligible for listing in the National Register if it can be demonstrated that it meets at least one of the following four evaluative criteria:

- **Criterion A (Event):** Properties associated with events that have made a significant contribution to the broad patterns of our history;
- **Criterion B (Person):** Properties associated with the lives of persons significant in our past;
- **Criterion C (Design/Construction):** Properties that embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant distinguishable entity whose components lack individual distinction; and
- **Criterion D (Information Potential):** Properties that have yielded, or may be likely to yield, information important in prehistory or history.

Although there are exceptions, certain kinds of resources are not usually considered for listing in the National Register: these include religious properties, moved properties, birthplaces and graves, cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years.

In addition to meeting at least one of the four criteria, a property or district must retain integrity, meaning that it must have the ability to convey its significance through the retention of seven aspects, or qualities, that in various combinations define integrity:

- *Location:* Place where the historic property was constructed;
- *Design:* Combination of elements that create the form, plans, space, structure, and style of the property;
- *Setting:* The physical environment of the historic property, inclusive of the landscape and spatial relationships of the buildings;
- *Materials:* The physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form the historic property;
- *Workmanship:* Physical evidence of the crafts of a particular culture or people during any given period in history;
- *Feeling:* The property's expression of the aesthetic or historic sense of a particular period of time; and
- *Association:* Direct link between an important historic event or person and an historic property.

Properties that are listed in the National Register, as well as properties that are formally determined to be eligible for listing in the National Register, are automatically listed in the California Register and therefore are considered historical resources under CEQA.[4]

[4] *California Code of Regulations*, title 14, section 4851, Historical Resources Eligible for Listing in the California Register of Historical Resources, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-3-department-of-parks-and-recreation/chapter-115-california-register-of-historical-resources/section-4851-historical-resources-eligible-for-listing-in-the-california-register-of-historical-resources, accessed August 30, 2022.

The Secretary of the Interior's Standards for the Treatment of Historic Properties

The *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Secretary's Standards) were published and codified as 36 Code of Federal Regulations 68 in 1995 and updated in 2017.[5] The Secretary's Standards for rehabilitation have been adopted by local government bodies across the country for reviewing proposed work on historic properties under local preservation ordinances. The Secretary's Standards provide a useful analytical tool for understanding and describing the potential impacts of changes to historic resources and are used to inform CEQA review. Developed by the National Park Service for reviewing certified rehabilitation tax credit projects, the rehabilitation standards provide guidance for reviewing work on historic properties. The rehabilitation standards are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

[5] U.S. Department of the Interior, National Park Service (Kay D. Weeks and Anne E. Grimmer), *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstruction Historic Buildings*, revised 2017, http://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf, accessed August 30, 2022.

Conformance with all rehabilitation standards does not determine whether a project would cause a substantial adverse change in the significance of a historic resource under CEQA. Rather, projects that comply with the standards benefit from a regulatory presumption that they would have a less-than-significant adverse impact on a historic resource. Projects that do not comply with the rehabilitation standards may or may not cause a substantial adverse change in the significance of a historical resource and would require further analysis to determine whether the historical resource would be "materially impaired" by the project under CEQA Guidelines Section 15064.5(b).

State Regulations

The State of California implements the NHPA of 1966, as amended, through its statewide comprehensive cultural resource preservation programs. The California Office of Historic Preservation, an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level. The California Office of Historic Preservation also maintains the California Historical Resources Inventory. The State Historic Preservation Officer is an appointed official who implements historic preservation programs within the state's jurisdiction.

CEQA and the California Register of Historical Resources

The California Register is "an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1[a]). Certain resources are determined by the statute to be automatically included in the California Register, including those formally determined eligible for or listed in the National Register (PRC 5024.1[d][1]). These resources are termed "historical resources."

Based on Section 15064.5(a) of the CEQA Guidelines, historical resources include, but are not limited to, any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant or that is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, a resource is considered by a lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register (PRC Section 5024.1), or qualifies as a "unique historical resource" (PRC Section 21083.2).

To be eligible for the California Register, a cultural resource must meet one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

For a resource to be eligible for the California Register, it must also retain enough integrity of location, design, setting, materials, workmanship, feeling, and association to be recognizable as a historical resource and to convey its significance. Resources that are less than 45 years old are generally not considered eligible for the California Register.

Impact assessment under CEQA considers only historically significant cultural resources; that is, resources that meet CEQA criteria for eligibility to the California Register (historical resources) or qualify as unique archaeological resources, as detailed below. Impacts on resources that do not meet these criteria are not considered in impact assessment under CEQA. Similarly, for projects with federal involvement, only resources that meet the criteria of eligibility for the National Register receive further consideration in impact analysis.

CEQA considers archaeological resources as an intrinsic part of the physical environment and thus requires that, for any project, the potential of the project to adversely affect archaeological resources be analyzed (CEQA Section 21083.2). For a project that may have an adverse effect on a significant archaeological resource, CEQA requires preparation of an environmental impact report (CEQA Section 21083.2 and CEQA Guidelines Section 15065). CEQA recognizes two different categories of significant archaeological resources: "unique" archaeological resource (CEQA Section 21083.2) and an archaeological resource that qualifies as a "historical resource" under CEQA (CEQA Section 21084.1 and CEQA Guidelines Section 15064.5).

Assembly Bill 52

In September of 2014, the California Legislature passed Assembly Bill 52 (AB 52), which added provisions to the PRC regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, Assembly Bill 52 now requires lead agencies to analyze project impacts on "tribal cultural resources" separately from archaeological resources (PRC Sections 21074; 21083.09). The bill defines "tribal cultural resources" in a new section of the PRC Section 21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC Sections 21080.3.1, 21080.3.2, 21082.3).

Specifically, PRC Section 21084.3 states:

a) Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.

b) If the lead agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Section 21080.3.2, the following are examples of mitigation measures that, if feasible, may be considered to avoid or minimize the significant adverse impacts:

    1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

    2) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

        (A) Protecting the cultural character and integrity of the resource.

(B) Protecting the traditional use of the resource.

(C) Protecting the confidentiality of the resource.

3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

4) Protecting the resource.

Finally, AB 52 required the Office of Planning and Research to update Appendix G of the CEQA Guidelines to provide sample questions regarding impacts on tribal cultural resources (PRC Section 21083.09).

California Public Resources Code Sections 5097.98 and 5097.99

PRC Section 5097.98 (and reiterated in CEQA Guidelines Section 15064.59 [e]) identifies steps to follow in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery. PRC Section 5097.99, as amended, states that no person shall obtain or possess any Native American artifacts or human remains which are taken from a Native American grave or cairn. Any person who knowingly or willfully obtains or possesses any such artifacts or human remains is guilty of a felony which is punishable by imprisonment. Any person who removes, without authority of law, any such items with an intent to sell or dissect or with malice or wantonness is also guilty of a felony which is punishable by imprisonment.

California Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code protects human remains by prohibiting the disinterring, disturbing, or removing of human remains from any location other than a dedicated cemetery.

California Native American Historic Resource Protection Act

The California Native American Historic Resources Protection Act of 2002 imposes civil penalties, including imprisonment and fines up to $50,000 per violation, for persons who unlawfully and maliciously excavates upon, removes, destroys, injures, or defaces a Native American historic, cultural, or sacred site that is listed or may be listed in the California Register.

Local Regulations, Plans, and Policies

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Community Character Element of the Napa County General Plan includes the following policies related to cultural resources (Napa County, 2008).

Goal CC-4: Identify and preserve Napa County's irreplaceable cultural and historic resources for present and future generations to appreciate and enjoy.

Goal CC-5: Encourage the reuse of historic buildings by providing incentives for their rehabilitation and reuse.

***Policy CC-17*:** Significant cultural resources are sites that are listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources due to their potential to yield new information regarding prehistoric or historic people and events or due to their intrinsic or traditional cultural value.

***Policy CC-18*:** Significant historical resources are buildings, structures, districts, and cultural landscapes that are designated Napa County Landmarks or listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources. Owner consent is a prerequisite for designation as a County Landmark.

***Policy CC-19*:** The County supports the identification and preservation of resources from the County's historic and prehistoric periods.

***Policy CC-20*:** The County shall support and strengthen public awareness of cultural and historic preservation through education, public outreach, and partnership with public and private groups involved in historic preservation. Example programs include:

- Providing information to the public on historic preservation efforts and financial incentive programs.
- Creating a historic preservation page on the County's Web site with links to federal and state historic preservation programs and financial incentive programs.
- Distributing pamphlets that outline and discuss historic preservation programs available to property owners.
- Keeping handouts and applications on federal and state incentive programs at the Planning and Building public counters.
- Partnering with local non-profits to place plaques or other identification at designated historic buildings and sites.
- Coordinating with open space/land conservation organizations to preserve historic buildings and sites on land set aside for conservation, whether for public or private use.

***Policy CC-21*:** Rock walls constructed prior to 1920 are important reminders of the County's agricultural past. Those walls which follow property lines or designated scenic roadways shall be retained to the extent feasible and modified only to permit required repairs and allow for openings necessary to provide for access.

***Policy CC-22*:** The County supports efforts to recognize and perpetuate historic vineyard uses and should consider ways to provide formal recognition of "heritage" landscapes, trees, and other landscape features with owner consent.

***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.

***Policy CC-24*:** Promote the County's historic and cultural resources as a means to enhance the County's identity as the nation's premier wine country and a top tourist destination, recognizing that "heritage tourism" allows tourists to have an authentic experience and makes good business sense.

***Policy CC-25*:** Promote the use of recreational trails following historic alignments such as the Oat Hill Mine Road, and make every effort to include historical information at all trail heads and in trail maps and brochures. Also provide historical information about roads that follow historic

trails where feasible, such as Silverado Trail, Old Sonoma Road, Glass Mountain Road, and others. Provide access for the elderly and disabled to interpretive information, trail segments, and trail heads as required by law.

***Policy CC-26*:** Projects which follow the Secretary of the Interior's Standards for Preservation Projects shall be considered to have mitigated their impact on the historic resource.

***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.

***Policy CC-27*:** Offer incentives for the appropriate rehabilitation and reuse of historic buildings and disseminate information regarding incentives available at the state and federal level. Such incentives shall include but are not limited to the following:

a) Apply the State Historical Building Code when building modifications are proposed.

b) Reduce County building permit fees when qualified preservation professionals are retained by applicants to verify conformance with the SHBC and the Secretary of the Interior's Standards.

c) Use of the federal historic preservation tax credit for qualified rehabilitation projects.

d) Income tax deductions for qualified donations of historic preservation easements.

***Policy CC-28*:** As an additional incentive for historic preservation, owners of existing buildings within agricultural areas of the County that are either designated as Napa County Landmarks or listed in the California Register of Historic Resources or the National Register of Historic Places may apply for permission to reuse these buildings for their historic use or a compatible new use regardless of the land uses that would otherwise be permitted in the area so long as the use is compatible with agriculture, provided that the historic building is rehabilitated and maintained in conformance with the U.S. Secretary of the Interior's Standards for Preservation Projects.

This policy recognizes that, due to the small number of existing historic buildings in the County and the requirement that their historic reuse be compatible with agriculture, such limited development will not be detrimental to the Agriculture, Watershed or Open Space policies of the General Plan. Therefore such development is consistent with all of the goals and policies of the General Plan.

***Policy CC-29*:** Significant historic resources that are damaged by flood, fire, neglect, earthquake, or other natural disaster should be carefully evaluated by a structural engineer with preservation experience before they are determined to be beyond repair and destroyed.

***Policy CC-30*:** Because the County encourages preservation of historic buildings and structures in place and those buildings and structure must retain "integrity" to be considered historically significant, the County shall discourage scavenging of materials from pre-1920 walls and other structures unless they are beyond repair.

Napa County Landmarks Preservation Ordinance

Napa County Municipal Code, Chapter 15.52 – Landmark Preservation, also known as the Landmarks Preservation Ordinance, was adopted in 2011 and describes the administrative powers and duties of the Napa County Planning Commission regarding landmark designation, oversight, and administration of Napa County Landmarks and other historic resources in Napa County. The ordinance does not provide a comprehensive list of landmarked resources beyond buildings known as Ghost Wineries (i.e., substantially intact buildings that were used as wineries before Prohibition but were not being used as wineries as of May 14, 2002), Farm Centers (i.e., buildings used as grange halls or agricultural community centers), and Landmarks of Special Significance (i.e., resources building and used for commercial purposes that are now vacant and/or at risk). The ordinance describes landmark designation criteria and procedures, preservation incentives, use conditions, and requirements for removal of landmark status and appeals.

None of the four historic-age buildings located within the Project site are currently designated as Napa County Landmarks or considered Ghost Wineries, Farm Centers, or Landmarks of Special Significance.

4.5.4 Significance Criteria

The thresholds used to determine the significance of impacts related to cultural resources are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- Disturb any human remains, including those interred outside of dedicated cemeteries.

Approach to Analysis

Architectural Resources

Potential impacts on architectural resources are assessed by identifying any activities (either during construction or operations) that could affect resources that have been identified as historical resources for the purposes of CEQA. Once a resource has been identified as a CEQA historical resource, it then must be determined whether the project would "cause a substantial adverse change in the significance" of the resource (CEQA Guidelines Section 15064.5[b]). A substantial adverse change in the significance of an historical resource means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064[b][1]). A historical resource is considered materially impaired through the demolition or alteration of the resource's physical characteristics that convey its historical significance and that justify its inclusion in the California Register (CEQA Guidelines Section 15064.5[b][2][A]).

Archaeological Resources

Archaeological resources can include historical resources according to CEQA Guidelines Section 15064.5 as well as unique archaeological resources as defined in PRC Section 21083.2(g). The significance of most pre-contact and historic-era archaeological sites is usually assessed under California Register Criteria 4. These criteria stress the importance of the information potential contained within the site, rather than its significance as a surviving example of a type or its association with an important person or event. Archaeological resources also may be evaluated under California Register Criteria 1, 2, and/or 3. Under CEQA, archaeological resources may also be assessed as unique archaeological resources, defined as archaeological artifacts, objects, or sites that contain information needed to answer important scientific research questions.

Impacts on unique archaeological resources or archaeological resources that qualify as historical resources are assessed pursuant to PRC Section 21083.2 which states that the lead agency shall determine whether the Project may have a significant effect on archaeological resources. As with architectural resources above, whether the impacts of the Project would "cause a substantial adverse change in the significance" of the resource must be determined (CEQA Guidelines Section 15064.5[b]).

4.5.5 Impacts of the Project

Impact CUL-1: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. (*Less than Significant)*

CEQA Guidelines Section 15064.5 requires the lead agency to consider the effects of a project on historical resources. The following discussion focuses on architectural and structural resources. Archaeological resources, including those that are potentially historical resources according to CEQA Guidelines Section 15064.5, are addressed below under Impact CUL-2.

The Project would require the demolition of the vacant restaurant building at 3010 SR 29, the vacant commercial building at 3000 SR 29, and the five-unit motel at 1189 Lodi Lane. The Project also includes renovations to the stone winery building at 3022 SR 29. With the exception of the stone winery building, none of the buildings to be demolished qualify as historical resources under CEQA. Additionally, the group of four buildings does not constitute a historic district. Therefore, their demolition would not result in a significant impact on known historical resources.

As discussed in greater detail above, the stone winery building at 3022 SR 29 has been identified as a historical resource. The building is significantly associated with the pattern of events that established and perpetuated Napa County's wine industry (Criterion 1) and with the productive life of winemaker Jerry Luper (Criterion 2), and it shares many distinctive characteristics of the region's stone buildings (Criterion 3). Because the building possesses historic and architectural significance and also retains sufficient integrity to convey its significance, the stone winery building is eligible for listing on the California Register and qualifies as a historical resource for the purposes of CEQA.

Under the Project, certain interior spaces on both floors of the stone winery building would be renovated to accommodate various hotel support functions. The floor plans would not be reconfigured, and the Project would not alter or remove any part of the building's structure, including the stone walls. The

building's characteristic stone and lumber structure, L-shaped footprint, one- and two-story massing, fenestration pattern, stepped and crenellated parapet on the primary (southwest) façade, historic plaques, and gabled roof forms and the stone fence/wall that separates it from the main road would be retained. Several interior spaces would continue to be used for wine tasting and winery-related functions, and the proposed new uses would be compatible with the building's existing retail and communal gathering uses. As designed, the Project would retain the Stone Building's character-defining features. Therefore, the Project would not significantly and materially impair the Stone Building, and this impact would be **less than significant**. No mitigation is required.

Mitigation: None required.

While the Stone Building's exterior is relatively intact and appears to be in good condition, extensive interior alterations have been made to the Stone Building over the course of its existence. While no mitigation is required, in an effort to safeguard what remains of the building and its character-defining features, the Project Applicant is encouraged to implement the recommended conditions of approval below, which would provide for Historic American Buildings Survey (HABS)-equivalent documentation of the Stone Building and development of a maintenance plan for historical resources.

Recommended Condition of Approval: Documentation of the Stone Building

The Project Applicant shall ensure that a qualified architectural historian who meets the Secretary of the Interior's Professional Qualification Standards thoroughly documents the Stone Building and associated landscaping and setting. Documentation shall include still photography and a written documentary record of the building to the National Park Service's standards of the Historic American Buildings Survey (HABS), including accurate scaled mapping, architectural descriptions, and black-and-white digital photography. The record shall be accompanied by a report containing site-specific history and appropriate contextual information relying as much as possible on previous documentation. Copies of the records shall be submitted to the Napa County Historical Society and the St. Helena Public Library.

Recommended Condition of Approval: Ongoing Maintenance of Historical Resources

The Project Applicant shall keep in good repair all exterior portions of the Stone Building as well as other Project Applicant-owned properties that qualify as historical resources under CEQA. The maintenance of historical resources is necessary to prevent deterioration and decay of any exterior portion. Furthermore, all interior elements, features, and spaces that directly affect the exterior portions of the historical resources shall also be kept in good repair.

Impact CUL-2: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. (*Less than Significant with Mitigation)*

Archaeological resources can be considered historical resources, according to CEQA Guidelines Section 15064.5, as well as unique archaeological resources, as defined in PRC Section 21083.2(g).

Based on the results of the records search, there are two pre-contact archaeological resources recorded in the vicinity of the Project site. One of these resources, site P-28-000952, was evaluated and determined to

be not eligible for listing in the National and California Registers, and as such, would not qualify as a historical resource or unique archaeological resource. No further consideration of site P-28-000952 is necessary.

Based on the results of the surface and subsurface survey completed for the Project, site P-28-000389 is not located within areas of proposed ground disturbance for the Project. Despite the negative findings of the investigation, the unanticipated discovery of significant archaeological resources, either associated with site P-28-000389 or a newly identified resource, cannot be entirely discounted. Disturbance of potentially significant archaeological resources during ground disturbing activities associated with the Project could result in a significant impact. Implementation of **Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program**, **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring**, and **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials**, would reduce potential impacts to archaeological resources to a less-than-significant level by requiring a cultural resources sensitivity training prior to ground disturbing activity associated with the Project; archaeological and Native American monitoring during ground disturbing activities according to a Cultural Resources Monitoring Plan; and protocol for the inadvertent discovery of cultural materials. Therefore, with implementation of Mitigation Measures CUL-1a, CUL-1b, and CUL-1c, Project impacts would be **less than significant**.

Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.

A cultural resources sensitivity training program shall be implemented for the Project. Prior to any earth disturbing activity, all construction personnel shall be required to view a Project-specific cultural resources awareness training presentation via recorded virtual presentation (PowerPoint) or in-person and on-site presentation provided by a Secretary of the Interior-qualified archaeologist. A Native American representative shall be invited to provide input and guidance on the training materials. The training shall include a description of the sensitivity of the Project vicinity and information on how to identify the types of resources that may be encountered. The training shall also include the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, confidentiality of discoveries, and safety precautions to be taken when working with cultural resources monitors. Napa County shall require that construction personnel view or attend the training presentation and retain documentation demonstrating attendance.

Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.

Monitoring will be required according to the Cultural Resources Monitoring Plan (CRMP) prepared as part of the cultural resources survey and analysis completed for the Project (Mattes, 2024). The CRMP is on-file with Napa County and the Project Applicant. An archaeological monitor and a Native American monitor shall be required during ground disturbing activities within 100 feet of pre-contact site P-28-000389. During the course of the monitoring, the archaeologist and Native American monitor may adjust the frequency—from continuous to intermittent or vise versa—of the monitoring based on the conditions and professional judgment regarding the potential to impact resources.

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

If pre-contact or historic-era cultural materials are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a Secretary of

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

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

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

Significance after Mitigation: Less than Significant.

Impact CUL-3: The Project would not disturb any human remains, including those interred outside of dedicated cemeteries. (*Less than Significant with Mitigation)*

Based on the surface and subsurface survey results, nearby site distribution, and previous disturbance, there appears to be a low potential for the discovery of human remains during Project implementation. Despite the negative findings, the unanticipated discovery of human remains cannot be entirely discounted. Disturbance of human remains during ground disturbing activities associated with the Project could result in a significant impact. Implementation of **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains**, would reduce potential impacts to human remains to a less-than-significant level by ensuring that regulations are followed in the event of a discovery, and if the remains are determined to be Native American, the Native American Heritage Commission is contacted to appoint a most likely descendant. Therefore, with implementation of Mitigation Measure CUL-2, Project impacts would be less than significant.

Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.

If potential human remains are encountered, all work shall halt within 100 feet of the find and Napa County shall be contacted by on-site personnel. Napa County shall contact the Napa County coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission. As provided in Public Resources Code Section 5097.98, the Commission shall identify the person or persons believed most likely to be descended from the deceased Native American. The most likely descendant shall make recommendations for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.

Significance after Mitigation: Less than Significant.

4.5.6 Cumulative Impacts

Significant cumulative impacts related to cultural resources would occur if the incremental impacts of the Project combined with the impacts of cumulative development identified in Section 4.0.4, under subsection *Cumulative Impacts*, would result in a significant cumulative impact and if the Project's contribution would be considerable. A description of reasonably cumulative projects on or in the Project site vicinity is presented in Section 4.0.4, under subsection *Cumulative Impacts*.

Impact CUL-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on historic architectural resources. ***(Less than Significant)***

The geographic scope for cumulative effects on historic architectural resources is the area within 0.5 mile of the Project site. The area is characterized primarily by vineyards and low-scale wineries and residential buildings. The Trinchero Napa Valley Winery to the north, Grace Family Vineyards to the southwest, and the Durbin Vineyard to the southeast contain large vineyards with a small number of one- and two-story residences. There are multiple residences located to the west of the Project site, across SR 29 behind a low stone wall. The Vista Del Valle mobile home park is located west of the Project site, across SR 29, and contains multiple single-story, residential buildings. Existing uses to the east include a commercial inn, vineyards, and residential dwelling units. The majority of these buildings are shielded behind tree lines. The Napa River is located approximately 0.37 mile east of the Project site.

As presented in Table 4.0-1, there are six past, present, and reasonably anticipated future projects within 0.5 mile of the Project site. Four of these projects, the Napa Valley Vine Trail, the Duckhorn Vineyards Winery Major Modification, the Vineyard 29 Winery Major Modification, and the William Cole Winery Use Permit Major Modification, have been determined to have no impacts on historic architectural resources (NVTA, 2020; County of Napa Planning, Building, and Environmental Services Department, 2019; 2023; 2024). Project applications for the Ivanovic Vineyard Conversion, the Fantesca Winery Use Permit Minor Modification, and the AXR Napa Valley Use Permit Modification are currently under review and do not appear to entail alterations or demolition of historic buildings.

Based on available information about the cumulative projects listed in Table 4.0-1, the cumulative projects would not result in significant impacts to historical resources and would not combine with the Project to result in a new cumulative impact on historic resources. Therefore, cumulative impacts related to the historic architectural resources would be **less than significant**.

Mitigation: None required.

Impact CUL-2.CU: The Project, in combination with other development, could contribute to the cumulative loss or alteration of archaeological resources and/or human remains. ***(Less than Significant with Mitigation)***

Cumulative development in Napa County and in portions of the region identified as the territory of the local Native American community or the area of historic-era use and occupation in Napa County could result in significant cumulative impacts to historic-era and pre-contact Native American archaeological resources and/or human remains. This includes commercial and infrastructural development and maintenance projects slated for implementation within 0.5-mile of the Project site, as summarized in Table 4.0-1. While no known archaeological resources are located within the Project's areas of direct impact, as evident by archival research and surface and subsurface field investigations, the potential exists for unknown archaeological resources and/or human remains. Each individual project is subject to review under CEQA and therefore would be required to avoid, minimize, and compensate for any significant impacts on sensitive cultural resources, such that the cumulative impact would be reduced, though not completely eliminated. Because not all such impacts from these other projects have been or can be reduced with certainty to less-than-significant levels, the loss of any archaeological resources and/or human remains would result in a potentially significant cumulative impact.

As discussed above, there is low potential for the discovery of cultural materials, including human remains, during project implementation. However, despite the low potential inferred through archival research and field investigation, ground disturbing activity within the Project site has the potential to encounter previously unrecorded archaeological resources and/or human remains, and construction-associated grading and excavation could destroy these resources. As a result, the Project could result in a considerable contribution to the cumulative loss of archaeological resources and/or human remains, and this cumulative impact would be potentially significant.

Implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-2 would effectively avoid damage to or loss of archaeological resources and/or human remains, and little to no residual impact would remain after mitigation. With implementation of this mitigation measure, the contribution of the Project to this cumulative impact would be less than considerable, and this impact would be reduced to a **less-than-significant** level.

> **Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** See Impact CUL-2 above.
>
> **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** See Impact CUL-2 above.
>
> **Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials.** See Impact CUL-2 above.
>
> **Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains.** See Impact CUL-2 above.
>
> **Significance After Mitigation:** Less than Significant.

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4.6 Energy

4.6.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on energy. This section first includes a description of the existing environmental setting as it relates to energy, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on energy.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. There were no comments relating to energy received during the NOP comment period.

4.6.2 Environmental Setting

State Energy Profile

Total energy usage in California was 7,359 trillion British Thermal Units (Btu) in 2021, which equates to an average of 189 million Btu per capita. These figures place California 2nd among the nation's 50 states in total energy use and 48th in per capita consumption. Of California's total energy usage, the breakdown by sector is roughly 41 percent transportation, 24 percent industrial, 17 percent commercial, and 18 percent residential. Electricity and natural gas in California are primarily consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum-based fuel consumption is generally accounted for by transportation-related energy use (EIA, 2023a).

California relies on a regional power system composed of a diverse mix of natural gas, renewable, hydroelectric, and nuclear generation sources. Approximately 70 percent of the electrical power needed to meet California's demand is produced in the State; the balance, approximately 30 percent, is imported from the Pacific Northwest and the Southwest. In 2022, California's in-State electricity generation was derived from natural gas (47 percent); large hydroelectric resources (7 percent); nuclear sources (9 percent); renewable resources that include geothermal, biomass, small hydroelectric resources, wind, and solar (36 percent); coal (less than 1 percent); and petroleum coke/waste heat (less than 1 percent) (CEC, 2023a).

Electricity

In 2022, total system electric generation for California (in-State plus imports) was 287,220 gigawatt-hours (GWh), up 3.4 percent from 2021's total generation of 277,764 GWh. Electricity from non-CO_2 emitting electric generation categories (i.e., nuclear, large hydroelectric, and renewable generation) accounted for 54 percent of total in-state generation for 2022, compared to 52 percent in 2021. However, California's in-State generation increased by 4.5 percent (9,130 GWh) to 203,257GWh. In-State hydroelectric generation increased by 21 percent compared to 2021 generation levels (3,045 GWh). Net imports for 2022 (83,962) were virtually unchanged from 2021 levels (83,636 GWh) (CEC, 2023a).

In recent years, electricity demand has been relatively flat as energy efficiency programs have resulted in end-use energy savings and as customers install behind-the-meter solar photovoltaic (PV) systems that

directly displace utility-supplied generation. In 2018 (the most recent year for which this specific data is available), behind-the-meter solar generation[1] was estimated to be 13,582 GWh, a 20 percent increase from 2017. The strong growth in solar PV has had a measurable impact on utility-served load and, consequently, on total system electric generation (CEC, 2019).

Increasingly, electricity is used in multiple transportation modes, including light-duty vehicles, transit buses, and light and heavy rail. In California, its use is forecast to emerge in battery-electric medium-duty trucks, battery-electric buses, catenary-electric port drayage trucks, and high-speed rail. The California Energy Commission (CEC) forecasts the Statewide electricity demand for the transportation sector will increase from a 2017 level of 2,000 GWh annually to between approximately 12,000 and 18,000 GWh per year by 2030, depending on technology development and market penetration of the various vehicle types (CEC, 2018).

Natural Gas

Californians consumed about 11,710 million therms of natural gas in 2022, which is equal to 1,171,000,000 million Btu (MMBtu) (CEC, 2023b). The natural gas market is evolving and service options expanding, but its use falls mainly into the following four sectors: residential, commercial, industrial, and electric power generation. In addition, natural gas is a viable alternative to petroleum fuels for use in cars, trucks, and buses. Nearly 45 percent of the natural gas burned in California is used for electricity generation, and most of the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. California depends on out-of-State imports for nearly 90 percent of its natural gas supply (CEC, 2023c).

Transportation Fuels

The energy consumed by the transportation sector accounts for roughly 38 percent of California's total energy consumption (EIA, 2023b). Gasoline and diesel, both derived from petroleum (also known as crude oil), are the two most common fuels used for vehicular travel. According to the U.S. Energy Information Administration, the State relies on petroleum-based fuels for 98 percent of its transportation needs (EIA, 2021). Gasoline accounted for about 59 percent of California's total transportation sector energy consumption, 60 percent of California's total transportation sector petroleum consumption, and 6 percent of total U.S. energy transportation sector consumption (EIA, 2021). California is the largest consumer of gasoline in the U.S. Approximately 26 percent of California's crude oil is obtained from within the State, about 15 percent comes from Alaska, and the remaining 59 percent comes from foreign lands (CEC, 2023d).

In 2022, gasoline sales in California amounted to approximately 11.5 billion gallons, and diesel fuel sales amounted to approximately 1.8 billion gallons (CEC, 2023e). The CEC forecasts demand for gasoline in California will range from 12.1 billion to 12.6 billion gallons in 2030, with most of the demand generated by light-duty vehicles. While the models show an increase in light-duty vehicles along population and income growth over the forecast horizon, total gasoline consumption is expected to decline, primarily due to increasing fuel economy (stemming from federal and State regulations) and gasoline displacement

[1] Behind-the-meter solar generation refers to on-site solar generation facilities that are designed for a single building or facility. Since the power is generated and used on-site, it is not connected to the regional power grid, and thus referred to as "behind the meter."

from the increasing market penetration of zero emission vehicles (ZEVs). For diesel, demand is forecast to increase modestly by 2030, following the growth of California's economy, but would be tempered by an increase in fleet fuel economy and market penetration of alternative fuels, most prominently by natural gas in the medium- and heavy-duty vehicle sectors (CEC, 2018).

California has about 4 percent of the nation's total crude oil reserves, and it is the sixth-largest crude oil producer among the states. (EIA, 2023c). Crude oil is moved from area to area within California through a network of pipelines that carry it from both onshore and offshore oil wells to the refineries that are in the San Francisco Bay Area, the Los Angeles area, and the Central Valley. Currently, 14 petroleum refineries operate in California, processing approximately 1.71 million barrels of crude oil per day (CEC, 2023f).

Other transportation fuel sources used in California include alternative fuels, such as methanol and denatured ethanol (alcohol mixtures that contain no less than 70 percent alcohol), natural gas (compressed or liquefied), liquefied petroleum gas, hydrogen, and fuels derived from biological materials (i.e., biogas).

Regional Setting

Electricity and Natural Gas

The nine-county Bay Area, including the Project site, is served by PG&E, an investor-owned utility company that provides electricity and natural gas supplies and services throughout a 70,000-square-mile service area that extends from Eureka in the north, to Bakersfield in the south, and from the Pacific Ocean on the west to the Sierra Nevada on the east. Operating characteristics of PG&E's electricity and natural gas supply and distribution systems are provided below.

Electric Utility Operations

PG&E provides "bundled" services (i.e., electricity generation, transmission, and distribution services) to most of the six million customers in its service territory, including residential, commercial, industrial, and agricultural consumers. Customers also can obtain unbundled electricity that is transmitted and distributed by PG&E, but is generated and provided by alternative providers such as Electric Service Providers registered with California Public Utilities Commission (CPUC) that are non-utility entities that offer electric service to customers within the service territory of an electric utility; or municipalities, or community choice aggregators as allowed under Assembly Bill 117 (2002), as well as from self-generation distributed resources, such as rooftop solar installations. In Napa County alone, electricity consumption in 2022 was 1,029 GWh (CEC, 2023g).

In recent years, PG&E has continued to make improvements to its electric transmission and distribution systems to accommodate the integration of new renewable energy resources, distributed generation resources, and energy storage facilities, and to help create a platform for the development of new Smart Grid technologies that help with load balancing and ensuring reliable electricity delivery to end customers. In December 2014, the CPUC issued Decision D.14-12-079 that permits the California investor-owned electric utilities to own electric vehicle (EV) retail charging equipment in their respective service territories to help meet the State's goal of reducing greenhouse gas (GHG) emissions by promoting cleaner transportation. On February 9, 2015, PG&E filed an application to request that the CPUC approve their proposal to develop, maintain, and operate an EV-charging infrastructure in its

service territory. In 2016, the CPUC established a three-year EV program of $130 million to deploy up to 7,500 charging stations. Further deployment of light duty EV infrastructure was considered and approved in a second phase of the program with a total PG&E budget of over $236 million per CPUC Decision D.18-05-040 (EPIC, 2018).

Electricity Transmission

Transmission lines are high voltage power lines that transmit electricity between electric substations. PG&E owns approximately 19,200 circuit miles of interconnected transmission lines operating at voltages ranging from 60 kilovolts (kV) to 500 kV. PG&E also operates approximately 92 electric transmission substations with a capacity of approximately 64,700 megavolt amperes (MVA). PG&E's electric transmission system is interconnected with electric power systems in the Western Electricity Coordinating Council, which includes many western states, Alberta and British Columbia, and parts of Mexico (Reuters, 2020).

PG&E periodically upgrades substations and reconductors transmission lines to improve maintenance and system flexibility, reliability, and safety, and undertakes various new transmission projects to upgrade and expand the capacity of its transmission system to secure access to renewable generation resources and replace aging or obsolete equipment and improve system reliability (PG&E, 2022a).

Electricity Distribution

Distribution power lines are lower voltage power lines that transmit electricity from electric substations to end user, such as residential and other land use developments. PG&E's electricity distribution network consists of approximately 107,200 circuit miles of distribution lines (of which approximately 20 percent are underground and approximately 80 percent are overhead), approximately 19,200 circuit miles of high voltage electric transmission lines, 59 transmission switching substations, and 605 distribution substations, with a capacity of approximately 31,800 MVA (PG&E, 2019).

These distribution substations serve as the central hubs for PG&E's electric distribution network. Emanating from each substation are primary and secondary distribution lines connected to local transformers and switching equipment that link distribution lines and provide delivery to end-users. In some cases, PG&E sells electricity from its distribution facilities to entities, such as municipal and other utilities, that resell the electricity. PG&E also operates electric distribution control center facilities in Concord, Rocklin, and Fresno, California (PG&E, 2019).

Natural Gas Operations

PG&E provides natural gas transmission services to "core" customers and to "non-core" customers (i.e., industrial, large commercial, and natural gas-fired electric generation facilities) that are connected to its gas system in its service territory. Core customers can purchase natural gas procurement service (i.e., natural gas supply) from either PG&E or non-utility third-party gas procurement service providers (referred to as core transport agents). When core customers purchase gas supply from a core transport agent, PG&E still provides gas delivery, metering, and billing services to those customers. When PG&E provides both transmission and procurement services, PG&E refers to the combined service as "bundled" natural gas service. Currently, more than 96 percent of core customers, representing nearly 85 percent of the annual core market demand, receive bundled natural gas service from PG&E (PG&E, 2023a).

PG&E does not provide procurement service to non-core customers, who must purchase their gas supplies from third-party suppliers. PG&E offers backbone gas transmission, gas delivery (local transmission and distribution), and gas storage services as separate and distinct services to its non-core customers. Access to PG&E's backbone gas transmission system is available for all natural gas marketers and shippers, as well as non-core customers. PG&E also delivers gas to off-system customers (i.e., outside of PG&E's service territory) and to third-party natural gas storage customers. In 2022, total consumption of natural gas in Napa County was 38.6 million therms, or 3,857,547 MMBtu (CEC, 2023b).

Natural Gas Supplies

PG&E receives natural gas from all the major natural gas basins in western North America, including basins in western Canada, the Rocky Mountains, and the southwestern United States. PG&E also is supplied by natural gas fields in California. PG&E purchases natural gas to serve its core customers directly from producers and marketers in both Canada and the United States. The contract lengths and natural gas sources of PG&E's portfolio of natural gas purchase contracts have fluctuated generally based on market conditions. PG&E provides approximately 970 billion cubic feet of natural gas per year to its customers (PG&E, 2023b).

Natural Gas System Assets

PG&E owns and operates an integrated natural gas transmission, storage, and distribution system that includes most of northern and central California. PG&E's natural gas system consists of approximately 42,800 miles of distribution pipelines, over 6,400 miles of backbone and local transmission pipelines, and various storage facilities. PG&E owns and operates eight natural gas compressor stations on its backbone transmission system and one small station on its local transmission system that are used to move gas through PG&E's pipelines. PG&E's backbone transmission system is used to transport gas from PG&E's interconnection with interstate pipelines, other local distribution companies, and California gas fields to PG&E's local transmission and distribution systems.

Transportation Fuels

Gasoline and diesel fuel are by far the largest transportation fuels used by volume in San Francisco Bay Area. The total estimated 2022 sales of gasoline in Napa County was 49 million gallons and the total estimated 2022 sales of diesel fuel in Napa County was 11 million gallons (CEC, 2023e).

Other transportation fuel sources used in California include alternative fuels, such as methanol and denatured ethanol (alcohol mixtures that contain no less than 70 percent alcohol), natural gas (compressed or liquefied), liquefied petroleum gas (LPG), hydrogen, and fuels derived from biological materials (i.e., biomass).

Local Setting

PG&E provides natural gas service to Napa County, while electricity is provided by both PG&E and Marin Clean Energy (MCE). MCE was launched in 2010 as a not-for-profit public agency and provides clean renewable energy at stable rates, significantly reducing energy-related GHG emissions and reinvesting millions of dollars in local energy programs. MCE provides electricity service and energy

programs to more than one million residents and businesses in 37 member communities across four Bay Area counties: Contra Costa, Marin, Napa, and Solano.

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

4.6.3 Regulatory Setting

Federal

Influence of the U.S. Department of Transportation, U.S. Department of Energy, and U.S. Environmental Protection Agency on Transportation Energy

At the federal level, the U.S. Department of Transportation, U.S. Department of Energy, and U.S. Environmental Protection Agency (EPA) have substantial influence over energy policies related to fuel consumption in transportation. Generally, federal agencies influence transportation energy consumption by establishing and enforcing fuel economy standards for automobiles and light trucks, and by funding projects for energy-related research and development for transportation infrastructure.

Corporate Average Fuel Economy Standards

In 1975, Congress enacted the Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, U.S. EPA and the National Highway Traffic Safety Administration (NHTSA) are responsible for establishing additional vehicle standards. In August 2012, standards were adopted for model years 2017 through 2025 for passenger cars and light-duty trucks. According to U.S. EPA, a model year 2025 vehicle would emit half the GHG emissions of a model year 2010 vehicle (U.S. EPA, 2012). Notably, the State of California harmonized its vehicle efficiency standards through 2025 with the federal standards at this time (see Advanced Clean Cars Program below).

In August 2018, U.S. EPA and the NHTSA proposed maintaining the 2020 corporate average fuel economy (CAFE) and CO2 standards for model years 2021 through 2026. The estimated CAFE and CO2 standards for model year 2020 are 43.7 miles per gallon (mpg) and 204 grams of CO2 per mile for passenger cars and 31.3 mpg and 284 grams of CO2 per mile for light trucks, projecting an overall industry average of 37 mpg, as compared to 46.7 mpg under the standards issued in 2012. In September 2019, U.S. EPA finalized the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program and announced its decision to withdraw the Clean Air Act preemption waiver granted to the State of California in 2013 (U.S. EPA & NHTSA, 2019). However, on March 9, 2022, U.S. EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and zero emission vehicle (ZEV) sales mandate (U.S. EPA, 2022).

State

California Public Utilities Commission

The California Public Utilities Commission (CPUC) is a State agency created by a constitutional amendment to regulate privately owned utilities providing telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation services, and in-State moving companies. The CPUC is responsible for assuring that California utility customers have safe, reliable utility services at reasonable rates, while protecting utility customers from fraud. The CPUC regulates the planning and approval for the physical construction of electric generation, transmission, and distribution facilities, and the local distribution pipelines for natural gas.

California Energy Commission

The CEC is the primary energy policy and planning agency in California. Created by the California Legislature in 1974, the CEC has five major responsibilities: (1) forecast future energy needs and keep historical energy data; (2) license thermal power plants 50 MW or larger; (3) promote energy efficiency through appliance and building standards; (4) develop energy technologies and support renewable energy; and (5) plan for and direct the State response to energy emergencies.

Senate Bill 1389

Senate Bill (SB) 1389 (PRC Sections 25300–25323) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the electricity, natural gas, and transportation fuel sectors in California, and to provide policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State economy; and protect public health and safety (PRC Section 25301(a)).

The 2019 Integrated Energy Policy Report provides the results of CEC assessments on a variety of energy issues facing California:

- Energy efficiency;
- Strategies related to data for improved decisions in the Existing Buildings Energy Efficiency
- Action Plan;
- Building energy efficiency standards;
- The impact of drought on California's energy system;
- Achieving 50 percent renewables by 2030;
- The California Energy Demand Forecast;
- The Natural Gas Outlook;
- The Transportation Energy Demand Forecast;
- Alternative and Renewable Fuel and Vehicle Technology Program benefits updates;
- An update on electricity infrastructure in Southern California;
- An update on trends in California sources of crude oil;
- An update on California nuclear plants; and
- Other energy issues.

Senate Bills 1078, 350 and 100 and the Renewable Portfolio Standard

The State of California adopted standards to increase the percentage of electricity that retail sellers, including investor-owned utilities and community choice aggregators, must provide from renewable resources. The standards are referred to as the Renewables Portfolio Standard (RPS). The standards reduce use of non-renewable energy sources, thereby reducing GHG emissions and other negative impacts that are associated with use of non-renewable, finite energy sources. California's RPS program was established in 2002 by SB 1078, with the initial requirement that 20 percent of electricity retail sales be served by renewable resources by 2017. The program was accelerated in 2015 with SB 350, which mandated a 50 percent RPS by 2030. SB 350 includes interim annual RPS targets with three-year compliance periods and requires that 65 percent of RPS procurement be derived from long-term contracts of 10 or more years.

On September 10, 2018, Governor Brown signed SB 100, which further increased the California RPS and requires retail sellers and local publicly owned electric utilities to procure eligible renewable electricity for 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030. SB 100 also specifies that CARB should plan for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

CPUC and the CEC jointly implement the RPS program. The responsibilities of the CPUC are to: (1) determine annual procurement targets and enforce compliance; (2) review and approve the renewable energy procurement plan of each investor-owned utility; (3) review contracts for RPS-eligible energy; and (4) establish the standard terms and conditions used in contracts for eligible renewable energy (CPUC, 2023).

Bill 117 and Senate Bill 790

In 2002, the State of California passed AB 117, enabling public agencies and joint power authorities to form a Community Choice Aggregation (CCA). SB 790 strengthened it by creating a "code of conduct" that the incumbent utilities must adhere to in their activities relative to CCAs. CCAs allow a city, county, or group of cities and counties to pool electricity demand and purchase/generate power on behalf of customers within their jurisdictions in order to provide local choice. CCAs work with PG&E to deliver power to its service area. The CCA is responsible for the electric generation (procure or develop power) while PG&E is responsible for electric delivery, power line maintenance, and monthly billing.

California Building Standards Code (Title 24, Parts 6 and 11)

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR] Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2022 Title 24 standards, which became effective on January 1, 2023. This update to the building code provides crucial steps in the State's progress toward 100 percent clean carbon neutrality by midcentury (CEC, 2022). The 2022 Energy Code builds on California's technology innovations, encouraging energy efficient approaches to encourage building decarbonization, emphasizing in particular on heat pumps for space heating and water heating. This set of Energy Codes also strengthens ventilation standards to improve indoor air quality and extends the benefits of photovoltaic and battery storage systems and other demand flexible technology to work in combinations with heat pumps to enable

California buildings to be responsive to climate change. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. The Energy Code includes measures that will reduce energy use in single family, multifamily, and nonresidential buildings. These measures will:

1. Affect newly constructed buildings by adding new prescriptive and performance standards for electric heat pumps for space conditioning and water heating, as appropriate for the various climate zones in California;
2. Require photovoltaic (PV) and battery storage systems for newly constructed multifamily and selected nonresidential buildings;
3. Update efficiency measures for lighting, building envelope, HVAC; and
4. Make improvements to reduce the energy loads of certain equipment covered by (i.e., subject to the requirements of) the Energy Code that perform a commercial process that is not related to the occupant needs in the building (such as refrigeration equipment in refrigerated warehouses, or air conditioning for computer equipment in data processing centers).

CCR Title 24, Part 11 is commonly referred to as the CALGreen Code. The 2022 CALGreen Code that took effect on January 1, 2023, included new mandatory measures including Electric Vehicle (EV) charging requirements for residential and non-residential buildings. The 2022 CALGreen update simplifies the code and its application in several ways. It offers new voluntary prerequisites for builders to choose from, such as battery storage system controls and heat pump space, and water heating, to encourage building electrification. While the previous 2019 CALGreen Code only requires provision of EV Capable spaces with no requirement for chargers to be installed at multifamily dwellings, the 2022 CALGreen code mandates chargers (California Building Standards Commission, 2022).

Assembly Bill 1493

AB 1493 (commonly referred to as the Pavley regulations), enacted on July 22, 2002, requires CARB to set GHG emissions standards for new passenger vehicles, light-duty trucks, and other vehicles manufactured in and after 2009 whose primary use is non-commercial personal transportation. Phase I of the legislation established standards for model years 2009–2016 and Phase II established standards for model years 2017–2025.

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

In 2004, CARB adopted the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling to reduce public exposure to diesel particulate matter emissions (13 CCR Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure prohibits diesel-fueled commercial vehicles from idling for more than 5 minutes at any given location. While the goal of this measure is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in energy savings in the form of reduced fuel consumption from unnecessary idling.

Airborne Toxic Control Measure for Stationary Compression Ignition Engines

In 2004, CARB adopted an Airborne Toxic Control Measure to reduce public exposure to emissions of diesel particulate matter and criteria pollutants from stationary diesel-fueled compression ignition engines (17 CCR Section 93115). The measure applies to any person who owns or operates a stationary compression ignition engine in California with a rated brake horsepower greater than 50, or to anyone who either sells, offers for sale, leases, or purchases a stationary compression ignition engine. This measure outlines fuel and fuel additive requirements; emissions standards; recordkeeping, reporting and monitoring requirements; and compliance schedules for compression ignition engines.

Truck and Bus Regulation

In addition to limiting exhaust from idling trucks, in 2008 CARB approved the Truck and Bus Regulation to reduce the emissions of oxides of nitrogen and particulate matter from existing diesel vehicles operating in California (13 CCR Section 2025). The phased regulation aims to reduce emissions by requiring installation of diesel soot filters and encouraging the retirement, replacement, or retrofit of older engines with newer emission-controlled models. This regulation will be implemented in phases, with full implementation by 2023.

CARB also promulgated emissions standards for off-road diesel construction equipment of greater than 25 horsepower such as bulldozers, loaders, backhoes, and forklifts, as well as many other self-propelled off-road diesel vehicles. The In-Use Off-Road Diesel-Fueled Fleets regulation adopted by CARB on July 26, 2007, aims to reduce emissions by installing diesel soot filters and encouraging the retirement, replacement, or repowering of older, dirtier engines with newer emissions-controlled models (13 CCR Section 2449). The compliance schedule requires full implementation by 2023 in all equipment for large and medium fleets and by 2028 for small fleets.

California Air Resources Board Advanced Clean Trucks Program

On June 25, 2020, CARB adopted the Advanced Clean Trucks rule, which requires truck manufacturers to transition from diesel vehicles to electric zero-emission vehicles beginning in 2024, with the goal of reaching 100 percent zero-emission vehicles by 2045. The goal of the legislation is to help California meet its climate targets of a 40 percent reduction in GHG emissions and a 50 percent reduction in petroleum use by 2030, and an 80 percent reduction in GHG emissions by 2050.

Truck manufacturers will be required to sell zero-emission vehicles as an increasing percentage of their annual sales from 2024 through 2035. Companies with large distribution fleets (50 or more trucks) will be required to report information about their existing fleet operations in an effort to identify future strategies for increasing zero-emission fleets Statewide (CARB, 2021).

Zero-emission vehicles are two to five times more energy efficient than diesel vehicles, and the Advanced Clean Trucks rule will reduce GHG emissions with the co-benefit of reducing dependence on petroleum fuels.

California Air Resources Board Advanced Clean Car Program

The Advanced Clean Cars emissions-control program, approved by CARB in 2012, is closely associated with the Pavley regulations. The program requires the production of a greater number of zero-emissions vehicle models for years 2015 through 2025, to control smog, soot, and GHG emissions. This program includes the Low-Emissions Vehicle regulations, intended to reduce emissions of criteria air pollutants and GHGs from light- and medium-duty vehicles; and the Zero-Emissions Vehicle regulations, which require manufacturers to produce an increasing number of pure zero-emissions vehicles (battery and fuel cell electric vehicles) and include the provision to produce plug-in hybrid electric vehicles between 2018 and 2025. The increase in low- and zero-emissions vehicles will result in a decrease in the consumption of non-renewable fuels such as gasoline and diesel. The Advanced Clean Cars II regulations were adopted in 2022, imposing the next level of low-emission and zero-emission vehicle standards for model years 2026–2035 that contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality targets. By 2035 all new passenger cars, trucks and SUVs sold in California will be zero emission vehicles (CARB, 2024).

California Environmental Quality Act

Under CEQA (PRC Section 21100(b)(3)), EIRs are required to discuss the potential significant energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. If the analysis of a proposed project shows that the project may result in significant environmental effects due to the wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources, then the EIR must identify mitigation measures to address that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include project size, location, orientation, equipment use, and any renewable energy features that could be incorporated into the project (CEQA Guidelines Section 15126.2(b)).

CEQA Guidelines Appendix F lists the energy-related topics that should be analyzed in the EIR, and more specifically identifies the following topics for consideration in the evaluation of energy impacts in an EIR, to the extent the topics are applicable or relevant to the proposed project:

- The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project, including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- The effects of the project on peak and base-period demands for electricity and other forms of energy.
- The degree to which the project complies with existing energy standards.
- The effects of the project on energy resources.
- The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

The effects of the project relevant to each of these issues are addressed in this section.

Local

Napa County General Plan

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

Goal CON-16: Promote the economic and environmental health of Napa County by conserving energy, increasing the efficiency of energy use, and producing renewable energy locally.

***Policy CON-67*:** The County shall promote and encourage "green building" design, development, and construction through the achievement of Leadership in Energy and Environmental Design (LEED) standards set by the U.S. Green Building Council, the Green Point Rated system standards set by Builditgreen.org, or equivalent programs. Actions in support of this policy shall include:

a. Audit current County practices to assess opportunities and barriers to implementation of current sustainable practices.

b. Amend the County Code as necessary to remove barriers to and encourage "green" construction.

c. Develop new County buildings as "green buildings," utilizing sustainable construction and practices.

d. Encourage all new large development projects and major renovation of existing facilities to be based on Green Building Council standards utilizing sustainable construction and practices to achieve a minimum LEED rating of Silver, or comparable level on the Green Point Rated system per standards set by Builditgreen.org or other comparable updated rating systems.

e. Support state and federal incentive programs that offer rebates and cost sharing related to the implementation of "green building" standards and LEED certification.

***Policy CON-68*:** The County shall promote research and the development and use of advanced and renewable energy technology through the following actions:

a. Use expedited permit processing or other incentives as promotion mechanisms.

b. Assist in securing grants to support the implementation of photovoltaic, wind, and other renewable energy technologies to provide a portion of the County's energy needs.

c. Encourage the use of renewable energy resources in residential, commercial, industrial, and agricultural projects and uses.

***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-70*:** The County shall seek to increase the amount of energy produced through locally available energy sources, including establishing incentives for, and removing barriers to, renewable and alternative energy resources (solar, wind) where they are compatible with the maintenance and preservation of environmental quality.

***Policy CON-71*:** The County shall encourage the use of biofuels and geothermal resources where feasible and environmentally sustainable.

***Policy CON-72*:** The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

***Policy CON-74*:** The County shall evaluate new technologies for energy generation and conservation and solid waste disposal as they become available and shall pursue their implementation as appropriate in a manner consistent with the principle of adaptive management. This evaluation shall include review of promising technological advances which may be useful in decreasing County greenhouse gas (GHG) emissions, increase in renewable energy that is generated locally, and review of the County's success in meeting targets for GHG emission reductions.

4.6.4 Significance Criteria

The thresholds used to determine the significance of impacts related to energy are based on Appendix G of the CEQA Guidelines. The Project could have a significant impact on the environment if it would:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Approach to Analysis

This analysis considers whether implementation of the Project would result in the inefficient, wasteful, or unnecessary use of energy. The evaluation highlights project design features that would reduce energy use as well as applicable regulations applicable to the Project aimed at increasing energy conservation. As discussed earlier, there are several plans and policies at the federal, State, and local levels to increase energy conservation and the use of renewable energy. Consistency with these regulations would help ensure that the Project would not result in the inefficient, wasteful, or unnecessary use of energy.

Energy use associated with Project construction and operation are estimated and provided for informational purposes. Energy estimates utilize the assumptions identified in Appendix C, *Air Quality and Greenhouse Gas Emissions Analysis Technical Report for the Inn at the Abbey Project. C*alculations for energy use are provided in **Appendix F**, *Inn at the Abbey Project Fuel Use Calculations*.

4.6.5 Impacts of the Project

Impact ENE-1: The Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. ***(Less than Significant)***

Construction

Energy use during construction activities would primarily occur in association with fossil fuel use in construction equipment and vehicles. Energy use would vary throughout the construction period based on

the construction activities being performed and would cease upon the completion of construction. Fuels used for construction would typically include diesel and gasoline; use of natural gas and electricity would be minimal.

Heavy-duty equipment associated with construction of the project would most likely rely on diesel fuel, as would vendor trucks involved in delivery of equipment and materials to the project site and haul trucks exporting demolition material or other materials off site. Construction worker trips to and from the project site would primarily be gasoline powered. All equipment used in project construction would be subject to CARB's In-Use Off-Road Diesel Vehicle Regulation that applies to off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation imposes limits on idling so as to reduce unnecessary use of energy.

Construction activities would use fuel-efficient equipment consistent with federal and State regulations, such as fuel efficiency regulations in CARB's Pavley Phase II standards; the anti-idling regulation in 13 CCR Section 2485; and fuel requirements for stationary equipment in 17 CCR Section 93115 (concerning the Airborne Toxic Control Measures). In accordance with 13 CCR Sections 2485 and 2449, idling by commercial vehicles over 10,000 pounds and off-road equipment over 25 horsepower would be limited to a maximum of five minutes. Though the intent of these regulations is to reduce construction emissions, compliance with the anti-idling and emission reduction regulations discussed above would also result in fuel savings from the more efficient use of equipment.

Over the duration of Project construction, it is estimated that approximately 92,769 gallons of diesel and 16,064 gallons of gasoline would be used. The diesel and gasoline use for construction activities would be temporary and constitute a small fraction of the regional usage; therefore, the construction energy demand of the project would be within the infrastructure service capabilities of regional suppliers and would not require additional local or regional capacity.

Overall, construction activities associated with development of the project would not be unusual compared to overall local and regional demand for energy resources and project construction would not involve characteristics that require equipment that would be less energy-efficient than at comparable construction sites in the region or State. Given that and in light of required compliance with rules and regulations in place, the project would not result in the inefficient, wasteful, or unnecessary consumption of energy during construction. Therefore, impacts would be **less than significant**, and no mitigation is required.

Operation

The Project's annual operational energy use is summarized in **Table 4.6-2**.[2]

[2] Note that Mitigation Measure GHG-1a (see Section 4.7, *Greenhouse Gas Emissions*) would require that the Project's new buildings be designed as all-electric facilities and would not include new natural gas connections. With all-electric buildings, the building energy use for electricity would be approximately 1,256 MWh/year.

TABLE 4.6-2
PROJECT ANNUAL ENERGY CONSUMPTION DURING OPERATION

Type (use)	Quantity	Units
Electricity		
Building Energy Use	590	MWh/year
Vehicle Trips	68	MWh/year
Natural Gas		
Building Energy Use	2,274	MBTU/year
Vehicle Trips	0.1	MBTU/year
Diesel		
Vehicle Trips	20,745	gallons/year
Gasoline		
Vehicle Trips	89,895	gallons/year

NOTES:
MBtu = million British thermal unit; MWh = megawatt-hours

SOURCE: Data compiled by Environmental Science Associates in 2024 (Appendix F).

The Project would meet current (2022 or later) Title 24 requirements as required by State regulations through the plan review process. Title 24 reduces energy use in residential and commercial buildings through progressive updates to both the Green Building Standards Code (Title 24, Part 11) and the Energy Efficiency Standards (Title 24, Part 6). Title 24 standards are updated periodically (every 3 years). Provisions added to Title 24 over the years have included consideration and incorporation of new energy efficiency technologies and methods for building features such as space conditioning, water heating, and lighting, as well as construction waste diversion goals. Additionally, some standards focus on larger energy-saving concepts such as reducing loads at peak periods and seasons, improving the quality of energy-saving installations, and performing energy system inspections. The 2022 Energy Code builds on past updates encouraging energy efficient approaches to building decarbonization, with particular emphasis on heat pumps for space heating and water heating. This set of Energy Codes also extends the benefits of photovoltaic and battery storage systems and other demand flexible technology to work in combination with heat pumps to advance energy efficiency and the use of renewable energy while enabling California buildings to be responsive to climate change.

The Project would include building design measures to meet a minimum of LEED Gold performance standards including water conservation through reuse of graywater and winery process wastewater for vineyard and landscape maintenance needs, preservation of open space and agricultural lands, access to transit, provision of bike storage and permeable parking areas to increase drainage. The project would also incorporate renewable energy through onsite solar generation which would offset part of the electricity demand from the grid. In addition, electricity to the Project would be provided by PG&E which would be subject to the SB100 which specifies requirements for renewable energy in the power content mix. As of 2021, PG&E power content mix includes electricity sourced from 38 percent (for the Base Plan) to 100 percent Green Saver) renewable sources (CEC, 2024).

Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure (see Section 4.7, *Greenhouse Gas Emissions*), would require that the Project's new buildings be designed as all-electric facilities and would not include new natural gas connections. Electricity would be used for operational building energy uses, including but not limited to lighting, appliances, air conditioning, space heating, and water heating. The Project would be built to meet the most recent energy standards which would reduce inefficient and wasteful use of energy.

With respect to vehicle usage, vehicle trips generated by the Project would increase the use of transportation fuels, primarily gasoline and diesel. Enhanced fuel economies realized pursuant to federal and State regulatory actions such as increasingly stringent CAFE/Pavley standards for vehicle fuel efficiency, and transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would decrease future fossil fuel demands per VMT. Additionally, the project site is adjacent to a transit stop and future alignment of a Class I bikeway (The Vine Trail). Bike storage areas are also proposed throughout the Project site. The Project would be designed to connect to these facilities and provide an alternate means of travel to and from the site thereby reducing VMT and associated energy use. In addition, as detailed in Section 4.7, *Greenhouse Gas Emissions,* Mitigation Measure TRA-1: Transportation Demand Management Program, would require the Project to implement trip reduction measures to achieve a 15 percent reduction in VMT over unmitigated conditions consistent with County requirements. Therefore, the Project would include several features to minimize transportation energy use and the energy consumption associated with transportation would not be considered inefficient, wasteful, or otherwise unnecessary.

Conclusion

Overall, the Project would be built to comply with updated building codes and regulations and include several sustainability features to maximizes energy efficiency and conservation. Therefore, energy use associated with the Project would not be considered unnecessary. Through Project design features, compliance with the regulatory requirements in place and cited above and also discussed under Impact ENE-2 below energy use associated with the construction and operation of the Project would not be considered inefficient and wasteful. Therefore, the impact would be **less than significant**. Implementation of Mitigation Measures GHG-1a and TRA-1 would further reduce this impact.

Mitigation: None required.

Impact ENE-2: The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. *(Less than Significant)*

Construction

Construction equipment used for the Project would be subject to CARB's In-Use Off-Road Diesel Vehicle Regulation that applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation (1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; (2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; (3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and (4) requires fleets to reduce their emissions by retiring, replacing, or repowering

older engines or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The fleet must either show that its fleet average index was less than or equal to the calculated fleet average target rate, or that the fleet has met the Best Achievable Control Technology requirements.

Construction activities would use fuel-efficient equipment consistent with federal and State regulations, such as fuel efficiency regulations in CARB's Pavley Phase II standards; the anti-idling regulation in 13 CCR Section 2485; and fuel requirements for stationary equipment in 17 CCR Section 93115 (concerning the Airborne Toxic Control Measures). In accordance with 13 CCR Sections 2485 and 2449, idling by commercial vehicles over 10,000 pounds and off-road equipment over 25 horsepower would be limited to a maximum of five minutes. The intent of these regulations is to reduce construction emissions; however, compliance with the anti-idling and emission reduction regulations discussed above would also result in fuel savings from the more efficient use of equipment.

Operation

The Project would be designed in a manner that would be consistent with relevant energy conservation plans designed to encourage development resulting in the efficient use of energy resources. The Project would comply with CALGreen Code and Title 24 requirements to reduce energy consumption by implementing energy-efficient building designs, reducing indoor and outdoor water demands, and installing energy-efficient appliances and equipment. The Project would include building design measures to meet LEED Gold minimum performance standards. The LEED scorecards would be key components of the Project's Basis of Design documentation required for compliance with the Title 24 commissioning requirements and the LEED collaborative design requirements. Compliance with LEED requirements would be demonstrated in a two-step process; a first submittal would occur at the completion of design and the second would occur when construction is complete. The credit strategies identified on the LEED scorecard would be monitored and approved through each design submittal. The Project would implement LEED efficiency strategies and incorporate water conservation, energy conservation, and other features consistent with the CALGreen Code, Title 24, and the County's sustainability goals. As a result, the Project would not conflict with or obstruct a State plan for renewable energy or energy efficiency. In addition, the Project would include on-site renewable electric generation via a solar PV system which would improve local energy security and reduce the amount of energy wasted in transmitting electricity over long distances.

The Project would comply with goals and policies adopted by the County, including those set forth in the General Plan, which support increased energy conservation in new development, such as that which would occur under the Project. These requirements would increase on-site energy generation and decrease the amount of energy required for building operation.

In addition, as part of the RPS program detailed earlier, electric utilities including investor-owned utilities and community choice aggregators are required to increase the percentage of electricity provided from renewable resources. Though the RPS program does not necessarily increase energy efficiency, implementation of this program reduces use of non-renewable energy sources. The legislation requires utilities to increase the percentage of electricity obtained from renewable sources to 33 percent by 2020 and 50 percent by 2030. SB 100 furthered these standards to require electric utilities to procure eligible renewable electricity for 44 percent of retail sales by 2024, 52 percent by 2027, and 60 percent by December 2030. SB 100 also specifies that CARB should plan for 100 percent eligible renewable energy

resources and zero-carbon resources by December 31, 2045. CPUC and the CEC jointly implement the RPS program and PG&E and PG&E, the electric utility provider to the Project site, is required to adhere to these standards and deadlines. As an investor-owned electric utility, PG&E is subject to and is currently ahead of RPS goals. As such, the Project would be consistent with these regulations.

Conclusion

As the Project would be required to implement the regulatory requirements discussed above, construction and operation of the Project would be consistent with all applicable plans, policies and regulations developed to encourage energy conservation and renewable energy use. The impact would be **less than significant**.

Mitigation: None required.

4.6.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project, in combination with other past, present, and reasonably foreseeable future projects that could combine with the Project to result in a significant cumulative impact. Significant cumulative impacts related to energy resources could occur if the incremental impacts of the Project combined with the incremental impacts of one or more of the cumulative projects or cumulative development projections included in the project description and described in Chapter 4, Section 4.0.4, *Cumulative Impacts*.

Impact ENE-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on energy. ***(Less than Significant)***

The Project, combined with cumulative projects, would result in increased energy consumption. However, potential impacts to energy resources from cumulative projects would be site-specific and would require applications for development permits that would be evaluated on a case-by-case basis. Additionally, as with the Project, all cumulative projects would be subject to compliance with federal, State, and local requirements for energy efficiency, including the California Energy Code Building Energy Efficiency Standards (CCR Title 24, Part 6), the CALGreen Code (CCR Title 24, Part 11), and SB 743. Consequently, cumulative projects when combined with the Project would not result in significant cumulative impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation, and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, the cumulative energy impact would be **less than significant**.

Mitigation: None required.

4.6.7 References

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4.7 Greenhouse Gas Emissions

4.7.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on greenhouse gas (GHG) emissions. This section first includes a description of the existing environmental setting as it relates to GHG emissions, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on GHG emissions.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. There were no comments relating to GHG emissions received during the NOP comment period.

4.7.2 Environmental Setting

Climate Science

"Global warming" and "climate change" are common terms used to describe the increase in the average temperature of the earth's near-surface air and oceans since the mid-20th century and related changes in global climate. Natural processes and human actions have been identified as affecting the climate. The Intergovernmental Panel on Climate Change (IPCC) has concluded that variations in natural phenomena such as solar radiation and volcanoes produced most of the warming from pre-industrial times to 1950. However, increasing GHG concentrations resulting from human activity since the 19th century, such as fossil fuel combustion, deforestation, and other activities, are believed to be a major factor in causing global climate change. GHGs in the atmosphere naturally trap heat by impeding the exit of solar radiation that is received by the Earth and is reflected back into space—a phenomenon referred to as the "greenhouse effect." Some GHGs occur naturally and are necessary for keeping the Earth's atmosphere warm and its surface inhabitable. However, increases in the concentrations of these gases in the atmosphere during the last 100 years cause solar radiation to be trapped and decrease the amount of radiation that is reflected into space, intensifying the natural greenhouse effect, and resulting in the increase of global average temperature.

Carbon dioxide (CO_2), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are the principal GHGs. When concentrations of these gases exceed historical concentrations in the atmosphere, the greenhouse effect is intensified. CO_2, methane, and nitrous oxide occur naturally and are also generated through human activity. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas methane results from off-gassing, natural gas leaks from pipelines and industrial processes, and incomplete combustion associated with agricultural practices, landfills, energy providers, and other industrial facilities. Nitrous oxide emissions are also largely attributable to agricultural practices and soil management. Other human-generated GHGs such as hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are byproducts of certain industrial processes.

CO_2 is the reference gas for climate change, as it is the GHG emitted in the highest volume. The effect that each of the GHGs have on global warming is the product of the mass of their emissions and their global warming potential (GWP). GWP indicates how much a gas is predicted to contribute to global warming relative to how much warming would be predicted to be caused by the same mass of CO_2. For example, methane and nitrous oxide are substantially more potent GHGs than CO_2, with GWPs of 25 and 298 times that of CO_2 respectively, which has a GWP of 1 (California Air Resources Board [CARB], 2023a).

In emissions inventories, GHG emissions are typically reported as metric tons (MT)[1] of CO_2 equivalent (CO_2e). CO_2e is calculated as the product of the mass emitted of a given GHG and its specific GWP. While methane and nitrous oxide have much higher GWPs than CO_2, CO_2 is emitted in higher quantities and it accounts for the majority of GHG emissions in CO_2e, both from land development and human activity in general.

Effects of Global Climate Change

The scientific community's understanding of the fundamental processes responsible for global climate change has improved over the past decade, and its predictive capabilities are advancing. However, there remain scientific uncertainties in, for example, predictions of local effects of climate change, occurrence, frequency, and magnitude of extreme weather events, effects of aerosols, changes in clouds, shifts in the intensity and distribution of precipitation, and changes in oceanic circulation. Due to the complexity of and inability to accurately model Earth's climate system, the uncertainty surrounding climate change may never be eliminated completely. Nonetheless, the IPCC's Fifth Assessment Report (AR5) states that is highly likely that the dominant cause of the observed warming since the mid-20th century is the anthropogenic increase in GHG concentrations (IPCC, 2014). The National Academies of Science from 80 countries have issued statements endorsing the consensus position that humans are the dominant cause for global warming since the mid-20th century (Cook et al., 2016).

The Fourth California Climate Change Assessment (Fourth Assessment), published in 2018, found that the potential impacts in California due to global climate change include: loss in snow pack; sea-level rise; more extreme heat days per year; more high ozone days per year; more extreme forest fires; more severe droughts punctuated by extreme precipitation events; increased erosion of California's coastlines and sea water intrusion into the Sacramento and San Joaquin Deltas and associated levee systems; and increased pest infestation (Office of Planning & Research [OPR], California Energy Commission [CEC], California Natural Resources Agency [CNRA], 2019). The Fourth Assessment's findings are consistent with climate change studies published by the CNRA since 2009, starting with the *California Climate Adaptation Strategy* (CNRA, 2009) as a response to the Governor's Executive Order S-13-2008. In 2014, the CNRA rebranded the first update of the 2009 adaptation strategy as the *Safeguarding California Plan* (CNRA, 2014). In 2016, the CNRA released *Safeguarding California: Implementation Action Plans* in accordance with Executive Order B-30-15, identifying a lead agency to lead adaptation efforts in each sector (CNRA, 2016). The 2018 update to *Safeguarding California Plan* identifies hundreds of ongoing actions and next steps State agencies are taking to safeguard Californians from climate impacts within a framework of 81 policy principles and recommendations (CNRA, 2018).

[1] The term metric ton is commonly used in the U.S. to refer to the metric system unit, tonne, which is defined as a mass equal to 1,000 kilograms. A metric ton is approximately 1.1 short tons and approximately 2,204.6 pounds.

In accordance with the 2009 *California Climate Adaptation Strategy*, the CEC was directed to develop a website on climate change scenarios and impacts that would be beneficial for local decision makers. The website, known as Cal-Adapt, became operational in 2011. The information provided on the Cal-Adapt website represents a projection of potential future climate scenarios comprised of local average values for temperature, sea-level rise, snowpack and other data representative of a variety of models and scenarios, including potential social and economic factors. Below is a summary of some of the potential effects that could be experienced in California as a result of global warming and climate change.

Temperature Increase

The primary effect of adding GHGs to the atmosphere has been a rise in the average global temperature. The impact of human activities on global temperature is readily apparent in the observational record. Since 1895, the contiguous U.S. has observed an average temperature increase of 1.5°F per century (National Oceanic and Atmospheric Association [NOAA], 2019). The 5-year period from 2014–2018 was the warmest on record for the contiguous U.S.; of the top 10 hottest years on record in the U.S., seven have occurred since the year 2000, with the top six years all occurring since 2012 (Climate Central, 2022). The Fourth Assessment indicates that average temperatures in California could rise 5.6°F to 8.8°F by the end of the century, depending on the global trajectory of GHG emissions (OPR, CEC, CNRA, 2019).

With climate change, extreme heat conditions and heat waves are predicted to impact larger areas, last longer, and involve higher temperatures. Heat waves, defined as three or more days with temperatures above 90°F, are projected to occur more frequently by the end of the century. Extreme heat days and heat waves can negatively impact human health. Heat-related illness includes a spectrum of illnesses ranging from heat cramps to severe heat exhaustion and life-threatening heat stroke (Red Cross Red Crescent Climate Centre [RCCC], 2019).

Wildfires

The hotter and drier conditions expected with climate change will make forests more susceptible to extreme wildfires. A recent study found that, if GHG emissions continue to rise, the frequency of extreme wildfires burning over approximately 25,000 acres would increase by nearly 50 percent, and the average area burned Statewide each year would increase by 77 percent, by the year 2100. In the areas that have the highest fire risk, the cost of wildfire insurance is anticipated to rise by 18 percent by 2055 and the fraction of property insured would decrease (Westerling, 2018).

Air Quality

Higher temperatures, conducive to air pollution formation, could worsen air quality in California and make it more difficult for the State to achieve air quality standards. Climate change may increase the concentrations of ground-level ozone, which can cause breathing problems, aggravate lung diseases such as asthma, emphysema, chronic bronchitis, and cause chronic obstructive pulmonary disease but the magnitude of the effect, and therefore, its indirect effects, are uncertain. Emissions from wildfires can lead to excessive levels of particulate matter, ozone, and volatile organic compounds (NOAA, n.d.). Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the State (RCCC, 2019).

Precipitation and Water Supply

There is a high degree of uncertainty with respect to the overall impact of global climate change on future water supplies in California. Studies indicate considerable variability in predicting precise impacts of climate change on California hydrology and water resources. Increasing uncertainty in the timing and intensity of precipitation will challenge the operational flexibility of California's water management systems. Warmer and wetter winters would increase the amount of runoff available for groundwater recharge; however, this additional runoff could occur at a time when some basins are either being recharged at their maximum capacity or are already full. Conversely, reductions in spring runoff and higher evapotranspiration because of higher temperatures could reduce the amount of water available for recharge (CNRA, 2018).

Climate change could alter water quality in a variety of ways, including through higher winter flows that reduce pollutant concentrations (through dilution) or increase erosion of land surfaces and stream channels, leading to higher sediment, chemical, and nutrient loads in rivers. Water temperature increases and decreased water flows can result in increasing concentrations of pollutants and salinity. Increases in water temperature alone can lead to adverse changes in water quality, even in the absence of changes in precipitation.

Hydrology and Sea Level Rise

As discussed above, climate changes could potentially affect: the amount of snowfall, rainfall and snowpack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea-level rise and coastal flooding; coastal erosion; and the potential for saltwater intrusion. Sea-level rise can be a product of global warming through two main processes: expansion of seawater as the oceans warm and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply. Sea level has risen eight to nine inches (21–24 centimeters) since 1880. In 2021, global sea level set a new record high of 97 mm (3.8 inches) above 1993 levels. The rate of sea level rise is accelerating; it has more than doubled from 0.06 inches (1.4 millimeters) per year throughout most of the twentieth century to 0.14 inches (3.6 millimeters) per year from 2006–2015. In many locations along the U.S. coastline, high-tide flooding is now 300 percent to more than 900 percent more frequent than it was 50 years ago. Models project that average sea level rise for the contiguous U.S. could be 2.2 meters (7.2 feet) by 2100 and 3.9 meters (13 feet) by 2150 (NOAA, 2022). Rising seas could impact transportation infrastructure, utilities, and regional industries.

Agriculture

California has a massive agricultural industry that represents over 13 percent of total US agricultural revenue (California Department of Food and Agriculture [CDFA], n.d.). Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, a changing climate presents significant risks to agriculture due to changes in maximum and minimum temperatures, reduction of winter chill hours, extreme heat leading to additional costs for livestock cooling and losses in production, and declines in water quality, groundwater security, soil health, and pollinator species, and increased pest pressures (CNRA, 2018).

Ecosystems and Wildlife

Increases in global temperatures and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. As stated in the *Safeguarding California Plan*, "species and ecosystems in California are valued both for their intrinsic worth and for the services they provide to society. Air purification, water filtration, flood attenuation, food provision, recreational opportunities such as fishing, hunting, wildlife viewing, and more are all services provided by ecosystems. These services can only be maintained if ecosystems are healthy and robust and continue to function properly under the impacts of climate change. A recent study examined the vulnerability of all vegetation communities Statewide in California and found that 16 of 29 were highly or nearly highly vulnerable to climate change, including Western North American freshwater marsh, Rocky Mountain subalpine and high montane conifer forest, North American Pacific coastal salt marsh, and more." Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. With climate change, ecosystems and wildlife will be challenged by the spread of invasive species, barriers to species migration or movement in response to changing climatic conditions, direct impacts to species health, and mismatches in timing between seasonal life-cycle events such as species migration and food availability (CNRA, 2018).

Public Health

Global climate change is also anticipated to result in more extreme heat events. These extreme heat events increase the risk of death from dehydration, heart attack, stroke, and respiratory distress, especially with people who are ill, children, the elderly, and the poor, who may lack access to air conditioning and medical assistance. A warming planet is expected to bring more severe weather events, worsening wildfires and droughts, a decline in air quality, rising sea levels, increases in allergens and in vector-borne diseases, all of which present significant health and wellbeing risks for California populations (CNRA, 2018).

While the possible outcomes and the feedback mechanisms involved are not fully understood and much research remains to be done, the potential for substantial environmental, social, and economic consequences over the long term may be great. All of these impacts will have either direct or indirect negative effects for residents and businesses in the County.

GHG Emissions Inventories

United States GHG Emissions

In 2022, the United States emitted about 6,343 $MMTCO_2e$, or 5,489 $MMTCO_2e$ after accounting for sequestration from the land use sector. Emissions increased by 1.3 percent from 2021 to 2022 (after accounting for sequestration from the land use sector). The increase was driven largely by an increase in CO_2 emissions from fossil fuel combustion, which increased by 1 percent relative to 2021. This increase in fossil fuel consumption emissions was due primarily to economic activity rebounding after the height of the COVID-19 pandemic. GHG emissions in 2022 (after accounting for sequestration from the land use sector) were 16.7 percent below 2005 levels. Of the major sectors nationwide, transportation accounts for the highest volume of GHG emissions (approximately 28 percent), followed by electricity (25 percent), industry (23 percent), commercial and residential (14 percent), and agriculture (10 percent) (United States Environmental Protection Agency [U.S. EPA], n.d.).

State of California GHG Emissions

CARB compiles GHG inventories for the State. Based on the 2021 GHG inventory data (the latest year for which data is available from CARB), emissions from GHG emitting activities Statewide were 381.3 $MMTCO_2e$ (CARB, 2023b). This is 12.6 $MMTCO_2e$ (3.4 percent) higher than 2020 (368.7 $MMTCO_2e$), but 23.1 $MMTCO_2e$ (5.7 percent) lower than 2019 levels (404.4 $MMTCO_2e$). Both the 2019 to 2020 decrease and the 2020 to 2021 increase in emissions are likely due in large part to the impacts of the COVID-19 pandemic that were felt globally.

Despite continued population and economic growth in California, CARB's 2021 Statewide inventory indicated that California's net GHG emissions in 2021 were 23.1 $MMTCO_2e$ lower than 2019 levels and 49.7 $MMTCO_2e$ below the 2020 GHG limit of 431 $MMTCO_2e$ codified in California Health and Safety Code Division 25.5, also known as the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32). **Table 4.7-1** identifies and quantifies Statewide anthropogenic GHG emissions and sinks (e.g., carbon sequestration due to forest growth) in 1990 and 2021. As shown in the table, the transportation sector is the largest contributor to Statewide GHG emissions at approximately 38.2 percent in 2021.

TABLE 4.7-1
CALIFORNIA GHG EMISSIONS INVENTORY

Category	Total 1990 Emissions Using IPCC SAR ($MMTCO_2e$)	Percent of Total 1990 Emissions	Total 2020 Emissions Using IPCC AR4 ($MMTCO_2e$)	Percent of Total 2021 Emissions
Transportation	150.7	35%	145.6	38.2%
Electric Power	110.6	26%	62.4	16.4%
Commercial & Residential Fuel Use	44.1	10%	38.8	10.2%
Industrial	103.0	24%	73.9	19.4%
Recycling and Waste[a]	—	—	8.4	2.2%
High GWP/Non-Specified[b]	1.3	<1%	21.3	5.6%
Agriculture/Forestry	23.6	6%	30.9	8.1%
Forestry Sinks	-6.7	-2%	—[c]	—
Net Total (IPCC SAR)	**426.6**	**100%**[e]	**—**	**—**
Net Total (IPCC AR4)[d]	**431**	**100%**[e]	**381.3**	**100%**[e]

NOTES:

AR4 = Fourth Assessment Report; GWP = global warming potential; IPCC = Intergovernmental Panel on Climate Change; $MMTCO_2e$ = million metric tons of carbon dioxide equivalents; SAR = Second Assessment Report

a. Included in other categories for the 1990 emissions inventory.
b. High GWP gases are not specifically called out in the 1990 emissions inventory.
c. Revised methods under development (not reported for 2021).
d. CARB revised the State's 1990-level GHG emissions using GWPs from the IPCC AR4.
e. Total of individual percentages may not add up to 100% due to rounding

SOURCES: CARB, 2007; CARB, 2023b.

Napa County GHG Emissions

The most recent GHG emissions inventory data available for unincorporated Napa County is from 2019. In 2019, communitywide activities in the County accounted for approximately 1.2 $MMTCO_2e$ (Ascent Environmental, 2022). Most emissions were due to on-road vehicle activity and building energy use.

Emissions from transportation on local and regional roads accounted for 39 percent of the County's emissions in 2019. An additional 23 percent of these emissions were due to energy used in buildings for heating, cooling, and powering devices, equipment, and other energy loads. **Table 4.7-2** below shows the breakdown of Napa County's GHG emissions in 2019.

TABLE 4.7-2
NAPA COUNTY REGIONAL GHG EMISSIONS BY SECTOR

Sector	2019 GHG Emissions	
	$MTCO_2e$	Percent of Total
On-Road Transportation	472,677	38.7%
Building Energy	279,592	22.9%
Solid Waste	198,862	16.3%
Off-Road Equipment	115,548	9.5%
Agriculture	103,381	8.5%
Wastewater	45,858	3.8%
Imported Water	5,943	0.5%
Total	1,221,861	100%

NOTES:
$MTCO_2e$ = metric tons of carbon dioxide equivalents
SOURCE: Ascent Environmental, 2022.

4.7.3 Regulatory Setting

Federal

Vehicle Emissions Standards

In 1975, Congress enacted the Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the act, the USEPA and National Highway Traffic Safety Administration (NHTSA) are responsible for establishing additional vehicle standards. In August 2012, standards were adopted for model year 2017 through 2025 for passenger cars and light-duty trucks. By 2025, vehicles are required to achieve both 54.5 miles per gallon (mpg) (if GHG reductions are achieved exclusively through fuel economy improvements) and 163 grams of CO_2 per mile. According to the USEPA, a model year 2025 vehicle would emit one-half of the GHG emissions from a model year 2010 vehicle (USEPA & NHTSA, 2010). Notably, the State of California harmonized its vehicle efficiency standards through 2025 with the federal standards (see Advanced Clean Car program below).

In January 2017, the USEPA issued its Mid-Term Evaluation of the GHG emissions standards, finding that it would be practical and feasible for automakers to meet the model year 2022-2025 standards through a number of existing technologies. In August 2018, the USEPA and the NHTSA proposed maintaining the 2020 corporate average fuel economy (CAFE) and CO_2 standards for model years 2021 through 2026. The estimated CAFE and CO_2 standards for model year 2020 are 43.7 miles per gallon (mpg) and 204 grams of CO_2 per mile for passenger cars and 31.3 mpg and 284 grams of CO_2 per mile for light trucks, projecting an

overall industry average of 37 mpg, as compared to 46.7 mpg under the standards issued in 2012. In September 2019, the USEPA finalized the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program and announced its decision to withdraw the Clean Air Act preemption waiver granted to the State of California in 2013 (USEPA & NHTSA, 2019). In March 2022, the USEPA reinstated California's waiver restoring the State's authority to set and enforce more stringent standards than the federal government, including California's GHG emission standards and zero emission vehicle mandate (USEPA, 2022).

State

California has promulgated a series of executive orders, laws, and regulations aimed at reducing both the level of GHGs in the atmosphere and emissions of GHGs within the State. The major components of California's climate protection initiative are reviewed below.

CARB is the agency with regulatory authority over air quality issues in California. CARB adopts regulations designed to reduce criteria pollutants, toxic air contaminants, and GHG emissions; and establishes vehicle emission standards. As discussed earlier, CARB is responsible for preparing, adopting, and updating California's GHG inventory. Additional responsibilities of CARB with respect to specific State mandates are discussed below.

CEQA Guidelines

The CEQA Guidelines are embodied in the California Code of Regulations (CCR), Title 14, beginning with Section 15000. The current CEQA Guidelines Section 15064.4 states that "a lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project." Section 15064.4 further states:

> *A lead agency should consider the following factors, when determining the significance of impacts from greenhouse gas emissions on the environment:*
>
> *(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*
>
> *(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.*
>
> *(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see e.g., section 15183.5(b)).*

The CEQA Guidelines also state that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including plans or regulations for the reduction of GHG emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located (CEQA Guidelines Section 15064(h)(3)).

The CEQA Guidelines do not require or recommend a specific analytical method or provide quantitative criteria for determining the significance of GHG emissions, nor do they set a numerical threshold of significance for GHG emissions. Section 15064.7(c) clarifies that "when adopting or using thresholds of

significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

When GHG emissions are found to be significant, CEQA Guidelines Section 15126.4(c) includes the following direction on measures to mitigate GHG emissions:

> *Consistent with Section 15126.4(a), lead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions. Measures to mitigate the significant effects of greenhouse gas emissions may include, among others:*
>
> *(1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision.*
>
> *(2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures.*
>
> *(3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions.*
>
> *(4) Measures that sequester greenhouse gases.*
>
> *(5) In the case of the adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.*

State of California Executive Orders

Executive Order S-1-07 and Update to the Low Carbon Fuel Standard

Executive Order (EO) S-1-07, signed by Governor Schwarzenegger in 2007, established a low carbon fuel standard (LCFS) with a goal to reduce the carbon intensity of transportation fuels sold in California by at least 10 percent by 2020. In September 2018, CARB extended the LCFS program to 2030, making significant changes to the design and implementation of the program, including a doubling of the carbon intensity reduction to 20 percent by 2030.

Executive Order B-16-12

In March 2012, Governor Brown issued an executive order establishing a goal of 1.5 million zero-emission vehicles (ZEVs) on California roads by 2025. In addition to the ZEV goal, EO B-16-12 stipulated that by 2015 all major cities in California would have adequate infrastructure and be "zero-emission vehicle ready"; that by 2020 the State would have established adequate infrastructure to support one million ZEVs; that by 2050, virtually all personal transportation in the State will be based on ZEVs; and that GHG emissions from the transportation sector will be reduced by 80 percent below 1990 levels.

Executive Order B-30-15

Governor Brown signed EO B-30-15 on April 29, 2015, which:

a) Established a new interim Statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030;

b) Ordered all State agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets; and

c) Directed CARB to update the Climate Change Scoping Plan (Scoping Plan) to express the 2030 target in terms of $MMTCO_2e$.

Executive Order B-48-18

On January 26, 2018, Governor Brown issued an executive order establishing a goal of 5 million ZEVs on California roads by 2030.

Executive Order B-55-18

On September 10, 2018, Governor Brown signed EO B-55-18, committing California to total, economy-wide carbon neutrality by 2045. EO B-55-18 directs CARB to work with relevant State agencies to develop a framework to implement an accounting process to track progress toward this goal. AB 1395 would codify this carbon neutral target.

Executive Order N-79-20

On September 23, 2020, Governor Newsom signed EO N-79-20, which sets new Statewide goals for phasing out gasoline-powered cars and trucks in California. EO N-79-20 requires that 100 percent of in-State sales of new passenger cars and trucks are to be zero-emission by 2035; 100 percent of in-State sales of medium- and heavy-duty trucks and busses are to be zero-emission by 2045 where feasible; and 100 percent of off-road vehicles and equipment sales are to be zero-emission by 2035 where feasible.

State of California Policy and Legislation

Assembly Bill 32 and Senate Bill 32

The California Global Warming Solutions Act of 2006 (AB 32) required that Statewide GHG emissions be reduced to 1990 levels by 2020. This reduction was to be accomplished by enforcing a Statewide cap on GHG emissions that would be phased in starting in 2012. This act defines GHGs as CO_2, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride and represents the first enforceable Statewide program to limit emissions of these GHGs from all major industries with penalties for noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. The California Global Warming Solutions Act assigned CARB the primary responsibility for reducing GHG emissions, by adopting rules and regulations directing State actions that would achieve GHG emissions reductions equivalent to 1990 Statewide levels by 2020.

As required by the California Global Warming Solutions Act, CARB approved the 1990 GHG emissions inventory, thereby establishing the emissions limit for 2020, originally set at 427 $MMTCO_2e$, using the GWP values from the IPCC Second Assessment Report. CARB established the GHG emissions reduction target based on GWP values from the IPCC Fourth Assessment Report (AR4) and determined that the 1990 GHG emissions inventory and 2020 GHG emissions limit is 431 $MMTCO_2e$.

In 2016, SB 32 and its companion bill AB 197 amended Health and Safety Code Division 25.5, establishing a new climate pollution reduction target of 40 percent below 1990 levels by 2030, and included provisions to ensure that the benefits of State climate policies reach Environmental Justice (EJ) Communities.[2]

Assembly Bill 1279 (California Climate Crisis Act)

In August 2022, the California Legislature passed a package of significant climate legislation that includes a codification of the State's goal to reach net-zero by 2045. With the passage of AB 1279, California has locked in a pathway for it to reach net-zero by no later than 2045. This enables the legislature, communities and businesses to start long-term planning, with certainty, for a safer future today. Critically, this goal requires California to cut GHG emissions by 85 percent compared to 1990 levels, ensuring the State uses all available solutions to sharply cut pollution from industrial facilities, vehicles, power plants and more. The Governor signed AB 1279 into law on September 16, 2022.

Climate Change Scoping Plan

A specific requirement of AB 32 was for CARB to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020. CARB developed and approved the initial scoping plan in 2008, outlining the regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs that would be needed to meet the 2020 Statewide GHG emission limit and initiate the transformations needed to achieve the State's long-range climate objectives (CARB, 2008).

CARB approved the *First Update to the Climate Change Scoping Plan* (2014 Scoping Plan) in May 2014 and built upon the 2008 Scoping Plan with new strategies and recommendations (CARB, 2014). Then, in response to the 2030 GHG reduction target, CARB adopted California's 2017 Climate Change Scoping Plan which outlines the proposed framework of actions for achieving the 2030 GHG target of 40 percent reduction in GHG emissions relative to 1990 levels (CARB, 2017). The 2017 Scoping Plan recommends Statewide targets of no more than 6 $MTCO_2e$ per capita by 2030 and no more than 2 $MTCO_2e$ per capita by 2050.

To demonstrate how a local jurisdiction can achieve its long-term GHG goals at the community plan level, CARB recommends developing a geographically specific GHG reduction plan (i.e., climate action plan) consistent with the requirements of CEQA Section 15183.5(b). A so-called "CEQA-qualified" GHG reduction plan, once adopted, can provide local governments with a streamlining tool for project-level environmental review of GHG emissions, provided there are adequate performance metrics for determining project consistency with the plan. Absent conformity with such a plan, CARB recommends "that projects incorporate design features and GHG reduction measures, to the degree feasible, to minimize GHG emissions."

In May 2022, CARB adopted the 2022 update to the Scoping Plan which assesses progress toward the statutory 2030 GHG reduction target, while laying out a path to achieving carbon neutrality no later than

[2] A neighborhood or community, composed predominantly of persons of color or a substantial proportion of persons below the poverty line, that is subjected to a disproportionate burden of environmental hazards and/or experiences a significantly reduced quality of life relative to surrounding or comparative communities.

2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities (CARB, 2022).

The 2022 Scoping Plan expands on prior Scoping Plans and responds to more recent legislation by outlining a technologically feasible, cost-effective, and equity-focused path to achieve the State's climate target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045 and achieving carbon neutrality[3] by 2045 or earlier.

The major element of the 2022 Scoping Plan is the decarbonization of every sector of the economy. This requires rapidly moving to zero-emission transportation for cars, buses, trains, and trucks; phasing out the use of fossil gas for heating; clamping down on chemicals and refrigerants; providing communities with sustainable options such as walking, biking, and public transit to reduce reliance on cars; continuing to build out solar arrays, wind turbine capacity, and other resources to provide clean, renewable energy to displace fossil-fuel fired electrical generation; scaling up new options such as renewable hydrogen for hard-to-electrify end uses and biomethane where needed. "Successfully achieving the outcomes called for in the Scoping Plan would reduce demand for liquid petroleum by 94 percent and total fossil fuel by 86 percent by 2045 relative to 2022" (CARB, 2022).

The 2022 Scoping Plan approaches decarbonization from two perspectives: (1) managing a phasedown of existing energy sources and technology and (2) ramping up, developing, and deploying alternative clean energy sources and technology over time (CARB, 2022).

The 2022 Scoping Plan also discusses the role of local governments in meeting the State's GHG reductions goals because local governments have jurisdiction and land use authority related to community-scale planning and permitting processes, local codes and actions, outreach and education programs, and municipal operations. The 2022 Scoping Plan encourages local governments to take ambitious, coordinated climate action at the community scale; action that is consistent with and supportive of the State's climate goals. These could include:

- Developing local CAPS and strategies consistent with the State's GHG emission reduction goals.
- Incorporating State-level GHG priorities into their processes for approving land use and individual plans and individual projects.
- Implementing CEQA mitigation, as needed, to reduce GHG emissions associated with new land use development projects, and
- Leveraging opportunities for regional collaboration.

Cap-and-Trade Program

Initially authorized by AB 32 and extended through the year 2030 with the passage of AB 398 (2017), the California Cap-and-Trade Program is a core strategy that the State is using to meet its GHG reduction

[3] *Carbon neutrality* means "net zero" emissions of GHGs. In other words, it means that GHG emissions generated by sources such as transportation, power plants, and industrial processes must be less than or equal to the amount of carbon dioxide that is stored, both in natural sinks and through mechanical sequestration. AB 1279 uses the terminology net zero and the 2022 Scoping Plan uses the terminology carbon neutrality or carbon neutral. These terms mean the same thing and are used interchangeably.

targets for 2020 and 2030, and ultimately achieve an 80 percent reduction from 1990 levels by 2050. CARB designed and adopted the California Cap-and-Trade Program to reduce GHG emissions from "covered entities"[4] (e.g., electricity generation, petroleum refining, cement production, and large industrial facilities that emit more than 25,000 $MTCO_2e$ per year), setting a firm cap on Statewide GHG emissions and employing market mechanisms to achieve reductions.[5] Under the Cap-and-Trade Program, an overall limit is established for GHG emissions from capped sectors. The Statewide cap for GHG emissions from the capped sectors commenced in 2013. The cap declines over time. Facilities subject to the cap can trade offsets and allowances to emit GHGs.[6]

Advanced Clean Cars Program

In January 2012, pursuant to Recommended Measures T-1 and T-4 of the 2008 Scoping Plan, CARB approved the Advanced Clean Cars Program, a new emissions-control program for model years 2017 through 2025. In response to a midterm review of the standards in March 2017, CARB directed staff to begin working on post-2025 model year vehicle regulations (Advanced Clean Cars II) to research additional measures to reduce air pollution from light-duty and medium-duty vehicles. Additionally, as described earlier, in September 2020, Governor Newsom signed EO N-79-20 that established a goal that 100 percent of California sales of new passenger car and trucks be zero-emission by 2035 and directed CARB to develop and propose regulations toward this goal. The primary mechanism for achieving these targets for passenger cars and light trucks is the Advanced Clean Cars II Program.

In 2022, CARB approved the Advanced Clean Cars II Program (CARB, 2023c), for model years 2026 through 2035, which requires that all new passenger cars, trucks and SUVs sold in California be zero emissions by 2035. The regulation amends the Zero-emission Vehicle (ZEV) Regulation to require an increasing number of ZEVs, and relies on advanced vehicle technologies, including battery-electric, hydrogen fuel cell electric and plug-in hybrid electric-vehicles, to meet air quality and climate change emissions standards, in support of EO N-79-20. This Program also amended the Low-emission Vehicle Regulations to include increasingly stringent standards for gasoline cars and heavier passenger trucks to continue to reduce smog-forming emissions. By increasing the number of ZEVs on the road and continuing to clean up conventional internal combustion vehicles, the regulations will reduce exposure to vehicle pollution in communities throughout California, including EJ communities that are disproportionately exposed to vehicular pollution.

Mobile Source Strategy

In May 2016, CARB released the updated Mobile Source Strategy that demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next 15 years. The strategy promotes a transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of VMT. The Mobile Source Strategy calls for 1.5 million ZEVs (including plug-in hybrid electric, battery-electric, and hydrogen fuel cell vehicles) by 2025 and 4.2 million ZEVs by 2030. The strategy also calls

4 "Covered entity" means an entity in California that has one or more of the processes or operations and has a compliance obligation as specified in Sub article 7 of the Cap-and-Trade Regulation; and that has emitted, produced, imported, manufactured, or delivered in 2008 or any subsequent year more than the applicable threshold level specified in section 95812(a) of the Regulation.

5 17 CCR 95800–96023.

6 See generally 17 CCR 95811 and 95812.

for more-stringent GHG requirements for light-duty vehicles beyond 2025 as well as GHG reductions from medium-duty and heavy-duty vehicles and increased deployment of zero emission trucks primarily for class 3 through 7 "last mile" delivery trucks in California. Statewide, the Mobile Source Strategy would result in a 45 percent reduction in GHG emissions from mobile sources and a 50 percent reduction in the consumption of petroleum-based fuels (CARB, 2016).

Similar to the 2016 Mobile Source Strategy, the 2020 Strategy is a framework that identifies the levels of cleaner technologies necessary to meet the many goals and high-level regulatory concepts that would allow the State to achieve the levels of cleaner technology. The 2020 Strategy will inform the development of other planning efforts including the State Implementation Plan (SIP) which will translate the concepts included into concrete measures and commitments for specific levels of emissions reductions, the 2022 Climate Change Scoping Plan (2022 Scoping Plan Update), and Community Emissions Reduction Plans (CERPs) required for communities selected as a part of CARB's Community Air Protection Program. Central to all of these planning efforts, and CARB actions on mobile sources going forward, will be environmental justice as CARB strives to address longstanding environmental and health inequities from elevated levels of toxics, criteria pollutants, and secondary impacts of climate change (CARB, 2021a). The 2020 Mobile Source Strategy illustrates that an aggressive deployment of ZEVs will be needed for the State to meet federal air quality requirements and the State's climate change targets.

Senate Bill 743

In 2013, Governor Brown signed SB 743, which added Public Resources Code Section 21099 to CEQA. SB 743 changed the way that transportation impacts are analyzed in Transit Priority Areas (TPAs)[7] under CEQA, better aligning local environmental review with Statewide objectives to reduce GHG emissions, encourage infill mixed-use development in designated priority development areas (PDAs),[8] reduce regional sprawl development, and reduce VMT in California.

As required under SB 743, OPR developed potential metrics to measure transportation impacts that may include, but are not limited to, VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. The new VMT metric is intended to replace the use of automobile delay and level of service as the metric to analyze transportation impacts under CEQA.

In its 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA*, OPR recommends different thresholds of significance for projects depending on land use types (OPR, 2018). For example, residential and office space projects must demonstrate a VMT level that is 15 percent less than that of existing development to determine whether the mobile-source GHG emissions associated with the project are consistent with Statewide GHG reduction targets. With respect to retail land uses, any net increase in VMT may be sufficient to indicate a significant transportation impact.

[7] A Transit Priority Area is defined in California Public Resource Code, Section 21099 as an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.

[8] Priority Development Areas are locally designated areas within existing communities that have been identified and approved by local cities or counties for future growth. These areas are typically accessible to transit, jobs, shopping, and other services. Over 70 local governments have voluntarily designated some 170 PDAs, which are proposed to absorb about 80 percent of new housing and over 60 percent of new jobs on less than five percent of the Bay Area's land. The result is a locally supported, compact and efficient growth pattern that meets CARB's GHG reduction targets and provides adequate housing for the Bay Area's growing population.

Senate Bill 375

Signed into law on October 1, 2008, SB 375 supplements GHG reductions from new vehicle technology and fuel standards with reductions from more efficient land use patterns and improved transportation. Under the law, CARB approved GHG reduction targets in February 2011 for California's 18 federally designated regional planning bodies, known as Metropolitan Planning Organizations. The target reductions for the Bay Area are a regional reduction of per-capita GHG emissions from cars and light-duty trucks by 7 percent by 2020 and by 15 percent by 2035, compared to a 2005 baseline.

The Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) address these goals in *Plan Bay Area 2040*, which identifies Priority Development Areas (PDAs) near transit options to reduce the use of on-road vehicles. By focusing and incentivizing future growth in PDAs, *Plan Bay Area 2040* demonstrates how the nine-county Bay Area can reduce per-capita CO_2 emissions by 16 percent by 2035 (MTC & ABAG, 2017). In a March 2018 hearing, CARB approved revised targets: to reduce per-capita emissions 10 percent by 2020 and 19 percent by 2035 (CARB, 2018). MTC and ABAG adopted *Plan Bay Area 2050* in October 2021 (MTC & ABAG, 2021), and in 2022 CARB approved the plan as adequate to achieve the required targets.

Assembly Bill 117 and Senate Bill 790

In 2002, the State of California passed AB 117, enabling public agencies and joint power authorities to form a Community Choice Aggregation (CCA). SB 790 strengthened it by creating a "code of conduct" that the incumbent utilities must adhere to in their activities relative to CCAs. CCAs allow a city, county, or group of cities and counties to pool electricity demand and purchase/generate power on behalf of customers within their jurisdictions in order to provide local choice. CCAs work with PG&E to deliver power to its service area. The CCA is responsible for the electric generation (procure or develop power) while PG&E is responsible for electric delivery, power line maintenance, and monthly billing.

Senate Bills 1078 and 107

SB 1078 (Chapter 516, Statutes of 2002) required retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010.

California Renewables Portfolio Standard (RPS)

Senate Bills 1078 and 107

SB 1078 (Chapter 516, Statutes of 2002) required retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010.

Senate Bill X 1-2

SB X 1-2, signed by Governor Brown in April 2011, enacted the California Renewable Energy Resources Act. The law obligated all California electricity providers, including investor-owned and publicly owned utilities, to obtain at least 33 percent of their energy from renewable resources by the year 2020.

Senate Bill 350

SB 350, the Clean Energy and Pollution Reduction Act of 2015 (Chapter 547, Statutes of 2015), was approved by Governor Brown on October 7, 2015. SB 350 changed the standards of the California RPS program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased from 33 percent to 50 percent by December 31, 2030. The act requires the State Energy Resources Conservation and Development Commission to establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of Statewide energy efficiency savings in existing electricity and natural gas final end uses of retail customers by January 1, 2030.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045. SB 100 also creates new standards for the RPS goals that were established by SB 350 in 2015. Specifically, the law increases the percentage of energy that both investor-owned utilities and publicly owned utilities must obtain from renewable sources from 50 percent to 60 percent by 2030. Incrementally, these energy providers must also have a renewable energy supply of 33 percent by 2020, 44 percent by 2024, and 52 percent by 2027. The updated RPS goals are considered achievable, because many California energy providers are already meeting or exceeding the RPS goals established by SB 350.

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

In 2004, CARB adopted the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling to reduce public exposure to diesel particulate matter emissions (13 CCR Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure prohibits diesel-fueled commercial vehicles from idling for more than 5 minutes at any given location. While the goal of this measure is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in GHG reduction and energy savings in the form of reduced fuel consumption from unnecessary idling.

Airborne Toxic Control Measure for Stationary Compression Ignition Engines

In 2004, CARB adopted an Airborne Toxic Control Measure to reduce public exposure to emissions of diesel particulate matter and criteria pollutants from stationary diesel-fueled compression ignition engines (17 CCR Section 93115). The measure applies to any person who owns or operates a stationary compression ignition engine in California with a rated brake horsepower greater than 50, or to anyone who either sells, offers for sale, leases, or purchases a stationary compression ignition engine. This measure outlines fuel and fuel additive requirements; emissions standards; recordkeeping, reporting and monitoring requirements; and compliance schedules for compression ignition engines.

Truck and Bus Regulation

In addition to limiting exhaust from idling trucks, in 2008 CARB approved the Truck and Bus Regulation to reduce the emissions of oxides of nitrogen and particulate matter from existing diesel vehicles operating in California (13 CCR Section 2025). The phased regulation aims to reduce emissions by requiring installation of diesel soot filters and encouraging the retirement, replacement, or retrofit of older engines

with newer emission-controlled models. This regulation will be implemented in phases, with full implementation by 2023.

CARB also promulgated emissions standards for off-road diesel construction equipment of greater than 25 horsepower such as bulldozers, loaders, backhoes, and forklifts, as well as many other self-propelled off-road diesel vehicles. The In-Use Off-Road Diesel-Fueled Fleets regulation adopted by CARB on July 26, 2007, aims to reduce emissions by installing diesel soot filters and encouraging the retirement, replacement, or repowering of older, dirtier engines with newer emissions-controlled models (13 CCR Section 2449). The compliance schedule requires full implementation by 2023 in all equipment for large and medium fleets and by 2028 for small fleets.

Advanced Clean Trucks Program

On June 25, 2020, CARB adopted the Advanced Clean Trucks rule, which requires truck manufacturers to transition from diesel vehicles to electric ZEVs beginning in 2024, with the goal of reaching 100 percent ZEVs by 2045. The goal of the legislation is to help California meet its climate targets of a 40 percent reduction in GHG emissions and a 50 percent reduction in petroleum use by 2030, and an 80 percent reduction in GHG emissions by 2050.

Truck manufacturers will be required to sell ZEVs as an increasing percentage of their annual sales from 2024 through 2035. Companies with large distribution fleets (50 or more trucks) will be required to report information about their existing fleet operations in an effort to identify future strategies for increasing zero-emission fleets Statewide (CARB, 2021b).

ZEVs are two to five times more energy efficient than diesel vehicles, and the Advanced Clean Trucks rule will reduce GHG emissions with the co-benefit of reducing dependence on petroleum fuels.

Senate Bill 1383 (Short-Lived Climate Pollutants)

SB 1383, enacted in 2016, requires Statewide reductions in short-lived climate pollutants across various industry sectors. The climate pollutants covered under SB 1383 include methane, fluorinated gases, and black carbon—all GHGs with a much higher warming impact than CO_2 and with the potential to have detrimental effects on human health. SB 1383 requires CARB to adopt a strategy to reduce methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030. The methane emissions reduction goals include a 75 percent reduction in the level of Statewide disposal of organic waste from 2014 levels by 2025.

Assembly Bill 341

AB 341, which became law in 2011, established a new Statewide goal of 75 percent recycling through source reduction, recycling, and composting by 2020. The new law changed the way that the State measures progress toward the 75 percent recycling goal, focusing on source reduction, recycling, and composting. AB 341 also requires all businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. The purpose of the law is to reduce GHG emissions by diverting commercial solid waste to recycling efforts and expand the opportunity for additional recycling services and recycling manufacturing facilities in California (California Legislative Information, 2011).

Assembly Bill 1826

AB 1826, known as the Commercial Organic Waste Recycling Law, became effective on January 1, 2016, and requires businesses and multi-family complexes (with five units or more) that generate specified amounts of organic waste (compost) to arrange for organics collection services. The law phases in the requirements on businesses with full implementation realized in 2019:

a) **First Tier:** Commenced in April 2016, the first tier of affected businesses included those that generate 8 or more cubic yards of organic materials per week.

b) **Second Tier:** In January 2017, the affected businesses expanded to include those that generate 4 or more cubic yards of organic materials per week.

c) **Third Tier:** In January 2019, the affected businesses expanded further to include those that generate 4 or more cubic yards of commercial solid waste per week.

State of California Building Codes

California Building and Energy Efficiency Standards (Title 24)

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the State. Although the standards were not originally intended to reduce GHG emissions, increased energy efficiency and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and non-residential buildings subject to the standard. The standards are updated periodically (typically every three years) to allow for the consideration and inclusion of new energy efficiency technologies and methods.

On August 11, 2021, the CEC adopted the 2022 Energy Code which was approved by the California Building Standards Commission (CBSC) for inclusion into the California Building Standards Code. This update to the building code provides crucial steps in the State's progress toward 100 percent carbon neutrality by midcentury (CEC, 2022). The 2022 Energy Code builds on California's technology innovations, encouraging energy efficient approaches to encourage building decarbonization, emphasizing in particular on heat pumps for space heating and water heating. This set of Energy Codes also strengthens ventilation standards to improve indoor air quality and extends the benefits of photovoltaic and battery storage systems and other demand flexible technology to work in combinations with heat pumps to enable California buildings to be responsive to climate change. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. The Energy Code includes measures that will reduce energy use in single family, multifamily, and nonresidential buildings. These measures will:

1. Affect newly constructed buildings by adding new prescriptive and performance standards for electric heat pumps for space conditioning and water heating, as appropriate for the various climate zones in California;
2. Require photovoltaic (PV) and battery storage systems for newly constructed multifamily and selected nonresidential buildings;
3. Update efficiency measures for lighting, building envelope, HVAC; and
4. Make improvements to reduce the energy loads of certain equipment covered by (i.e., subject to the requirements of) the Energy Code that perform a commercial process that is not related to the

occupant needs in the building (such as refrigeration equipment in refrigerated warehouses, or air conditioning for computer equipment in data processing centers).

California Green Building Standards Code

The California Green Building Standards Code, Part 11, Title 24, California Code of Regulations, known as CALGreen, is the first-in-the-nation mandatory green building standards code. In 2007, CBSC developed green building standards in an effort to meet the goals of California's landmark initiative AB 32. The CALGreen Code is intended to encourage more sustainable and environmentally friendly building practices, require low-pollution-emitting substances that cause less harm to the environment, conserve natural resources, and promote the use of energy-efficient materials and equipment. CALGreen covers a number of areas, with regulations encompassing energy efficiency, water conservation, sustainable building materials, site design, and indoor air quality.

Since 2011, the CALGreen Code has been mandatory for all new residential and non-residential buildings constructed in the State. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code is reviewed and updated on a three-year cycle.

The 2019 CALGreen Code that took effect on January 1, 2020, included new mandatory measures, including EV charging requirements for residential and non-residential buildings. The 2022 CALGreen update simplifies the code and its application in several ways. It offers new voluntary prerequisites for builders to choose from, such as battery storage system controls and heat pump space, and water heating, to encourage building electrification. While the 2019 CALGreen Code only requires provision of EV Capable spaces with no requirement for chargers to be installed at multifamily dwellings, the 2022 CALGreen code mandates chargers (California Building Standards Commission [CBSC], 2022).

Regional

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that regulates stationary sources of air pollution in the nine San Francisco Bay Area counties. BAAQMD regulates GHG emissions through the following plans, programs, and guidelines.

2017 Clean Air Plan

BAAQMD and other air districts prepare clean air plans in accordance with the federal and State Clean Air Acts. On April 19, 2017, the BAAQMD Board of Directors adopted the 2017 *Clean Air Plan: Spare the Air, Cool the Climate*, an update to the 2010 Clean Air Plan (BAAQMD, 2017a). The 2017 Clean Air Plan is a comprehensive plan that focuses on the closely related goals of protecting public health and protecting the climate. Consistent with the State's GHG reduction targets, the plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

BAAQMD Climate Protection Program

In 2005, BAAQMD established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the San Francisco Bay Area Air Basin. The climate protection program includes measures that promote energy efficiency, reduce VMT, and develop alternative sources of energy, all of which assist in reducing GHG emissions and reducing air pollutants that affect the health of residents. BAAQMD also seeks to support current climate protection programs in the region and to stimulate additional efforts through public education and outreach, technical assistance to local governments and other interested parties, and promotion of collaborative efforts among stakeholders.

BAAQMD CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines were prepared to assist in the evaluation of air quality impacts of projects and plans proposed in the Bay Area. The guidelines also include recommended assessment methods for air toxics, odors, and GHG emissions. The 2017 update to the BAAQMD CEQA Air Quality Guidelines (BAAQMD, 2017b) include significance thresholds for GHG emissions based on the emission reduction goals for 2020 articulated by the California Legislature in AB 32. In April 2022, in response to SB 32 and 2017 Scoping Plan Update targets for 2030 and EO B-15 target for carbon neutrality no later than 2045, BAAQMD adopted updated CEQA significance thresholds for GHGs (BAAQMD, 2022) and included them in the 2022 update to the BAAQMD CEQA Air Quality Guidelines (BAAQMD, 2023).

For land use development projects, BAAQMD recommends using the approach endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), which evaluates a project based on its effect on California's efforts to meet the State's long-term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less-than-significant impact on climate change under CEQA. If a project would contribute its "fair share" of what will be required to achieve those long-term climate goals, then a reviewing agency can find that the impact will not be significant because the project will help to solve the problem of global climate change (62 Cal.4th 220–223). Applying this approach, BAAQMD recommends that new land use development projects incorporate BAAQMD-identified design elements to do their "fair share" of implementing the goal of carbon neutrality by 2045 (discussed more under *Significance Thresholds* below).

Alternately, a local government may prepare a qualified GHG reduction strategy that is consistent with SB 32 goals. If a project is consistent with an adopted qualified GHG reduction strategy and general plan that addresses the project's GHG emissions, it can be presumed that the project will not have significant GHG emissions under CEQA (BAAQMD, 2023).

Metropolitan Transportation Commission/Association of Bay Area Governments

Sustainable Communities Strategy—Plan Bay Area

MTC is the federally recognized Metropolitan Planning Organization for the nine-county Bay Area which has adopted Plan Bay Area which includes the region's Sustainable Communities Strategy, as required under SB 375, and the 2040 Regional Transportation Plan. A central GHG reduction strategy of Plan Bay Area is the concentration of future growth in PDAs and TPAs. To be eligible for PDA designation, an area must be within an existing community, near existing or planned fixed transit or served by

comparable bus service and planned for more housing. A TPA is an area within 0.5 miles of an existing or planned major transit stop such as a rail transit station, a ferry terminal served by transit, or the intersection of two or more major bus routes (MTC & ABAG, 2013).

On July 26, 2017, MTC adopted *Plan Bay Area 2040*, a focused update that builds upon the growth pattern and strategies developed in the original Plan Bay Area but with updated planning assumptions that incorporate key economic, demographic, and financial trends since the original plan was adopted (MTC & ABAG, 2017).

On October 21, 2021, the MTC and the Executive Board of the ABAG jointly adopted *Plan Bay Area 2050* and its related supplemental reports. Plan Bay Area 2050 connects the elements of housing, the economy, transportation and the environment through 35 strategies that will make the Bay Area more equitable for all residents and more resilient in the face of unexpected challenges. In the short-term, the plan's Implementation Plan identifies more than 80 specific actions for MTC, ABAG and partner organizations to take over the next five years to make headway on each of the 35 strategies (MTC & ABAG, 2021).

Local

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Conservation Element of the Napa County General Plan includes the following policies related to GHGs, climate protection and sustainable practices for environmental health (Napa County, 2008).

Goal CON-14: Promote policies to ensure the long-term sustainability of Napa County, including its environment, economy, and social equity.

Goal CON-15: Reduce emissions of local greenhouse gases that contribute to climate change.

Goal CON-16: Promote the economic and environmental health of Napa County by conserving energy, increasing the efficiency of energy use, and producing renewable energy locally.

Goal CON-17: Reduce air pollution and reduce local contributions to regional air quality problems, achieving and maintaining air quality in Napa County which meets or exceeds State and federal standards.

Goal CON-18: Provide sufficient long-term solid waste disposal capacity for the County consistent with California Integrated Waste Management Act (Public Resources Code section 40000, et seq.) requirements.

Policy CON-65: The County shall support efforts to reduce and offset greenhouse gas (GHG) emissions and strive to maintain and enhance the County's current level of carbon sequestration functions through the following measures:

a. Study the County's natural, agricultural, and urban ecosystems to determine their value as carbon sequesters and how they may potentially increase.

b. Preserve and enhance the values of Napa County's plant life as carbon sequestration systems to recycle greenhouse gases.

c. Perpetuate policies in support of urban-centered growth and agricultural preservation preventing sprawl.

d. Perpetuate policies in support of alternative modes of transportation, including transit, paratransit, walking, and biking.

e. Consider GHG emissions in the review of discretionary projects. Consideration may include an inventory of GHG emissions produced by the traffic expected to be generated by the project, any changes in carbon sequestration capacities caused by the project, and anticipated fuel needs generated by building heating, cooling, lighting systems, manufacturing, or commercial activities on the premises. Projects shall consider methods to reduce GHG emissions and incorporate permanent and verifiable emission offsets.

f. Establish partnerships with experts, trade associations, non-governmental associations, and community and business leaders to support and participate in programs related to global climate change.

Policy CON-66: The County shall promote the implementation of sustainable practices and green technology in agriculture, commercial, industrial, and residential development through the following actions:

a. Project Construction

    1. Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled content materials for buildings, hard surfaces, and landscaping materials.

    2. Minimize, reuse, and recycle construction-related waste.

    3. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

b. Education and Outreach

    1. Assure that County staff is trained to provide guidance, if requested, to residents and agricultural, commercial, and industrial users on sustainable practices and green technology.

    2. Cooperate with and develop partnerships with public, private, and non-profit groups to further the knowledge and implementation of sustainable practices.

    3. Encourage residential, commercial, industrial, processing, and agricultural projects to develop methods to reduce and capture CO_2 produced and emitted and to sequester that which is captured.

c. Residential Development

    1. Increase the supply of affordable and workforce housing to encourage local workers to live in the County, minimize commuting and reduce greenhouse gas emissions.

    2. Consistent with policies in the Agriculture Preservation and Land Use Element, residential development shall be focused in urbanized areas.

Policy CON-67: The County shall promote and encourage "green building" design, development, and construction through the achievement of Leadership in Energy and Environmental Design (LEED) standards set by the U.S. Green Building Council, the Green Point Rated system standards set by Builditgreen.org, or equivalent programs. Actions in support of this policy shall include:

a. Audit current County practices to assess opportunities and barriers to implementation of current sustainable practices.

b. Amend the County Code as necessary to remove barriers to and encourage "green" construction.

c. Develop new County buildings as "green buildings," utilizing sustainable construction and practices.

d. Encourage all new large development projects and major renovation of existing facilities to be based on Green Building Council standards utilizing sustainable construction and practices to achieve a minimum LEED rating of Silver, or comparable level on the Green Point Rated system per standards set by Builditgreen.org or other comparable updated rating systems.

e. Support State and federal incentive programs that offer rebates and cost sharing related to the implementation of "green building" standards and LEED certification.

Policy CON-68: The County shall promote research and the development and use of advanced and renewable energy technology through the following actions:

a. Use expedited permit processing or other incentives as promotion mechanisms.

b. Assist in securing grants to support the implementation of photovoltaic, wind, and other renewable energy technologies to provide a portion of the County's energy needs.

c. Encourage the use of renewable energy resources in residential, commercial, industrial, and agricultural projects and uses.

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-70: The County shall seek to increase the amount of energy produced through locally available energy sources, including establishing incentives for, and removing barriers to, renewable and alternative energy resources (solar, wind) where they are compatible with the maintenance and preservation of environmental quality.

Policy CON-71: The County shall encourage the use of biofuels and geothermal resources where feasible and environmentally sustainable.

Policy CON-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

Policy CON-73: The County shall monitor the ecological effects of climate change in Napa County over time, including sea level rise, effects on water resources, local microclimates, native vegetation, agriculture, and the economy. Consistent with the principle of adaptive management, the County shall adapt policies and operations to address identified effects as feasible.

Policy CON-74: The County shall evaluate new technologies for energy generation and conservation and solid waste disposal as they become available and shall pursue their implementation as appropriate in a manner consistent with the principle of adaptive management. This evaluation shall include review of promising technological advances which may be useful in

decreasing County greenhouse gas (GHG) emissions, increase in renewable energy that is generated locally, and review of the County's success in meeting targets for GHG emission reductions.

Policy CON-75: The County shall work to implement all applicable local, State, and federal air pollution standards, including those related to reductions in GHG emissions.

Regional Climate Action and Adaptation Plan

The Napa County Regional Climate Action and Adaptation Plan (RCAAP) is a multi-jurisdictional planning and engagement effort that aims to coordinate climate action and adaptation efforts and identify resource-sharing opportunities across the six jurisdictions in the County. While cities focus on reducing emissions in transportation and building energy, and adapting to climate change in urban areas, the County will focus on reducing agricultural emissions, sequestering carbon, and supporting regional initiatives like diverting organics from landfills or enhancing wildfire resilience. A comprehensive update to the 2009 regional GHG emissions inventory was completed in 2022. The RCAAP is expected to be completed by the end of 2024 for consideration by the member jurisdictions.

4.7.4 Significance Criteria

The thresholds used to determine the significance of impacts related to GHG emissions are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Approach to Analysis

GHG emissions and global climate change represent cumulative impacts from human activities and development projects locally, regionally, Statewide, nationally, and worldwide. GHG emissions from all of these sources cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects around the world have contributed and will continue to contribute to global climate change and its associated environmental impacts. There are currently no established thresholds for assessing whether the GHG emissions of a project, would be considered a cumulatively considerable contribution to global climate change; however, all reasonable efforts should be made to minimize a project's contribution to global climate change. In addition, while GHG impacts are recognized exclusively as cumulative impacts (CAPCOA, 2008), GHG emissions impacts must also be evaluated on a project-level under CEQA. The method for evaluating GHG impacts in this EIR uses a qualitative consistency determination of the Project with the BAAQMD's project-level GHG thresholds as discussed below. This evaluation is considered in a cumulative context because the analysis of GHG emissions is only relevant in a cumulative context.

GHG Emissions

On April 20, 2022, the BAAQMD adopted the following new significance thresholds that address the State's SB 32 GHG reduction goals and carbon neutrality goal for 2045, as stipulated in Executive Order B-55-18 (BAAQMD, 2022). These thresholds were incorporated in the latest update to the BAAQMD CEQA Guidelines adopted in May 2023 (BAAQMD, 2023).

The project-level GHG thresholds adopted by the BAAQMD are as follows:

A. Projects must include, at a minimum, the following project design elements:
    1. Buildings
        a. The project will not include natural gas appliances or natural gas plumbing (in both residential and non-residential development)
        b. The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
    2. Transportation
        a. Achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2
        b. Achieve a reduction in project generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent)

            OR

            Meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:

            i. *Residential projects*: 15 percent below the existing VMT per capita
            ii. *Office projects*: 15 percent below the existing VMT per employee
            iii. *Retail projects*: no net increase in existing VMT

    OR

B. Be consistent with a local GHG Reduction Strategy that meets the criteria under the CEQA Guidelines section 15183.5(b).

As discussed under the Regulatory Setting, Napa County does not have an adopted qualified Climate Action Plan that can be used for evaluation under the CEQA Guidelines section 15183.5(b). Therefore, option (A) of the BAAQMD's project-level thresholds (inclusion of project design elements) is used as the significance threshold in this EIR.

With regard to these thresholds, BAAQMD states the following:

> If a project is designed and built to incorporate these design elements, then it will contribute its portion of what is necessary to achieve California's long-term climate goals—its "fair share"—and an agency reviewing the project under CEQA can conclude that the project will not make a cumulatively considerable contribution to global climate change. If the project does not incorporate these design elements, then it should be found to make a significant climate impact because it will hinder California's efforts to address climate change.

Thus, if a project is designed and built to incorporate the required design elements, the project would a have less-than-significant impact on climate change.

In summary, for purposes of this analysis, a significant GHG impact would be identified if the Project does not incorporate the following design elements set forth by BAAQMD:

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

Consistency with Plans, Policies, and Regulations for GHG Reduction

Further, the analysis also evaluates consistency with CEQA Guidelines Section 15064.4(b)(2) by considering whether the Project would conflict with plan, policies and regulations adopted at the State, regional and local levels, adopted for the purpose of reducing GHG emissions, including but not limited to, the 2022 Scoping Plan for Carbon Neutrality, ABAG's Plan Bay Area 2050, the Napa County General Plan and Title 24 and CALGreen standards.

4.7.5 Impacts of the Project

Impact GHG-1: The Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. ***(Less than Significant with Mitigation)***

GHG emissions from the Project would result in both direct and indirect emissions from construction and operational activities. Direct GHG emissions would be generated during construction and would include emissions from the combustion of fuel (e.g., gasoline and diesel) in construction equipment and vehicles. Project construction was modeled to begin in spring of 2024 and occur over approximately 36 months.[9] **Table 4.7-3** summarizes the GHG emissions by construction year for the Project.

Table 4.7-4 presents the annual operational GHG emissions for the Project for the modeled first operational year of 2028.[10] Upon completion of construction, direct GHG emissions would be generated from area sources (such as landscaping equipment, maintenance-related architectural coatings, natural gas combustion for space and water heating, and use of consumer products) and on-road motor vehicle trips generated by the Project that would include both passenger vehicle trips from employees and hotel guests as well as heavy-duty delivery truck trips.[11]

9 As presented in Appendix C, construction was assumed to begin in Spring 2024, rather than in 2027 as currently anticipated. These assumptions are conservative because they do not account for new emissions-reducing technologies or regulations that may become applicable over time.

10 As presented in Appendix C, Build-out was expected to be completed earlier than now anticipated. These assumptions are conservative because they do not account for new emissions-reducing technologies or regulations that may become applicable over time.

11 Note that Mitigation Measure GHG-1a would require that the Project's new buildings be designed as all-electric facilities and would not include new natural gas connections. Operational GHG emissions presented below represent the unmitigated scenario.

TABLE 4.7-3
PROJECT CONSTRUCTION GHG EMISSIONS

Construction Year	GHG Emissions (metric tons of CO_2e per year)
2024	308
2025	369
2026	365
2027	84
Project Total	1,126

SOURCE: Table compiled by ESA in 2024 based on Appendix C.

TABLE 4.7-4
PROJECT OPERATIONAL GHG EMISSIONS: YEAR 2028

Operational Emission Source	CO_2e Emissions (metric tons year)
Mobile Sources[a]	1,008.4
Building Energy Use – Natural Gas & Electricity	176.1
Area Sources	1.5
Water and Wastewater	4.3
Solid Waste	13.5
Refrigerants	20.3
PROJECT TOTAL	1,224

NOTE:

a. Emissions estimated based on number of trips and VMT generated by the Project using trip generation numbers provided by the traffic consultant and default trip lengths in CalEEMod.

SOURCE: Table compiled by ESA in 2024 based on Appendix C.

Indirect operational GHG emissions would be generated from electricity use associated with building energy use along with water and wastewater treatment and conveyance and disposal of solid waste generated. The emissions estimates associated with electricity use presented in Table 4.7-4 conservatively assume current GHG intensity rates for PG&E electricity for 2028. In reality, compliance with SB 100 would require PG&E to progressively move towards more renewable and lower carbon energy sources with the ultimate goal of reaching zero carbon electricity by 2045. Therefore, GHG intensity rates for PG&E electricity in 2028 would be lower than those used to estimate the emissions presented in Table 4.7-4.

The emissions inventory in Table 4.7-4 is provided for informational purposes only and is not used in the evaluation of significance of impacts as the BAAQMD does not provide mass emissions thresholds for GHG. As discussed above under Section 4.7.4, *Approach to Analysis*, the evaluation of impacts with respect to the CEQA Appendix G criteria is conducted using BAAQMD's project-level GHG thresholds.

For the evaluation of a project's GHG impacts, BAAQMD's recommended GHG thresholds address the two main direct sources of GHG emissions in land use development projects: building energy use and motor vehicle trips. Each of the BAAQMD thresholds and the Project's consistency are discussed below.

1. Compliance with No Natural Gas Requirement

Roughly a quarter of the State's GHG emissions come from buildings, the largest share of which (about half) come from burning natural gas (Energy+Environmental Economics, Inc. [E3], 2019). Combustion of natural gas and petroleum products for heating and cooking needs represent 80 percent of the direct fossil fuel CO_2 emissions from the residential and commercial sectors in 2019.

The current (2022) Update to the Energy Code was adopted by the CEC in August 2021 and was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code went into effect on January 1, 2023, and encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards to improve indoor air quality (CEC, 2022). Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. Though the 2022 update does not explicitly ban natural gas in new construction, it requires the installation of solar and energy storage systems in most new commercial buildings and requires single-family homes to be built "electric ready" to support electric vehicles and appliances. In a resolution to update its Indoor Air Quality Program in 2020, CARB also voted to support all-electric building policies, based on research showing that indoor air pollution from stoves and other gas appliances can contribute to health problems, including asthma and heart disease (CARB, 2020).

Though the 2022 Energy Code stops short of explicitly banning natural gas in new construction, many jurisdictions across California have moved to adopt ordinances requiring all-electric buildings and banning natural gas in new construction as part of their efforts to meet the State's GHG reduction goals for 2030 and beyond. Napa County has not implemented an ordinance prohibiting natural gas in new construction. As the Project is not proposed as an all-electric project with no natural gas appliances or infrastructure, it would be inconsistent with the BAAQMD's first GHG threshold. **Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure**, would require the Project's new buildings to be designed and developed as all-electric development with no natural gas infrastructure which would ensure consistency with the BAAQMD's first GHG threshold.

2. Avoid wasteful, inefficient, or unnecessary electricity usage

As discussed under Impact ENE-1 in Chapter 4.6, *Energy*, the Project would not result in wasteful, inefficient, or unnecessary use of electricity. The Project would be required to comply with the most recent Title 24 and CALGreen standards to reduce energy consumption and encourage sustainable energy use.

Pacific Gas and Electric Company (PG&E) provides electric power service to the Project site. In 2022, the electricity mix provided by PG&E included at least 38 percent (Base Plan) and up to 100 percent (Green Saver) electricity from renewable resources (CEC, n.d.). In addition, the Project would include on-site solar generation to meet a portion of the Project's electricity needs. Although using electricity from renewable sources does not affect the amount of electricity used, electricity-related GHG emissions would

be reduced independent of the amount of electricity consumed. Therefore, the Project would be consistent with the BAAQMD's second GHG threshold.

3. Compliance with Tier 2 EV Requirements in CALGreen

In addition to the mandatory requirements in the 2022 California Green Building Standards Code ("CALGreen", Title 24, Part 11), the 2022 CALGreen Code encourages local jurisdictions to raise the sustainable goals by publishing two "voluntary" tiers of additional requirements, referred to as Tier 1 and Tier 2. Tier 1 adds additional requirements beyond the mandatory measures. Tier 2 further increases the requirements. The CALGreen tiers are only mandatory where local ordinances have specifically adopted them.

The Tier 2 standards in the 2022 CALGreen Code require that new construction and major alterations for new multi-family development projects, hotels and motels provide 555 percent of the total number of parking spaces equipped with low power Level 2 EV charging receptacles. In addition, 20 percent of the total number of parking spaces are required to be equipped with Level 2 EV chargers with at least 50 percent of the required EV chargers equipped with J17772 connectors. .

Napa County has not adopted ordinances requiring the implementation of voluntary Tier 1 and Tier 2 standards beyond the mandatory CALGreen requirements. Further, while the Project Applicant proposes to include installation of 150 percent of the number of electric vehicle charging stations required by the building code, the Project does not specify the level of charging infrastructure proposed as part of the Project design. Therefore, the Project would not comply with the BAAQMD's third threshold requiring compliance with EV requirements in the most recently adopted version of CALGreen Tier 2. **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2**, would require EV charging infrastructure consistent with CALGreen Tier 2.

4. Consistency with SB 743 VMT Reduction Target of 15 percent below the regional average

As detailed earlier, with the adoption of SB 743, the State of California changed the method of traffic analysis required through CEQA for publicly- and privately initiated projects. SB 743 requires project reviews under CEQA to evaluate the transportation impacts of new developments in terms of VMT, rather than on-road congestion and automobile delay. The fourth GHG threshold from the BAQQMD requires projects to meet locally adopted VMT targets consistent with SB 743. Per the County's TIS Guidelines, the number of project trips must be reduced to a level that is 15 percent below the unmitigated trip generation using ITE rates to meet the VMT target. The Project is estimated to generate 645 new trips per day. To reach the significance threshold, the project would need to reduce its unmitigated trip generation by 97 trips per day to 548 or fewer daily trips. Without this reduction, the Project would not be consistent with the BAAQMD's fourth GHG threshold. **Mitigation Measure TRA-1: Transportation Demand Management Program** (see Impact TRA-1 in Section 4.13, *Transportation*), includes measures to reduce trips generated by the Project by 15 percent or more. This would exceed the 15 percent reduction requirement to satisfy this threshold. With the implementation of the recommended measures, the Project's GHG impacts with respect to transportation would be less than significant.

Summary

Mitigation Measure GHG-1a would require the Project's new buildings to be designed and developed as all-electric development with no natural gas infrastructure, which would ensure consistency with the BAAQMD's first GHG threshold. As discussed under Impact ENE-1 in Chapter 4.6, *Energy*, the Project would not result in wasteful, inefficient, or unnecessary use of electricity, and the Project would be consistent with the BAAQMD's second GHG threshold. With the implementation of Mitigation Measure GHG-1b, of the 203 parking spaces proposed by the Project, 112 would be provided as EV Ready spaces with low power Level 2 receptacles for EV charging and 41 spaces would be equipped with Level 2 EV chargers. Of the 41 spaces with chargers, 21 would be equipped with J1772 connectors.. This would ensure compliance with current (2022) CALGreen Tier 2 standards (last updated as of July 2024) and consistency with BAAQMD's third GHG threshold. After accounting for reduced vehicle trips due to internal capture, on-site employee housing, and TDM measures under Mitigation Measure TRA-1, project trips would be reduced by 122 trips per day, or 19 percent of the unmitigated project trips. This would exceed the 15 percent reduction requirement to satisfy BAAQMD's fourth threshold. With implementation of Mitigation Measures GHG-1a, GHG-1b, and TRA-1, this impact would be **less than significant**.

Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure.

New development on the Project site shall be designed and developed as all-electric development with no natural gas infrastructure.

Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.

Consistent with CALGreen 2022 Tier 2 requirements, a minimum of 55 percent of the total 203 parking spaces proposed by the Project shall be electric vehicle (EV) Ready spaces equipped with low power Level 2 EV charging receptacles. In addition, 20 percent of the total number of parking spaces shall be equipped with Level 2 EV chargers with at least 50 percent of the required EV chargers equipped with J17772 connectors.

Mitigation Measure TRA-1: Transportation Demand Management Program. See Section 4.13, *Transportation*.

Significance after Mitigation: Less than Significant.

Impact GHG-2: The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. ***(Less than Significant with Mitigation)***

CARB 2022 Scoping Plan and AB 1279

Appendix D of the 2022 Scoping Plan identifies the most effective GHG reduction actions at the local level to help ensure that local climate efforts align with the State's climate goals. It identifies three

priority areas that address the State's largest sources of emissions that local governments have authority or influence over. These include:

1. Transportation electrification
2. VMT reduction
3. Building decarbonization

By prioritizing climate action in these three priority areas, local governments and entities can address the largest sources of GHGs within their jurisdiction. The Project would, either as part of the design, or by its location in an area served by transit services, or through identified mitigation measures, reduce GHG emissions in all three priority areas. With implementation of Mitigation Measure GHG-1b, the Project would provide EV charging infrastructure consistent with voluntary CALGreen Tier 2 standards to encourage use of electric vehicles consistent with the 2022 Scoping Plan's goal of transportation electrification. The Project is located in proximity to transit services and would provide facilities to connect with transit facilities and result in a reduction of Project-related VMT. Mitigation Measure TRA-1 identifies additional trip reduction measures which would reduce Project VMT by 15 percent. Implementation of Mitigation Measure GHG-1a would require all new construction proposed as part of the Project to be all-electric with no new natural gas infrastructure thereby eliminating direct GHG emissions from the Project and reducing direct GHG emissions from the site. Further, the Project would include on-site solar which would provide part of the Project's electricity demand through renewable zero-carbon electricity. Therefore, the Project would be consistent with the core strategies of the 2022 Scoping Plan.

Plan Bay Area 2050

The Project is consistent with *Plan Bay Area 2050*, which was adopted as the Bay Area's Sustainable Communities Strategy pursuant to SB 375 and includes the regional transportation plan. Implementation of *Plan Bay Area 2050* is expected to reduce transportation-related GHG emissions as a result of transportation and land use changes that support active and shared modes of transportation. With all strategies of the plan implemented, the Bay Area would meet the State mandate of a 19 percent per-capita emissions reduction by 2035.

Plan Bay Area 2050 has identified focus areas for future housing and job growth in the Bay Area, which are classified as "growth geographies." These growth geographies are geographic areas used to guide where future growth in housing and jobs would be focused under the plan's strategies over the next 30 years. These growth geographies are categorized into four types: priority development areas or PDAs, priority production areas, transit-rich areas, and high-resource areas. The Project is not located within a PDA; however, it is not a housing development project nor a significant generator of employment.

Policies in *Plan Bay Area 2050* address climate change by reducing GHG emissions pursuant to targets established in consultation with the CARB; specifically, meet or exceed a 19 percent reduction in per-capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels. With implementation of Mitigation Measure TRA-1, the Project will implement a TDM program that will reduce trip generation and associated VMT by 15 percent from unmitigated levels. In addition, proximity to transit and existing and proposed bike lanes would also reduce vehicle trips generated by the Project. The Project site is located along VINE Route 10 – Up Valley Connector, which provides service between Napa Valley

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

Title 24 Standards and CALGreen Code

The Project would be required to comply with the most recent update to Title 24 and CALGreen Codes which aim to achieve energy savings and GHG reductions. The mandatory requirements of the 2022 CALGreen Code, as adopted by the State of California as Title 24, Part 11 of the California Code of Regulations, is adopted and made a part of the Napa County Code by reference and establishes standards for sustainable building construction practices having a positive environmental impact both in terms of GHG emissions and energy use. In addition, Mitigation Measure GHG-1b would require projects to go beyond mandatory CALGreen requirements and comply with Tier 2 EV charging requirements in the most recent CALGreen code at the time of project review.

In addition to Project design features, implementation of Mitigation Measures GHG-1a, GHG-1b, and TRA-1 would ensure that the Project does not conflict with applicable plans, policies or regulations adopted for the purpose of reducing the emissions of GHG emissions. With implementation of Mitigation Measures GHG-1a, GHG-1b, and TRA-1, this impact would be **less than significant**.

> **Mitigation Measure GHG-1a: All-electric Development with no Natural Gas Infrastructure.** See Impact GHG-1 above.
>
> **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.** See Impact GHG-1 above.
>
> **Mitigation Measure TRA-1: Transportation Demand Management Program.** See Section 4.13, *Transportation*.
>
> **Significance after Mitigation:** Less than Significant.

4.7.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to GHG emissions could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

Impact GHG-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on greenhouse gas emissions. *(Less than Significant with Mitigation)*

Global GHG emissions and global climate change are inherently a cumulative concern that is understood for CEQA purposes to be an existing significant and adverse condition. Accordingly, the significance of GHG emissions in this analysis is determined based on whether such emissions would have a

cumulatively considerable impact on global climate change. Because the geographic scope of cumulative impacts related to GHG emissions (i.e., global climate change) is global, this analysis evaluates the Project's direct and indirect generation of GHG emissions which contribute to this cumulative impact. The California Air Pollution Control Officers' Association (CAPCOA) considers GHG impacts to be exclusively cumulative impacts, in that no single project could, by itself, result in a substantial change in climate. Therefore, the evaluation of cumulative GHG impacts would be the same as that presented under Impacts GHG-1 and GHG-2. As discussed under Impacts GHG-1 and GHG-2, the Project would result in significant impacts as it would be inconsistent with three of the four BAAQMD GHG thresholds and conflict with the core strategies of the 2022 Scoping Plan. With implementation of Mitigation Measures GHG-1a, GHG-1b, and TRA-1, these impacts would be reduced to a less than significant level. Therefore, the Project's incremental contribution to the significant cumulative GHG impact would be **less than significant**.

> **Mitigation Measure GHG-1a: All-electric Development with no Natural Gas Infrastructure.** See Impact GHG-1 above.
>
> **Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2.** See Impact GHG-1 above.
>
> **Mitigation Measure TRA-1: TDM Program.** See Section 4.13, *Transportation*.
>
> **Significance after Mitigation:** Less than Significant.

4.7.7 References

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4.8 Hydrology and Water Quality

4.8.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on hydrology and water quality. This section first includes a description of the existing environmental setting as it relates to hydrology and water quality, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on hydrology and water quality.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to hydrology and water quality received during the NOP comment period include concerns related to potential flooding risks, as well as water demand, supply, availability, and usage for the Project.

Project-related impacts related to the risk of release of pollutants due to Project inundation in a tsunami or seiche zone are addressed in Appendix B, *Initial Study*, of this Draft EIR and summarized in Section 4.8.4 below.

4.8.2 Environmental Setting

Regional Hydrology

The Project site is located in unincorporated Napa County. Napa County is under the water quality jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB) and is situated in the Coast Range province north of San Pablo Bay. The topography in Napa County consists of a series of parallel north-northwest trending mountain ridges and intervening valleys. The Project site is located in the Napa River Watershed.

Surface Waters

Surface waters surrounding the Project site include perennial waterways such as the Napa River which is located approximately 0.3 miles to the east of the Project site. Major tributaries to the Napa River near the Project site include York Creek (approximately 0.95 mile to the southeast) and Mill Creek (approximately 1.17 miles to the north). The Napa River is classified as a "Significant Stream" in the Napa Subbasin and is located approximately 1,250 feet east of the Project site (Napa County, 2023).

Napa River Watershed

The Napa River watershed covers an approximately 426 square-mile-area (roughly half of the size of Napa County) and surrounds the 55-mile-long Napa River (Napa County RCD, 2015). The watershed extends from Mount St. Helena in the north to San Pablo Bay in the south. The watershed is bordered by the Mayacama Mountains to the west; by a northwest-trending ridge encompassing Howell Mountain, Atlas Peak, and Mt. George to the east; and the Napa-Sonoma Marsh to the south. The watershed includes undeveloped areas, such as forests in the hills, riparian vegetation near rivers and creeks, grasslands, and

cultivated vineyards in the valley. Residential and commercial development is clustered in cities throughout Napa Valley such as Calistoga, St. Helena, Napa, American Canyon, and the Town of Yountville. Unincorporated communities of Rutherford and Oakville are also located in the watershed.

Water Quality

The Napa River (non-tidal) is listed on the Clean Water Act (CWA) 303(d) list[1] as impaired for pathogens (sources include on-site waste systems or septic tanks), sedimentation and silt (sources include agriculture and road construction) which is being addressed by a USEPA approved Total Maximum Daily Load (TMDL) currently being implemented by Napa Resource Conservation District (SWRCB, 2018). [2]

Tidal portions of the Napa River are also listed on the 303(d) list condition category 5.[3] Listed pollutants include nutrients and pathogens, sources include agriculture and on-site wastewater systems (septic tanks) with a TMDL being implemented for pathogens.

Groundwater Hydrology

The Project site is located within the Napa-Sonoma Valley Groundwater Basin, Napa Valley Subbasin (2-2.01). The Napa Valley Subbasin is the predominant groundwater basin within Napa Valley. The subbasin is a structural depression in the northern Coast Range Geographic Province, characterized by north-northwest trending low mountainous ridges separated by intervening stream valleys. Napa Valley is relatively narrow, flat-floored stream valley drained by the Napa River. The Napa Valley Subbasin is described in the Napa Valley Subbasin Groundwater Sustainability Plan (GSP) as being hydrogeologically complex with influences of precipitation, applied irrigation water, and a variety of surface water features including losing and gaining streams. Soil and surficial geologic units of high permeability within the subbasin enable infiltration of rain and surface waters, which constitute the primary sources of groundwater recharge in the subbasin. Surface and groundwater are interconnected throughout much of the subbasin. Quaternary alluvium forms the principal aquifer in the Subbasin, ranges in thickness from 20 feet at the valley margins to approximately 650 feet in the center of the valley (Napa County GSA, 2022).

Groundwater in the Napa Valley Subbasin is of good quality for most beneficial uses. Groundwater from the unconfined alluvium is generally of higher quality than groundwater obtained from the Tertiary volcanic formations, which frequently contain higher concentrations of metals and other dissolved minerals (DWR, 2014). The most prominent groundwater quality constituents of concern include arsenic, iron, and manganese. Elevated concentrations of arsenic, iron, and manganese occur throughout the subbasin as a result of natural oxidation-reduction (redox) conditions in the strata, where redox conditions strongly affect the release of minerals from surrounding rock to the groundwater.

Groundwater level trends in the Napa Valley Subbasin are stable in the majority of wells with long-term groundwater level records. While many wells have shown at least some degree of response to drought

[1] The term 303(d) list is short for the State's list of impaired and threatened waters (e.g., stream/river segments, lakes). The State identifies the pollutant causing the impairment, when known.

[2] TMDL refers to total maximum daily load which is the maximum quantity of a particular contaminant that a waterbody can assimilate without experiencing adverse effects on the beneficial use identified.

[3] Category 5 condition refers to a water segment where standards are not met and a TMDL is required, but not yet completed, for at least one of the pollutants being listed for the segment.

conditions, groundwater levels are generally higher than they were at the same wells during the 1976 to 1977 drought. An exception to this is the Milliken-Sarco-Tulucay (MST Subarea) located east and northeast of the city of Napa where groundwater is primarily supplied through Tertiary sedimentary and volcanic units (Napa County GSA, 2022). However, the Project site is located outside of the MST Subarea.

The North Parcel is located within the Napa Valley Floor – Calistoga Subarea and the South Parcel is located within the Napa Valley Floor – St. Helena Subarea of the Napa Valley Groundwater Subbasin. In the Calistoga and northern portion of St. Helena Subareas, groundwater levels in the spring are generally less than 10 feet below the ground surface. Seasonal declines of approximately 10 feet occur in the fall in the Calistoga and northern portion of the St. Helena Subareas (Napa County GSA, 2022).

Project Site Hydrology and Water Quality

Water Supply

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

North Parcel Wells

The North Parcel is served by two on-site wells. The Vineyard Well, located within the existing vineyard, was drilled in 1996 and has an annular seal of concrete to a depth of 50 feet and a 6-inch plastic casing to a depth of 425 feet. Water from this well is known to have high arsenic levels and must be blended with water from other sources to reduce the arsenic concentration below the maximum contaminant level (MCL) for potable water. Water from the Vineyard Well is chlorinated, and routed to a blending system, where it is blended with water from the Abbey Well, and City of St. Helena water to reduce the arsenic levels below the MCL. The blended water passes through a carbon filter and a 5-micron filter and receives ozone treatment prior to entering the North Parcel distribution system.

The Abbey Well, located adjacent to the Stone Building, was drilled in 1978 and has an annular seal of grout to a depth of 35 feet and a 6-inch plastic casing to a depth of 300 feet. This well is known to have low capacity and is dependent on the aquifer level.

A third well, the Wilson Well, exists off-site on an adjacent parcel. The Wilson Well is not connected to the public water system but is plumbed to supplement the 300,000-gallon fire water tank on the North Parcel (RSA+, 2020).

South Parcel Well

The South Parcel is served by one well located east of the existing residences on Lodi Lane. The Alumbaugh Well was drilled in 1997 and has an annular seal of cement to a depth of 50 feet and a 6-inch plastic casing to a depth of 400 feet. This well is known to have high levels of iron and manganese. Water from the Alumbaugh well is routed to a treatment system on the South Parcel, where it passes through

iron & manganese filters. It receives chlorine treatment prior to entering the existing South Parcel distribution system (RSA+, 2020).

Wastewater

The Freemark Abbey Winery, Markham Winery, Culinary Institute of America, and Wine Country Inn, collectively use a wastewater pond system for treatment of combined winery process and domestic wastewater and disposal of treated wastewater to land, referred to as the Combined Wastewater Management System (CWMS). The CWMS is located on the Markham Winery property at 2812 St. Helena Highway, about 0.5 mile south of the Project site. Combined domestic and winery wastewater is pumped from the Freemark Abbey facilities directly to the pond system located on the Markham property. Treated water is then pumped to a drip irrigation system on approximately 15 acres of vineyards located adjacent and to the north and south of the wastewater ponds, on property owned by the Freemark Abbey Winery and the Culinary Institute of America. This treated water is not currently used on the Project site.

The South Parcel's existing commercial and motel use buildings are served by on-site wastewater treatment systems. The existing Lodi Lane residential buildings are each served by separate, individual septic systems.

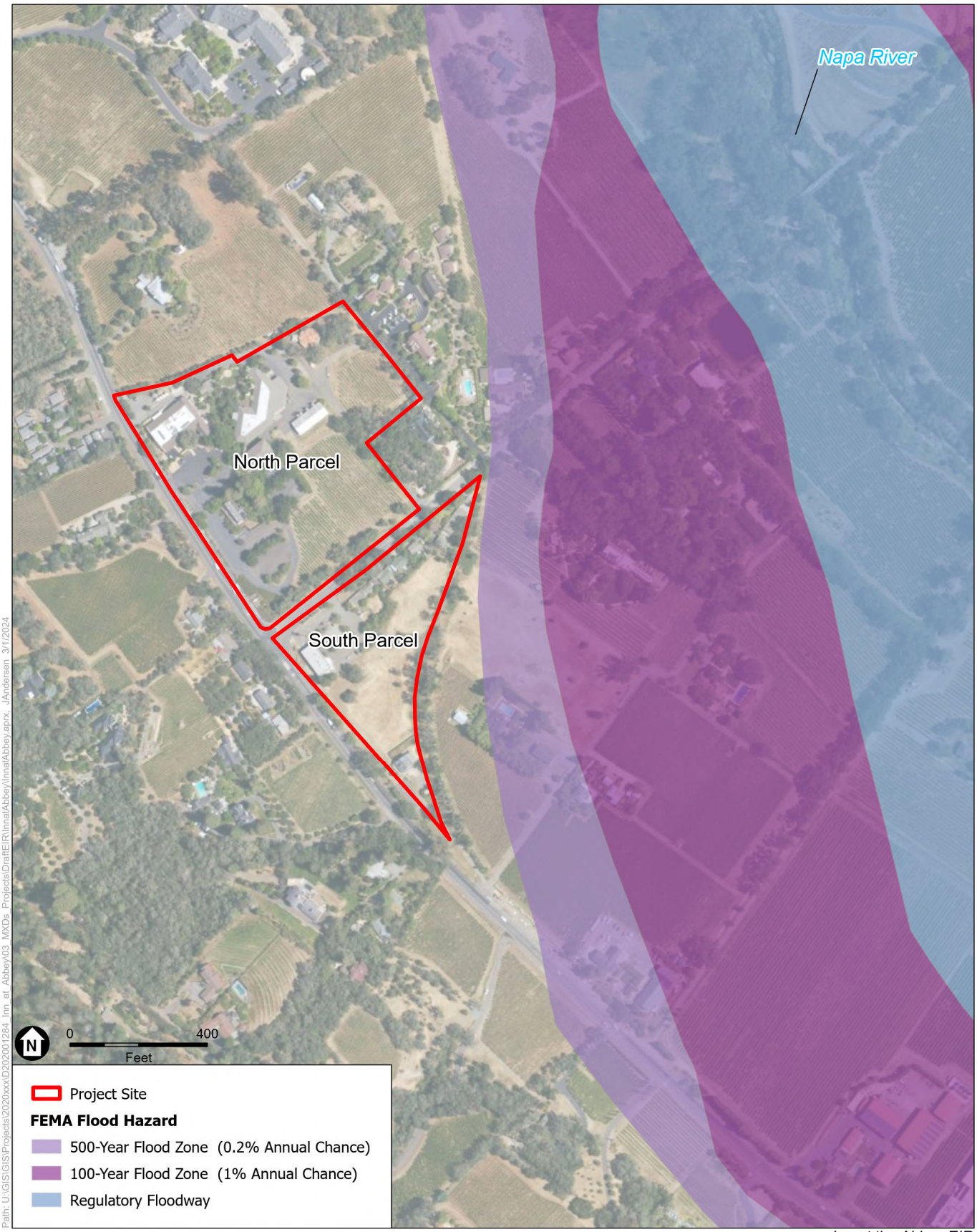
Flooding

Flooding is inundation of normally dry land as a result of a rise in surface water levels or rapid accumulation of stormwater runoff during storm events. The Federal Emergency Management Agency (FEMA), through its Flood Insurance Rate Mapping (FIRM) program, designates areas where urban flooding could occur during 100-year and 500-year flood events. A 100-year flood event has a one-percent probability of occurring in a single year and can occur in consecutive years or periodically throughout a decade. A 500-year flood event has a 0.2 percent probability of occurring in a single year. The Project site is not located within a 100-year or 500-year flood hazard zone (FEMA, 2021). However, the South Parcel is located adjacent to and the North Parcel is located within 0.1 mile of a 500-year flood hazard zone as shown in **Figure 4.8-1**, Flood Zones. The Project site is also located close to the 100-year flood hazard zone and the Napa River Floodway to the east (FEMA, 2021).

The Napa River has experienced serious flood events 21 times since 1862. In response to the damage from the flood in 1986, the Napa County Flood Control and Water Conservation District (FCWCD) and the U.S. Army Corps of Engineers are implementing the Napa River Flood Protection Project. The purpose of the project is to create a "Living River" by incorporating multiple goals that include reducing flood damage, restoring wetlands and reconnecting the river to the floodplain, providing river-related economic development opportunities, and expanding recreational opportunities. Multiple elements are complete, with remaining elements to be completed pending federal funding availability (Napa County Public Works Department, 2022).

Tsunami and Seiche Hazards

Tsunamis are ocean waves generated by vertical movement of the sea floor, normally associated with earthquakes or volcanic eruptions. The Project site is inland away from nearby coastal areas and would not be subject to tsunamis.



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Inn at the Abbey EIR

SOURCE: FEMA 2024; ESA, 2024

Figure 4.8-1
Flood Zones

ESA

Seiches are oscillations of enclosed or semi-enclosed bodies of water that result from seismic events, wind stress, volcanic eruptions, underwater landslides, and local basin reflections of tsunamis. The key requirement for the formation of a seiche is that a body of water be at least partially bounded, allowing for a standing wave to form. The Project site is not located close to an enclosed or semi-enclosed body of water and would not be subject to seiches.

4.8.3 Regulatory Setting

Federal

Clean Water Act

The federal Clean Water Act (CWA) and subsequent amendments, under the enforcement authority of the U.S. Environmental Protection Agency (USEPA), was enacted "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." The purpose of the CWA is to protect and maintain the quality and integrity of the nation's waters by requiring states to develop and implement State water plans and policies. The CWA gave the USEPA the authority to implement pollution control programs such as setting wastewater standards for industry. In California, implementation and enforcement of the National Pollutant Discharge Elimination System (NPDES) program is conducted through the California State Water Resources Control Board (SWRCB) and the nine RWQCBs. The CWA also sets water quality standards for surface waters and established the NPDES program to protect water quality through various sections of the CWA, including Sections 401 through 404 and 303(d) that are implemented and regulated by the SWRCB and the nine RWQCBs. Section 402 of the CWA would apply to the Project because the Project would be required to control discharges of pollutants from point sources, as discussed below.

Section 402

The 1972 amendments to the Federal Water Pollution Control Act established the NPDES permit program to control discharges of pollutants from point sources (Section 402). The 1987 amendments to the CWA created a new section of the CWA devoted to stormwater permitting (Section 402[p]). The USEPA has granted the SWRCB primacy in administering and enforcing the provisions of CWA and NPDES through the local RWQCBs. NPDES is the primary federal program that regulates point-source and non-point-source discharges to waters of the United States.

The SWRCB issues both general and individual permits for discharges to surface waters, including for both point-source and non-point-source discharges. In response to the 1987 amendments, the USEPA developed the Phase I NPDES Storm Water Program for cities with populations larger than 100,000, and Phase II for smaller cities. In California, the SWRCB has drafted the General Permit for Discharges of Storm Water from Municipal Separate Storm Sewer Systems (MS4 General Permit). The Project would be subject to the Phase II MS4 permit, discussed further below.

National Pollutant Discharge Elimination System (NPDES) Permit

The NPDES permit system was established in the CWA to regulate municipal and industrial point discharges to surface waters of the U.S. Each NPDES permit for point discharges contains limits on

allowable concentrations of pollutants contained in discharges. Section 402 of the CWA contains general requirements regarding NPDES permits.

The CWA was amended in 1987 to require NPDES permits for non-point source (i.e., stormwater) pollutants in discharges. Stormwater sources are diffuse and originate over a wide area rather than from a definable point. The goal of NPDES stormwater regulations is to improve the quality of stormwater discharged to receiving waters to the "maximum extent practicable" through the use of structural and non-structural Best Management Practices (BMPs). BMPs can include the development and implementation of various practices including educational measures (workshops informing public of what impacts results when household chemicals are dumped into storm drains), regulatory measures (local authority of drainage facility design), public policy measures, and structural measures (filter strips, grass swales and detention ponds). The NPDES permits that apply to activities in Napa County are described under State and local regulations.

The Groundwater Rule

The USEPA issued the Ground Water Rule (GWR) (71 Federal Register 65574; [November 8, 2006]; and amended in 71 Federal Register 67427 [November 21, 2006] and 74 Federal Register 30953 [June 29, 2009]) to improve drinking water quality and provide protection from disease-causing microorganisms. The purpose of the GWR is to reduce disease incidence associated with harmful microorganisms in drinking water. The GWR applies to public water systems that use ground water as a source of drinking water. The rule also applies to any system that delivers surface and ground water to consumers where the ground water is added to the distribution system without treatment.

State

NPDES Construction General Permit

Construction of the Project would disturb more than one acre of land surface affecting the quality of stormwater discharges into waters of the U.S. These developments would, therefore, be subject to the *NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* (Order 2022-0057-DWQ, NPDES No. CAS000002). The Construction General Permit regulates discharges of pollutants in stormwater associated with construction activity to waters of the U.S. from construction sites that disturb one acre or more of land surface, or that are part of a common plan of development or sale that disturbs more than one acre of land surface. The permit regulates stormwater discharges associated with construction or demolition activities, such as clearing and excavation; construction of buildings; and linear underground projects, including installation of water pipelines and other utility lines.

The Construction General Permit requires that construction sites be assigned a Risk Level of 1 (low), 2 (medium), or 3 (high), based both on the sediment transport risk at the site and the receiving waters risk during periods of soil exposure (e.g., grading and site stabilization). The sediment risk level reflects the relative amount of sediment that could potentially be discharged to receiving water bodies and is based on the nature of the construction activities and the location of the site relative to receiving water bodies. The receiving waters risk level reflects the risk to the receiving waters from the sediment discharge. Depending on the risk level, the construction projects could be subject to the following requirements:

- Effluent standards;
- Good site management "housekeeping;"
- Non-stormwater management;
- Erosion and sediment controls;
- Run-on and runoff controls;
- Inspection, maintenance, and repair; or
- Monitoring and reporting requirements.

The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes specific best management practices (BMPs) designed to prevent sediment and pollutants from contacting stormwater from moving off site into receiving waters. The BMPs fall into several categories including erosion control, sediment control, waste management and good housekeeping, and are intended to protect surface water quality by preventing the off-site migration of eroded soil and construction-related pollutants from the construction area. Routine inspection of all BMPs is required under the provisions of the Construction General Permit. In addition, the SWPPP is required to contain a visual monitoring program, a chemical monitoring program for non-visible pollutants, and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

The SWPPP must be prepared before construction begins and must contain a site map(s) that delineates the construction work area, existing and proposed buildings, parcel boundaries, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project area. The SWPPP must list BMPs and the placement of those BMPs that the applicant would use to protect stormwater runoff. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Examples of typical construction BMPs include scheduling or limiting certain activities to dry periods, installing sediment barriers such as silt fence and fiber rolls, and maintaining equipment and vehicles used for construction. Non-stormwater management measures include installing specific discharge controls during certain activities, such as paving operations, vehicle and equipment washing and fueling. The Construction General Permit also sets post-construction standards (i.e., implementation of BMPs to reduce pollutants in stormwater discharges from the site following construction).

In the County, the Construction General Permit is implemented and enforced by the RWQCB, which administers the stormwater permitting program. Dischargers must electronically submit a notice of intent and permit registration documents to obtain coverage under this Construction General Permit. Dischargers are to notify the RWQCB of violations or incidents of non-compliance and submit annual reports identifying deficiencies in the BMPs and explaining how the deficiencies were corrected. The risk assessment and SWPPP must be prepared by a State Qualified SWPPP Developer, and implementation of the SWPPP must be overseen by a State Qualified SWPPP Practitioner. A legally responsible person, who is legally authorized to sign and certify permit registration documents, is responsible for obtaining coverage under the permit.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA) establishes a framework for local agencies to develop and implement plans to sustainably manage high- and medium-priority basins by 2040 (DWR, 2022). The SGMA provides groundwater sustainability agencies with the legal authority to regulate groundwater pumping and assess groundwater charges as tools to support continued groundwater sustainability.[4] The SGMA allows a groundwater sustainability agency with an adopted groundwater sustainability plan to, among other things, impose reasonable operating regulations on existing wells to minimize interference; regulate, limit, or suspend groundwater extraction, construction of new wells, enlargement of existing wells, or reactivation of abandoned wells; and establish groundwater extraction allocations. The Project is located within the Napa Subbasin, the largest groundwater basin in Napa County, that is identified by DWR as a high-priority basin, though not one in condition of critical overdraft. The Napa Subbasin Groundwater Sustainability Plan was adopted by the Napa County Groundwater Sustainability Agency (GSA) in 2022 (Napa County GSA, 2022).

Executive Order N-7-22

On March 28, 2022, Governor Gavin Newsom issued Executive Order (EO) N-7-22 in response to intensifying drought conditions. Among other requirements, EO N-7-22 limits a county, city or other public agency's ability to permit modified or new groundwater wells, and instructs the SWRCB to consider (1) requiring certain water conservation measures from urban water suppliers and (2) banning non-functional or decorative grass at businesses and institutions.

Before local entities can permit new or modified groundwater wells in high and medium priority groundwater basins, EO N-7-22 requires the GSA monitoring the basin to verify in writing that the permitted action is not inconsistent with the Groundwater Sustainability Plan or other groundwater management program for the basin. Additionally, the permitting entity must determine that the well will not interfere with nearby wells and will not cause subsidence that could negatively affect nearby infrastructure. This does not apply to permits for wells that will provide less than 2 acre-feet (AF) annually of groundwater for individual domestic users,[5] or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

More details about Project site-specific requirements are discussed below under *Local*.

CCR Title 22, Chapter 15, Domestic Water Quality and Monitoring Regulations

California Code of Regulation (CCR) Title 22, Chapter 15 contains regulations for domestic water quality and monitoring. These regulations include primary treatment standards for inorganic and organic chemicals, secondary treatment standards, fluoridation standards, and reporting requirements. Best available technologies and treatment strategies are also included in the regulations. A public water system

[4] California Water Code sections 10725 and 10726.4.

[5] California Code of Regulations § 660. Domestic Uses. Domestic use means the use of water in homes, resorts, motels, organization camps, campgrounds, etc., including the incidental watering of domestic stock for family sustenance or enjoyment and the irrigation of not to exceed one-half acre in lawn, ornamental shrubbery, or gardens at any single establishments. The use of water at a campground or resort for human consumption, cooking or sanitary purposes is a domestic use.

that uses ground water is also required to comply with the certain provisions of 40 Code of Federal Regulations as they appear in the GWR described above under *Federal*.

California Plumbing Code

Chapter 15 of the California Plumbing Code regulates alternative water sources for non-potable applications. Regarding water quality requirements, Section 1501.7 states that the minimum water quality for alternative water source systems shall meet the applicable water quality requirements for the intended application as determined by the authority having jurisdiction. In the absence of water quality requirements for on-site treated non-potable systems, the water quality requirements of National Sanitation Foundation (NSF) 350 shall apply.

State Water Resources Control Board Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use

The State Water Board established general conditions for the use of recycled water, in part to offset demand for water resources. Only treated wastewater for non-potable uses can be permitted, such as landscape or crop irrigation, dust control, and industrial/commercial cooling, consistent with the tertiary disinfection standards in Title 22 of the California Code of Regulations (CCR Title 22, Section 60301.230, Disinfected Tertiary Recycled Water). The recycled water use order, WQ 2016-0068, was issued following the Governor's 2014 executive order pertaining to drought conditions, which directed the State Water Board to "adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by the California Department of Public Health (CDPH), in order to reduce demand on potable water supplies."

Because the Project would include a recycled-water treatment system as part of the Project described in Section 3.3.4, the following conditions for reuse of recycled water contained in the Recycled Water Use Order would be applicable to the Project (SWRCB, 2016):

a. Recycled water use shall not cause unacceptable groundwater and/or surface water degradation.
    i. Regional water boards have discretion regarding permitting storage of recycled water in unlined ponds. Applicants shall improve storage facilities if deemed necessary by a regional water board.
    ii. Application of recycled water is limited to agronomic rates, which limits the potential for significant amounts of recycled water to impact groundwater quality and allows plants to take up wastewater constituents such as nitrogen compounds.
    iii. Recycled water use shall be controlled to prevent significant runoff from application areas. This General Order authorizes use of recycled water for application to land, where recycled water is further treated in natural soil processes.
b. Recycled water shall not create nuisance conditions.
    i. The Uniform Statewide Recycling Criteria requires wastewater to be oxidized, which removes putrescible matter and requires dissolved oxygen. Maintaining dissolved oxygen in the wastewater will generally prevent nuisance odors.
    ii. Application of recycled water is controlled to prevent airborne spray from entering dwellings, eating areas, or food handling areas.

iii. Application of recycled water to saturated soil is prohibited. Application to saturated soil reduces the soil treatment processes and may create conditions for mosquito breeding.

c. Recycled water shall only be used consistent with the Uniform Statewide Recycling Criteria and any other requirements specified in the Notice of Applicability.

i. A written approval of a Title 22 Engineering Report must be obtained from the State Water Board before a Notice of Applicability (NOA) can be issued.

ii. Uses of recycled water are subject to category-specific use area signage, and monitoring frequency requirements as specified in the Uniform Statewide Recycling Criteria. Uses not addressed by the Uniform Statewide Recycling Criteria will be considered on a case-by-case basis by regional water boards, after consulting with and receiving the recommendations of the State Water Board. These recommendations become requirements of the Order when specified in the Notice of Applicability.

iii. Uses of recycled water are subject to backflow prevention, cross connection tests, and setback requirements for surface impoundments, wells, etc. as contained in the Uniform Statewide Recycling Criteria and California Code of Regulations, title 17, division 1, article 2.

State Water Resources Control Board Order WQ 2021-0002-DWQ, General Waste Discharge Requirements for Winery Process Water

The SWRCB has developed General Waste Discharge Requirements (WDRs), through adoption of Winery Order No. WQ 2021-0002-DWQ, for wineries and other similar facilities with activities related to producing wine that generate winery waste and discharge it to land for reuse or disposal. The "Winery Order" is a set of requirements that protect water quality from the potential impacts of discharging winery waste to land.

Winemaking generates process water that has the potential to degrade groundwater quality depending on winery-specific activities, size, and treatment processes. The primary concerns for winery process water that effects groundwater quality are nitrogen, salinity, and biochemical oxygen demand. The Winery Order is applicable Statewide and includes requirements to ensure winery operations effectively mitigate adverse impacts to water quality. This requires wineries producing 10,000 gallons or more per year of process waste that discharges to the land (surface or subsurface), without a separate WDR through Napa County's Winery Waste Discharge Program, to enroll in the new Statewide General Winery Discharge by January 20, 2024.

Regional

Regional Water Quality Control Plan (Basin Plan)

The Project site is located within the region under the jurisdiction of the San Francisco RWQCB, which establishes regulatory standards and objectives for water quality in the region in the *San Francisco Bay Basin (Region 2) Water Quality Control Plan*, commonly referred to as the Basin Plan (RWQCB, 2019). The Basin Plan identifies existing and potential beneficial uses for surface water and groundwater and provides numerical and narrative water quality objectives designed to protect those uses. Designated beneficial uses for surface waters and groundwater surrounding the Project site are provided in **Table 4.8-1**.

TABLE 4.8-1
DESIGNATED BENEFICIAL USES FOR WATER BODIES IN THE STUDY AREA

Water Body	Designated Beneficial Uses
Napa River (tidal)	COMM, EST, MIGR, RARE, WILD, REC-1, REC-2, NAV
Napa River (nontidal)	AGR, MUN, GWR, COMM, COLD, MIGR, RARE, SPWN, WARM, WILD, REC-1, REC-2, NAV
Mill Creek, York Creek	COLD, MIGR, RARE, SPWN, WARM, WILD, REC-1, REC-2

NOTES:
Existing and Potential Beneficial Uses Key:

AGR (Agricultural Supply); COLD (Cold Freshwater Habitat); COMM (Commercial and Sport Fishing); EST (Estuarine habitat); GWR (Groundwater Recharge); MIGR (Fish Migration); MUN (Municipal and Domestic Supply); NAV, (Navigation); REC-1 (Water Contact Recreation); REC-2 (Noncontact Water Recreation); SPWN (Fish Spawning); RARE (Preservation of Rare and Endangered Species); WARM (Warm Freshwater Habitat); WILD (Wildlife Habitat).

SOURCES: SFB RWQCB, 2017; CV RWQCB, 2018

Municipal Separate Storm Sewer Systems (MS4s)

As discussed, the Clean Water Act mandates controls on discharges from municipal separate storm sewer systems (MS4s). Acting under the Federal mandate and the California Water Code, California Water Boards require cities, towns, and counties to regulate activities that may result in pollutants entering storm drains. All municipalities prohibit non-stormwater discharges to storm drains and require residents and businesses to use BMPs to minimize the amount of pollutants in runoff. To enforce prohibitions and to promote the use of BMPs, the municipalities inspect businesses and construction sites, conduct public education and outreach, sweep streets, and clean storm drains. In addition, municipalities actively support projects to assess, monitor, and restore local creeks and wetlands.

Napa County, along with Town of Yountville, and cities of Napa, St. Helena, Calistoga and American Canyon) are co-permittees to the Phase II Small MS4 General Permit (Water Quality Order No. 2013-0001- DWQ General Permit Number CAS000004). The general permit contains region-specific requirements for the purpose of implementing the Napa River pathogen TMDL with respect to wasteload allocation for municipal stormwater (SWRCB, 2013).

On February 5, 2013, California's State Water Resources Control Board reissued the Phase II Stormwater National Pollutant Discharge Elimination System (NPDES) Permit for small MS4s, including Provision E.12, *Post-Construction Stormwater Management Program*. This provision mandates municipalities to require specified features and facilities to control pollutant sources, control runoff volumes, rates, and durations, and to treat runoff before discharge from the site. The provision also requires that these measures be included in development plans as conditions of issuing approvals and permits.

With funding from the North Bay Watershed Association (NBWA) and support from the NBWA Joint Technical Committee, the Bay Area Stormwater Management Agencies Association (BASMAA), through the BASMAA Phase II Committee, created the *BASMAA Post-Construction Manual, Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, And Solano Counties: A Low Impact Development Approach to Implementing Provision E.12 of the Phase II Small MS4 General Permit* (Post-Construction Manual) (BASMAA, 2019). The Post-Construction Manual assists project applicants in implementing measures that demonstrate that their project complies with the NPDES permit requirements by providing guidance for the applicant's Stormwater Control Plan (demonstrates adequately sized

bioretention facilities can be accommodated within the project site and landscape design) and Low-Impact Development (LID) Design (e.g., design details of bioretention basins). Because the Project would exceed 5,000 square feet of impervious surface, it would be considered a "Regulated Project" per the BASMAA manual. Regulated projects would be required to implement at least one measure to reduce runoff. Measures to reduce runoff include but are not limited to the following:

a) Route runoff to bioretention basins
b) Disperse runoff to landscape
c) Use pervious pavements

Additional requirements for regulated projects include the following:

a) Limit clearing, grading, and soil compaction
b) Minimize impervious surfaces
c) Conserve natural areas of the site as much as possible consistent with local General Plan policies
d) Comply with stream setback ordinances and requirements
e) Protect slopes and channels against erosion
f) Route remaining runoff to bioretention or other facilities sized and designed according to the criteria in the BASMAA Manual
g) Identify potential sources of pollutants and implement corresponding source control measures in the BASMAA Manual
h) Provide for ongoing maintenance of bioretention facilities

Regional Water Quality Control Board Order R2-1998-0064

The CWMS which currently processes combined domestic and winery wastewater from the project site is operated under a Waste Discharge Order (No. R2-1998-0064) approved by the San Francisco RWQCB. The Order stipulates waste discharge requirements for the CWMS including allowable flow rates and water quality standards for treatment, storage, and disposal facilities.

Local

Napa Valley Subbasin Groundwater Sustainability Plan (GSP)The Napa Valley Subbasin GSP was adopted by the Napa County GSA in January 2022, pursuant to the requirements of SGMA. Achieving the sustainability goal means avoiding significant and unreasonable effects occurring throughout the basin due to groundwater conditions, referred to as "undesirable results". The Napa Valley Subbasin Groundwater Sustainability Plan (Napa County GSA, 2022) contains the following sustainability goals:

- *To protect and enhance groundwater quantity and quality for all beneficial uses and users of groundwater and interconnected surface water in the Napa Valley Subbasin both now and in the future.*
- *The Napa County GSA will implement sustainable management criteria and an adaptive management approach supported by the best available information and best available science resulting in the absence of undesirable results within 20 years of GSP adoption.*

The County requires all discretionary permit applications (such as use permits) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3- acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. The project wells are located within the GSA Subbasin.

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's Water Availability Analysis Guidance Document (adopted May 12, 2015) requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the County's WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams." The Napa River is classified as a "Significant Stream" in the Napa Subbasin and is located approximately 1,250 feet east of the Project site (Napa County, 2023).

Public Trust: The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the SGMA.

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance to complying with the Public Trust.

Napa County Code

Stormwater Management and Discharge Control Ordinance

Chapter 16.28 of the Napa County Municipal Code contains the Napa County Stormwater Management and Discharge Control Ordinance, the purposes of which are to protect the health, safety and general welfare of Napa County residents; to protect water resources and to improve water quality; to protect and enhance watercourses, fish, and wildlife habitat; to cause the use of management practices that will reduce the adverse effects of polluted runoff discharges; to secure benefits from the use of stormwater as a resource; and to ensure the County is compliant with applicable State and federal law. The Ordinance enables Napa County to establish controls on the volume and rate of stormwater runoff from any developments or construction projects as may be appropriate to minimize peak flows or total runoff volume, and to mimic the pre-development site hydrology. These controls may include limits on impervious area dimensions, quantities or locations, and/or provisions for detention and retention of runoff on-site.

The County may require, as a condition of project approval, permanent structural controls designed for the removal of sediment and other pollutants and for control on the volume and rate of stormwater runoff from the project's added or replaced impervious surfaces. The selection and design of such controls shall be in accordance with criteria established or recommended by federal, State, local agencies, and where required, the BASMAA Post-Construction Manual or any other standards as adopted by resolution of the Napa County Board of Supervisors. Where physical and safety conditions allow, the preferred control measure is to retain drainageways above ground and in as natural a state as possible, or other biological methods such as bioretention areas.

Chapter 16.28 also requires any person performing construction activities to implement appropriate BMPs to prevent the discharge of construction wastes or contaminants from construction materials, tools and equipment from entering a storm drain or watercourse. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices, such as the California Stormwater Quality Association's Construction BMP Handbook or other standards and practices as established by resolution of the board of supervisors. Erosion and Sediment Control Plans are required for any project subject to a grading permit, or subject to another County permit such as projects within fifty feet of a storm drain, projects disturbing ten thousand square feet of soil or more, or any other project required by the County.

Napa County Groundwater Conservation Ordinance

The Napa County Groundwater Conservation Ordinance, County Code Section 13.15, describes activities requiring discretionary approval of use permits to develop groundwater as a source of water supply. The County requires that discretionary projects proposing to use groundwater provide a Water Availability Analysis (WAA) as part of the required CEQA analysis of proposed discretionary projects. The WAA Guidance Document (last adopted in May 2015 and updated in January 2024) includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The WAA Guidance Document establishes groundwater use thresholds across residential, agricultural, commercial, and industrial sectors, based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply (Napa County, 2015).

The Project site is within Napa Valley subbasin, and the Project would be subject to a 0.3 AF/acre allocation. Where existing groundwater use exceeds the 0.3 AF/acre allocation, no net increase in groundwater use is required for the Project under WAA Tier 1 screening criteria for groundwater use. A Tier 2 analysis for well and spring interference for existing wells is required for projects proposing an increase in groundwater use. A Tier 3 groundwater/surface water interaction analysis is required for existing wells within 1,500 feet of a Significant Stream inside the Napa River watershed (Napa County, 2024).

13.15.020 - Groundwater permit required

A. No applications filed pursuant to Division I (Water) of this title for development of a new water system or improvement of an existing water system within Napa County that may use groundwater as a water source shall be approved by any employee, department or body of Napa County unless it is specifically exempted by this chapter or unless a groundwater permit is obtained as required by this chapter.

B. Prior to the issuance of a building permit pursuant to Section 15.08.040, or any other permit or administrative approval facilitating the development or use of any parcel that may utilize a groundwater supply, a groundwater permit must be obtained unless specifically exempted by this chapter.

C. Prior to the final approval of a subdivision, a groundwater permit must be obtained if required by this chapter and an existing, new or improved water system will provide groundwater to the subdivision.

18.141.010 - Groundwater conservation

Any zoning applications filed under this title shall disclose whether the proposed use requires or anticipates the use of groundwater as a water source. Where that use requires groundwater review and the issuance of a groundwater permit under Chapter 13.15 of this code, the zoning application shall not be approved until that review has been completed and a groundwater permit has been obtained. (Ord. 1162 § 9, 1999)

Title 13 - Water, Sewers and Public Services

Napa County Code, Division II, Title 13 regulates water and sewer systems in Napa County. Regulations for septic tanks and drain fields are provided in Chapter 13.44 and Chapter 13.48, respectively. Chapter 13.56, Operation, Maintenance and Abandonment, contains standards and procedures for maintenance and operation of all private and individual sewage disposal systems. Section 13.56.020 stipulates that every part of each private and individual sewage collection, treatment and disposal system is to be maintained in good repair at all times and operated in such a manner as not to cause odors, pollution or contamination of adjacent lands or surface waters, or usable subsurface waters of the county nor create any other nuisance.

Napa County Onsite Wastewater Treatment Systems Technical Standards

The Napa County Division of Environmental Health is responsible for regulating wastewater treatment and disposal systems in the unincorporated area of Napa County. The *Napa County Onsite Wastewater Treatment Systems Technical Standards* contain the requirements for on-site wastewater treatments systems in Napa County. The Technical Standards are comprised of four parts: Part I - Site Evaluation, Sewer Line and Wastewater Tank Requirements; Part II - Design, Construction and Installation of

Conventional Sewage Treatment Systems; Part III - Design, Construction and Installation Of Alternative Sewage Treatment Systems; and Part IV - Design, Construction and Installation Of Winery Wastewater Treatment Systems.

Part I - Site Evaluation, Sewer Line and Wastewater Tank Requirements

Standards for septic systems are contained in Part I and include requirements for installation, access, sizing, capacity, removal, and disposal.

Part III - Napa County Alternative Sewage Treatment System Regulations

The design goals of all sewage treatment and dispersal systems, including Alternative Sewage Treatment Systems (ASTSs), are treatment, the prevention of disease and dispersal of sewage effluent below the surface of the ground, and the prevention of contamination of groundwater and other beneficial waters by discharges from sewage disposal systems (Napa County DEH, 2019).

Napa County Code, Division II, Chapter 13.56, Section 13.56.010 establishes the County's authority for monitoring ASTSs. All ASTS's permitted on or after July 1, 2006, are subject to inspection and monitoring by an approved Service Provider. An approved Service Provider means a Registered Civil Engineer, Registered Environmental Health Specialist, or any person who is licensed as a ―certified on-site wastewater system inspector‖ or other equivalent license by passing a State or nationally accredited test.

Part IV - Napa County Winery Wastewater Treatment Systems

Standards for winery wastewater treatment systems are contained in Part IV and are intended to regulate the following: winery wastewater supplemental treatment systems; winery wastewater pond systems with surface irrigation dispersal; winery wastewater subsurface dispersal systems; and winery wastewater surface drip dispersal systems. The regulations are intended to ensure systems will not adversely affect surface and/or groundwater quality, and will not create a public health hazard.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Conservation and Open Space Element and Safety Element of the Napa County General Plan contains the following goals and policies related to water resources (Napa County, 2008).

> **Goal CON-8:** Reduce or eliminate groundwater and surface water contamination from known sources (e.g., underground tanks, chemical spills, landfills, livestock grazing, and other dispersed sources such as septic systems).
>
> **Goal CON-9:** Control urban and rural storm water runoff and related non-point source pollutants, reducing to acceptable levels pollutant discharges from land-based activities throughout the county.
>
> **Goal CON-10:** Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.
>
> **Goal CON-11:** Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.

Goal CON-13: Promote the development of additional water resources to improve water supply reliability and sustainability in Napa County, including imported water supplies and recycled water projects.

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.

Policy CON-42: The County shall work to improve and maintain the vitality and health of its watersheds. Specifically, the County shall:

b) Reduce water pollutants through education, monitoring, and pollutant elimination programs (e.g., watershed education and monitoring programs identified in the Watershed Information Center and Conservancy (WICC) Strategic Plan and Napa County/Resource Conservation District (RCD) Watershed Programs, and pollution reduction goals outlined in Napa County's Phase II National Pollution Discharge Elimination System (NPDES) General Permit from the State Water Board).

e) Promote and support the use of recycled water wherever feasible, including the use of tertiary treated water, to help improve supply reliability and enhance groundwater recharge.

Policy CON-44: The County shall identify, improve, and conserve Napa County's surface water resources through the following measures: a) Evaluate and develop land use policies resulting in the appropriate density and mix of impervious surface and stable vegetation cover to improve water quality and reduce surface water pollution and siltation within domestic water supply watersheds.

Policy CON-45: Protect the County's domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with State regulations and guidelines. Continue implementation of current Conservation Regulations relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses.

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.

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. [Implemented by Action Item CON WR-4].

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.

Goal SAF-4: To protect residents and businesses from hazards caused by flooding.

Policy SAF-23: New construction in flood plains shall be evaluated and placed above the established flood elevation or flood-proofed to minimize the risks of flooding and provide protection to the same level as required under County's Floodplain Management Ordinance.

Policy SAF-25: The review of new proposed projects in a floodway as mapped on the County's Flood Insurance Rate Maps (FIRM)3 (Figure SAF-3) shall include an evaluation of the potential flood impacts that may result from the project. This review shall be conducted in accordance with the County's FEMA approved Flood Plain Management Ordinance, incorporated herein by reference, and at minimum include an evaluation of the project's potential to affect flood levels on the Napa River; the County shall seek to mitigate any such effects to ensure that freeboard on the Napa River in the area of the Napa River Flood Protection Project is maintained.

4.8.4 Significance Criteria

The thresholds used to determine the significance of impacts related to hydrology and water quality are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  i. Result in a substantial erosion or siltation on- or off-site;
  ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
  iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
  iv. Impede or redirect flood flows.
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Approach to Analysis

The following analysis discusses the potential significant impacts of the Project related to changes in hydrology and water quality or other hydrology-related impacts in the Project area. This section includes an analysis of potential short-term (construction) and long-term (operation and maintenance) impacts of the Project. Project-specific technical reports including a preliminary Stormwater Control Plan

(**Appendix G**), a Water Availability Analysis (**Appendix H**), a Water System Feasibility Study (**Appendix I**) and a Wastewater System Feasibility Report (**Appendix J**) prepared by RSA+, were used to support the analysis. Impacts are assessed based on changes to the existing conditions described earlier in this section. Mitigation measures are recommended, as necessary, to reduce impacts to a less-than-significant level.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact to the following topic based on the Initial Study prepared for the Project (see Appendix B). These topics are not addressed further in this document for the following reasons:

- ***Risk release of pollutants due to project inundation in a tsunami or seiche zone (criterion d)***. As discussed in Appendix B, Section X, *Hydrology and Water Quality,* the Project site is not in a tsunami or seiche zone as there are no nearby oceans or large bodies of water susceptible to these hazards. Therefore, this significance criterion related to tsunami and seiche hazard zones is not applicable to the Project and is not discussed further. As the Project site is located adjacent to a 500-year flood zone, Project impacts related to risk of release of pollutants in a flood hazard zone are discussed below.

4.8.5 Impacts of the Project

Impact HYD-1: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. *(Less than Significant)*

Construction

Construction of the Project would involve ground disturbing activities such as trenching and excavation, removal of trees and other vegetation, and grading. As soil disturbing activities occur across a landscape, the potential for erosion and sedimentation increases. Disturbed soils are typically more susceptible to erosion from rain and wind, which in the absence of preventative measures, can lead to mobilization of sediments and silt through runoff. Erosion can escalate under storm events where slopes are steep.

Construction would involve the use of heavy equipment such as bulldozers, graders, earth movers, heavy trucks, trenching equipment and other machinery that could contribute pollutants to stormwater runoff in the form of sediment and other pollutants such as fuels, oil, lubricants, hydraulic fluid, or other contaminants. Additionally, Project construction could result in conditions of runoff. Sediment, silt, and construction debris, if mobilized during construction could be transported to receiving waters such as the Napa River or its tributaries. Degradation of water quality could occur and affect beneficial uses of these water bodies (see Table 4.8-1). In the absence of runoff controls, exceedances of water quality standards could result.

However, as described in Section 4.8.3, Regulatory Setting, the Project would disturb one or more acres and would be required to obtain coverage under the NPDES Construction General Permit. Preparation of a SWPPP, along with its implementation during construction, is required to comply with the NDPES Construction General Permit. The Project would also be subject to controls and requirements described in the Napa County Stormwater Management and Discharge Control Ordinance (Chapter 6.28 of the Napa

County Municipal Code). This code specifies that an erosion and sediment control plan be prepared, subject to County engineering review and approval. Additionally, a stormwater control plan would be required for such construction to ensure that measures are taken to prevent unlawful discharge of contaminants. Adherence to the conditions within these regulatory requirements would ensure that water quality would be protected and runoff would be controlled during construction.

As described in Section 4.8.2, Environmental Setting, surface and groundwater are interconnected throughout much of the Napa Valley subbasin. Therefore, excavation during Project construction could also degrade the groundwater quality in the subbasin. Depth to groundwater is variable in the County but tends to be shallower near waterways such as the Napa River. While the depth of groundwater in the project vicinity varies seasonally, shallow groundwater near the ground surface (approximately 5 to 10 feet below ground surface) would be anticipated on the Project site annually (Miller Pacific Engineering Group, 2019). As such, dewatering of groundwater may be required during construction (i.e., during excavation). Discharges of dewatering effluent from excavated areas could adversely affect water quality. However, the Project would be required to comply with dewatering requirements contained in the NDPES Construction General Permit and project-specific SWPPP, which would protect surface water and groundwater quality during construction-related dewatering activities.

With adherence to regulatory standards and NPDES Construction General Permit requirements along with associated measures and best management practices described in the SWPPP, construction activities would not generate water quality violations. The impact associated with construction activities would therefore be **less than significant**.

Operation

Stormwater

Once constructed, the Project would be required to adhere to municipal stormwater requirements pursuant to Order No. 2013-0001-DWQ, NPDES Permit No. CAS000004 General Permit (i.e., the MS4 permit). The Napa County Stormwater Management and Discharge Control Ordinance, as detailed in the regulatory setting, also contains post-construction controls that would be applicable to the Project to ensure that ongoing stormwater exceedances do not occur. A preliminary Stormwater Control Plan has been prepared for the Project, which includes a description of the stormwater treatment facilities that have been integrated into the planning, design, construction, operation, and maintenance of the Project (Appendix G). The Project would include LID design strategies including bioretention facilities and self-retaining areas as stormwater control measures and stormwater runoff would be directed to landscaped areas to the maximum extent practicable. Treated stormwater from the North Parcel would discharge to on-site storm drains, and treated stormwater from the South Parcel would discharge to natural vegetated flow lines. All stormwater management facilities would be required to be maintained and inspected according to the approved Stormwater Facilities Operation and Maintenance Plan. Implementation and maintenance of LID design measures including proposed bioretention facilities and self-retaining areas, consistent with guidance provided in the BAASMAA Post-Construction Manual, would continue to prevent silt, sediment, and other stormwater contaminants from affecting water quality following construction.

Water Treatment

The Project Applicant proposes to integrate and consolidate the two existing public water systems, to serve both the North and South parcels. The proposed consolidation would include connecting the Alumbaugh Well as a new water source for the North Parcel public water system, re-using the existing North Parcel treatment and blending system, and connecting the North and South parcel distribution systems. Iron and manganese filters would be added to the North Parcel blending system, as needed. Water sampling of existing wells and distribution systems are ongoing, per their current public water system requirements. Treatment and testing of the proposed consolidated system would continue per the current schedule. No additional biological or chemical treatment would be performed on the well water unless testing results deem treatment is necessary. Water quality for the consolidated public water system would meet or exceed all requirements of Chapter 15 of CCR Title 22. With adherence to the regulatory requirements for domestic water quality and monitoring, the Project's proposed water system would not violate any water quality standards.

Wastewater

Domestic wastewater would be disposed of in two ways: domestic wastewater from the North parcel would be disposed of through the CWMS, and wastewater from the South Parcel would be treated and disposed of on the project site, distributed between the existing underground septic system and disposal to a new greywater treatment system. The North Parcel wastewater disposed of at the CWMS would be subject to RWQCB Order R2-1998-0064 waste discharge requirements for the CWMS including allowable flow rates and water quality standards for treatment, storage, and disposal facilities. Project wastewater discharge to existing on-site septic systems would be subject to the requirements of Napa County Code Title 13 that protect water quality. The new on-site greywater treatment system would be designed in accordance with the County's Onsite Wastewater Treatment Systems Technical Standards to prevent degradation of water quality and would be subject to regular inspection and monitoring during operation. With the on-site greywater treatment system, wastewater would be treated to NSF 350 and Title 22 tertiary-level disinfection standards, which would allow for water reuse. Treated recycled water would be used for surface drip irrigation.

As part of the Project, improvements are also proposed to treat and reuse winery process wastewater from the existing winery for irrigation use. Project reuse of proposed winery process wastewater would be required to comply with the treatment and discharge requirements of Napa County's Winery Waste Discharge Program and SWRCB's Order WQ 2021-0002-DWQ, which would ensure water quality standards are maintained. The treated wastewater proposed for irrigation would be applied to areas of vineyards outside well setback requirements. The Project's water reuse would conform to County, SWRCB, and RWQCB requirements and standards to protect surface water and groundwater and limit nuisance conditions.

Summary

Compliance with the regulations cited above would ensure that operational water quality impacts associated with the Project would be **less than significant**.

Mitigation: None required.

Impact HYD-2: The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. ***(Less than Significant)***

The consideration of groundwater sustainability impacts includes both the Project's groundwater demand and its alteration of the recharge capability of the basin. If, for example, the Project were to require substantial quantities of groundwater during construction or operation, or if the development were to include placement of impervious surfaces to the extent that there would be an appreciable reduction in the overall recharge area for the groundwater basin, such activities could be considered potentially significant.

Construction

The Project would require water during construction to suppress fugitive dust and for other construction purposes. However, it is likely that given the regional availability of recycled water, at least some portion of this demand could be met using recycled water. Moreover, based on the regulatory constraints outlined in the Napa County Groundwater Conservation Ordinance, it is anticipated that no groundwater would be used for construction purposes. Therefore, construction would not substantially decrease groundwater supplies. Impacts associated with construction would be **less than significant**.

Operation

As is typical in Napa County, groundwater would be the main water source for the Project. The Napa Valley subbasin, though not currently in condition of critical overdraft, is a high priority groundwater basin and one subject to the provisions of SGMA. Additional demand upon this subarea could have undesirable consequences, in the absence of measures to counteract such demand.

The Project would be subject to the Napa County Groundwater Conservation Ordinance, which requires that the Project Applicant demonstrates adequate groundwater availability to obtain applicable permits. The Napa County Groundwater Conservation Ordinance (County Code Section 13.15) requires that a WAA be prepared for projects proposing to use groundwater. The County's WAA Guidance Document includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The County's WAA groundwater use thresholds are based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply.

The Project site is located within Napa Valley subbasin, and the Project would be subject to a 0.3 AF/acre/per year allocation. The approximately 15.13-acre Project site would have a 4.54 acre-feet per year (AFY) groundwater allocation under the County's interim guidance. The existing Project site groundwater use is estimated to be 10.77 AFY. Where existing groundwater use exceeds the 0.3 AF/acre, no net increase in groundwater use is required under WAA Tier 1 screening criteria. The total existing and proposed groundwater use estimated by the WAA prepared for the Project (Appendix H) is shown in **Table 4.8-2**, and the total water supply estimated by the WAA is shown in **Table 4.8-3**.

TABLE 4.8-2
TOTAL EXISTING AND PROPOSED GROUNDWATER USE

Item	Existing Quantity [AFY]	Proposed Quantity [AFY]	Difference [AFY]
North Parcel Water Use	15.88	14.03	1.85
South Parcel Water Use	3.18	4.68	-1.50
North Parcel City of St. Helena Water Allotment	-8.29	-7.85	-0.44
North Parcel Process Water	-	-0.92	0.92
North Parcel Greywater	-	-1.16	1.16
South Parcel Greywater	-	-0.16	0.16
Total Groundwater Use	**10.77**	**8.62**	**2.15 (-20%)**

NOTES: AFY = acre-feet per year
SOURCES: RSA+, 2025 (Appendix H)

TABLE 4.8-3
PROJECT SITE WATER SUPPLY

Water Supply Reservoir	Quantity [AFY]
Groundwater	10.77
North Parcel Process Water	0.92
City of Saint Helena Water Allotment (North Parcel)	8.29
Total Water Supply	**19.98**

NOTES: AFY = acre-feet per year
SOURCES: RSA+, 2025 (Appendix H)

The WAA found that the water supply available from groundwater sources would be approximately 10.77 AFY, which makes up a total of 62 percent of the total supply available for the Project of 19.98 AFY. Approximately 8.29 AFY would be available from an existing water allotment from the City of St. Helena public water system for the North Parcel, which would not change under the Project. In order to further reduce reliance on groundwater sources, the Project would also include on-site treatment systems for domestic and winery process wastewater, which would supply an additional 0.92 AFY for irrigation water for the Project's North Parcel.[6] Based on the Project's estimated water demand of 18.71 AFY, which includes the North Parcel demand of 14.03 AFY and South Parcel demand of 4.68 AFY (see Table 4.8-2), the WAA found that sufficient water supply is available to serve the Project. Additionally, consistent with Napa County groundwater well permit procedures, the Project would result in no net increase in groundwater use with a water use below the existing use of 10.77 AFY, which will be achieved through the Project Applicant's proposed 20 percent reduction in groundwater use (8.62 AFY) when compared with existing entitlements. This savings would be achieved through on-site water treatment and reuse systems for domestic and winery process wastewater and would be required as a term of the Development Agreement.

[6] South Parcel landscape irrigation would be supplied entirely by the proposed on-site wastewater treatment system through treated greywater, and not included in the WAA calculations (Appendix H). Approximately 1.84 AFY of on-site treated greywater for the South Parcel would be used for South Parcel irrigation (Appendix J).

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

A Tier 3 WAA analysis is required if Project wells are within 1,500 feet of a Significant Stream. The Project's Alumbaugh Well on the South Parcel is located approximately 1,250 feet west of the Napa River which is classified as a Significant Stream in the Napa Subbasin. However, as described in the WAA, the Alumbaugh Well would be limited to less than 10 gallons per minute pumping rate, and well production would not exceed the total existing South Parcel water use of 3.18 AFY. According to the County's WAA Guidance Document wells with less than 10 gallons per minute pumping rate are considered very low pumping capacity wells, and the Alumbaugh well meets the well distance standards and construction assumptions screening criteria. Therefore, the WAA groundwater/surface water criteria would be met, and no further Tier 3 analysis would be required.

County Staff considered potential impacts to public trust resources should the Project wells be connected to a navigable waterway. The Project Applicant has reasonably demonstrated that, through on-site water treatment and reuse systems for domestic and winery process wastewater, the Project would result in a 20 percent reduction in proposed groundwater use when compared with existing entitlements. Staff determined that, because the Project Applicant demonstrated there would be no net increase in groundwater extraction over existing uses and the WAA groundwater/surface water criteria would be met, the Project would not result in adverse impacts to trust resources. As such, the County has satisfied its duty to consider impacts to trust resources and no further analysis would be required.

Considering the above, the Project would not create a net deficit in the local groundwater supply in compliance with the County's Groundwater Conservation ordinance, and the Project would not interfere substantially with groundwater recharge such that sustainable groundwater management of the Napa Valley subbasin would be impeded.

The Napa Valley Subbasin GSP describes areas within the Napa Valley floor, such as the Project site, as being areas of relatively high groundwater recharge potential. The Project would result in additional impervious surface area on the Project site, which would reduce the on-site area available for groundwater recharge. However, the Project would include LID design strategies including bioretention facilities and self-retaining areas as stormwater control measures and stormwater runoff would be directed to landscaped areas to the maximum extent practicable which would promote groundwater infiltration on-site in these areas. While the Project would increase impervious area, with implementation of site design and stormwater treatment measures that encourage stormwater infiltration discussed under Impact HYD-1, the Project would not interfere substantially with groundwater recharge.

Given the above discussion, the Project would not substantially deplete groundwater resources or substantially interfere with groundwater recharge. Impacts would be **less than significant**.

Mitigation: None required.

Impact HYD-3: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows. ***(Less than Significant)***

The Project would not alter the course of a stream or river. While the Project site is currently developed, the Project would alter the existing drainage pattern of the site through construction activities and an increase in the impervious area on the Project site.

Construction would entail alteration of the landscape and placement of impervious surfaces. In the absence of measures to capture runoff, impacts associated with erosion and siltation of local waterways could occur. Similarly, runoff could result in stormwater capacity exceedances. As discussed under Impact HYD-1, in addition to the Construction General Permit and its associated NPDES requirements, the Project would be subject to the stormwater regulations of Napa County. Napa County municipal code contains additional regulatory requirements for stormwater management and discharge control. The Project would be required to demonstrate that stormwater capacity exceedances would not occur by completing and implementing a stormwater control plan for the Project. The County has established requirements, as a condition of Project approval, for permanent structural controls designed for the removal of sediment and other pollutants, and for control on the volume and rate of stormwater runoff from the Project's added or replaced impervious surfaces. Erosion and Sediment Control Plans are required for any project subject to a grading permit, or subject to another County permit such as projects disturbing ten thousand square feet of soil or more, or any other project required by the County. Implementation of these regulatory requirements would effectively decrease the level of runoff and ensure that stormwater capacity exceedances associated with the Project would not occur during construction.

The Napa County Stormwater Management and Discharge Control Ordinance, as detailed in the regulatory setting above, also contains post-construction controls that would be applicable to the Project to ensure that ongoing stormwater capacity exceedances do not occur. As also discussed under Impact HYD-1, during operation, implementation and maintenance of LID design measures including bioretention facilities and self-retaining areas identified in the preliminary Stormwater Control Plan (Appendix G), consistent with guidance provided in the BAASMAA Post-Construction Manual, would continue to prevent silt, sediment, runoff, and other stormwater contaminants from flowing off-site.

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

Adherence to the regulatory requirements and all associated BMPs would be sufficient to control impacts under this criterion. Based upon each of the considerations outlined above, the impact of the Project on stormwater runoff, erosion, and storm drainage and flooding would be **less than significant**.

Mitigation: None required.

Impact HYD-4: The Project would not risk release of pollutants due to Project site inundation due to being located in a flood hazard zone. (*Less than Significant*)

As depicted in Figure 4.8-1, *Flood Zones*, the Project site is located adjacent to a 500-year flood hazard zone. As the Project site is not located within a flood hazard zone, the risk of large-scale flooding is low. However, the Project site could result in inundation due to localized flooding and pollutants could be released if site drainage is not managed properly during construction and operation.

As discussed under Impacts HYD-1 and HYD-3, regulatory requirements related to runoff and stormwater management would reduce the risk of release of pollutants during Project construction and operation due to potential Project site inundation. Specifically, Napa County's Stormwater Management and Discharge Ordinance identifies specific requirements with respect to spill prevention, hazardous materials management, implementation of erosion control, stormwater control, LID design measures, good housekeeping measures, BMPs, and other requirements to limit the release of pollutants, runoff, and other site contamination. Pursuant to Chapter 6.28 of the Napa County Municipal Code, the County retains enforcement authority to ensure that unlawful discharges do not occur that could otherwise lead to contamination of the stormwater conveyance system and associated receiving waters.

Adherence with existing regulatory requirements would minimize the risks associated with release of pollutants due to the Project's location adjacent to a flood hazard zone. Impacts under this criterion would be **less than significant**.

Mitigation: None required.

Impact HYD-5: The Project would not conflict with or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. *(Less than Significant)*

As indicated in Section 4.8.3, the Basin Plan and the Napa Valley Subbasin GSP are the key water quality control and sustainable groundwater management plans for the Project location. The evaluation of the potential for the Project to conflict with or obstruct implementation of either the Basin Plan or the Napa Valley Subbasin GSP is based on the evaluation of the Project's impacts on water quality (presented in Impact HYD-1) or groundwater (presented in Impact HYD-2), respectively, and summarized below.

As discussed in Impact HYD-1, the Project Applicant would obtain coverage under the NPDES Construction General Permit for construction work and would require contractors to comply with permit and SWPPP conditions, which would avoid or reduce stormwater and water quality effects caused by runoff from the construction site. During operation, the Project would incorporate site design, source

control, and treatment measures that would reduce pollutant loading in stormwater and avoid increasing the volume of stormwater runoff from the site, consistent with the County Stormwater Management and Discharge Control Ordinance and the MS4 permit. With adherence to these regulatory standards including the conditions stipulated in the Napa River TMDL, pollution prevention and BMP measures, Project construction and operations would not conflict with or obstruct implementation of the Basin Plan or Napa Valley Subbasin GSP.

As discussed under Impact HYD-2, a WAA was prepared for the Project (Appendix H), consistent with the County's WAA Guidance Document which includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The County's WAA groundwater use thresholds are based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply. Based on the Project's estimated water demand of 18.71 AFY, the WAA found that sufficient water supply is available to serve the Project. Additionally, consistent with Napa County groundwater well permit procedures to implement EO N-7-22, the Project would result in no net increase in groundwater use, and the Project Applicant proposes a 20 percent reduction in proposed groundwater use when compared with existing entitlements that would be required as a term of the Development Agreement. The Project would also meet the County's WAA groundwater/surface water criteria as the Alumbaugh Well would be limited to less than 10 gallons per minute pumping rate, and well production would not exceed the total existing South Parcel water use of 3.18 AFY. Therefore, the Project would not create a net deficit in the local groundwater supply in compliance with the County's Groundwater Conservation ordinance, and the Project would not interfere substantially with groundwater recharge such that sustainable groundwater management of the Napa Valley subbasin would be impeded. Additionally, while the Project would increase impervious area on the Project site, with implementation of site design and stormwater treatment measures that encourage stormwater infiltration discussed under Impact HYD-1, the Project would not interfere substantially with groundwater recharge. Therefore, the Project would not conflict with the Napa Valley Subbasin GSP related to proposed groundwater use and recharge.

Given the above discussion, the Project would not conflict with or obstruct implementation of the Basin Plan or Napa Valley Subbasin GSP and the impact would be **less than significant**.

Mitigation: None required.

4.8.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future developments that could cause significant cumulative impacts. Significant cumulative impacts related to hydrology and water quality could occur if the incremental impacts of the Project combined with the incremental impacts of other development would be significant and if the Project's contribution would be considerable.

As previously discussed, the Project would have no impact from tsunamis or seiches. Accordingly, the Project could not contribute to cumulative impacts related to these topics and they are not discussed further.

The geographic scope of cumulative surface water quality impacts is the Napa River watershed. The geographic scope of cumulative groundwater quality impacts is the Napa Valley groundwater subbasin. The projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, are all within the Napa River watershed and overlie the Napa Valley groundwater subbasin. The geographic scope for cumulative hydrology impacts is the same as identified above for water quality impacts.

Impact HYD-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on water quality. (*Less than Significant*)

Construction

Construction activities associated with the Project and cumulative projects could result in conditions of runoff. Sediment, silt, and construction debris, if mobilized during construction could be transported to receiving waters such as the Napa River or its tributaries. Degradation of water quality could occur and affect beneficial uses of these water bodies in the absence of runoff controls.

As discussed under Impact HYD-1, the Project would be required to comply with the NPDES Construction General Permit and County policies that require implementation of stormwater control measures to avoid and reduce adverse effects of construction activities on water quality. Similar to the Project, the cumulative projects would be required to obtain a grading permit from the County prior to grading, and to implement water quality related stormwater and erosion control measures. Cumulative projects that are greater than one acre would also be required to comply with the NPDES Construction General Permit. Implementation of stormwater control measures consistent with these requirements during construction would collectively reduce the risk of releasing pollutants to water bodies in the Napa River watershed or groundwater. Therefore, the Project would not combine with cumulative projects to result in a significant cumulative impact, and the cumulative construction impact on water quality would be **less than significant**.

Operation

During operation, the Project and cumulative projects could increase total impervious area in the Napa River watershed, potentially increasing the volume of polluted runoff entering the Napa River and its tributaries. However, the Project and cumulative projects involving the creation or replacement of 10,000 square feet of impervious surface area would be subject to MS4 requirements, including hydromodification management controls and LID design standards and would be required to demonstrate in their stormwater control plans that run off from such disturbance is adequately controlled to prevent impacts to water quality. Potential Project-related water quality impacts associated with on-site water treatment and water reuse systems are site-specific and would not combine with cumulative projects. Therefore, with compliance with existing regulations, the Project when combined with cumulative projects would not result in a significant cumulative impact on water quality during operations, and the cumulative impact would be **less than significant**.

Mitigation: None required.

Impact HYD-2.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on surface water or groundwater hydrology. ***(Less than Significant)***

Construction

During construction, the Project and cumulative projects could temporarily alter drainage patterns. As discussed under Impact HYD-1, the Project and cumulative projects would be required to comply with the NPDES Construction General Permit and County policies that require implementation of stormwater control measures to avoid and reduce adverse effects of construction activities on hydrology. Therefore, with compliance with existing regulations, construction of the Project and cumulative projects would not combine to result in a significant cumulative impact on hydrology, and the cumulative impact would be **less than significant**.

Mitigation: None required.

Operation

During operation, the Project and cumulative projects could increase total impervious area in the Napa River watershed, potentially increasing the volume of runoff entering the Napa River and its tributaries and decreasing groundwater recharge in the Napa Valley groundwater subbasin. However, the Project and cumulative projects are required to comply with the MS4 permit and County policies designed to reduce the impacts of development on hydrology, including hydromodification management controls and LID design standards.

The Project and cumulative Projects could also increase the use of groundwater supplies from the Napa Valley groundwater subbasin. The Project and cumulative projects are not located in an area identified as groundwater deficient. As discussed under Impact HYD-2, the Napa County Groundwater Conservation Ordinance requires that projects demonstrate adequate groundwater availability to obtain applicable permits. The Project and cumulative projects would be required to operate so as not to create a net deficit in the local groundwater supply.

Therefore, with compliance with existing regulations, the Project and cumulative projects would not combine to result in a significant cumulative impact on surface water or groundwater hydrology during operations and the cumulative impact would be **less than significant**.

Mitigation: None required.

4.8.7 References

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4.9 Land Use and Planning

4.9.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on land use and planning. This section first includes a description of the existing environmental setting as it relates to land use and planning, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on land use and planning.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. There were no comments related to land use and planning received during the NOP comment period.

Project-related impacts on physically dividing an established community are addressed in Appendix B, *Initial Study*, of this EIR and summarized in Section. The Initial Study concluded that there would be no impact related to this issue. Project-related impacts to conflicts with any land use plan, policy, or regulation are analyzed in this EIR.

4.9.2 Environmental Setting

Existing Site

The Project site is located on six parcels (Assessor's Parcel Numbers 022-130-027, 022-130-028, 022-130-023, 022-130-024, 022-220-028, and 022-220-02) totaling approximately 15 acres. The Project site is located approximately 0.5 mile north of the city limits of St. Helena, in unincorporated Napa County, at Lodi Lane along State Route 29 (SR 29). The Project site has historically been used as the Freemark Abbey Winery complex for a blend of agricultural, commercial, and residential uses since the 1960s. For more than 50 years, the Project site has been entitled for multiple winery, retail, restaurant, and motel uses through serval use permits and modifications. Current operations at the Project site include the Freemark Abbey Winery production and wine tasting facilities, retail uses, a restaurant, a café, a motel, and residential dwelling units. There is an existing vineyard located on the North Parcel of the Project site.

The Project site is currently developed and contains the existing Stone Building, restaurant building, and winery on the North Parcel; as well as a commercial building, 5-room motel, and six residential dwelling units on the South Parcel. The existing Stone Building is currently used for winery, retail, retail wine, and restaurant uses.

Project Site General Plan Land Use and Zoning Designations

The Project site is designated as Agriculture, Watershed & Open Space (AWOS) on the Land Use Map of the Napa County General Plan. The intent of the AWOS designation is to provide areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such

uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety, and welfare.

The zoning designation for the Project site is Commercial Limited (CL) and Agricultural Watershed (AW). As mentioned above, the Project site includes six parcels, three of these are zoned for AW, two are zoned CL and one parcel includes both AW and CL zoning. The four parcels located north of Lodi Lane are referred to as the "North Parcel," and the two parcels south of Lodi Lane are known as the "South Parcel". The North Parcel totals 1.87 acres of land zoned CL and 8.43 acres of land zoned AW. The South Parcel includes 1.70 acres zoned CL and 3.13 zoned AW. See Figure 3-2 in Chapter 3, *Project Description*, which illustrates the zoning designations and existing uses on the Project site.

Surrounding Land Uses

Adjacent land uses are mainly comprised of vineyards and wineries which are present on all boundaries of the Project site. Additionally, scattered residential dwelling units are located in the Project vicinity and there is a small mobile home park located to the west of the Project site across SR 29 and the Wine Country Inn & Cottages to the northeast of the Project site. SR 29 borders the western edge of the Project site and Lodi Lane bisects the North and South Parcels of the Project site as it travels east from SR 29. Land uses surrounding the Project site are currently zoned as AW to the west and Agricultural Preserve (AP) to the east.

4.9.3 Regulatory Setting

Regional

Plan Bay Area 2050

SB 375 requires all metropolitan regions in California to complete a sustainable communities strategy (SCS) as part of a regional transportation plan. In the Bay Area, the MTC and ABAG are jointly responsible for developing and adopting an SCS that integrates transportation, land use, and housing to meet greenhouse gas (GHG) reduction targets set by the California Air Resources Board.

Plan Bay Area 2050, adopted in October 2021, serves as the SCS for the Bay Area, in accordance with SB 375.[1] *Plan Bay Area 2050* is comprised of 35 strategies across the elements of housing, the economy, transportation, and the environment. A core household and employment growth strategy of Plan Bay Area is "focused growth" in existing communities along the existing transportation network. Key to implementing this focused growth strategy are Priority Development Areas (PDAs) and Transit-Rich Areas (TRAs), as recommended and approved by local governments. As defined by the plan, PDAs are areas where new development will support the needs of residents and workers in a pedestrian-friendly environment served by transit. Plan Bay Area also recommends increasing non-auto travel mode share and reducing vehicle miles traveled per capita and per employee by promoting transit-oriented development, transit improvements, and active transportation modes such as walking and bicycling.

[1] Association of Bay Area Governments, *Plan Bay Area 2050*, Final, adopted October 21, 2021.

Prior to *Plan Bay Area 2050*, Plan Bay Area 2040, adopted in 2017, was the most recent regional transportation plan and sustainable communities strategy for the Bay Area region. Plan Bay Area 2050 updates Plan Bay Area 2040 and is consistent with the current Regional Housing Needs Allocation cycle. However, since Plan Bay Area 2050 was adopted in late 2021, Plan Bay Area 2040 continues to serve as the basis for regional and county-wide transportation models until the models are updated. Updates to the models are anticipated within the next several years.

For a discussion of the Project's consistency with Plan Bay Area as it relates to GHG, see Section 4.7, *Greenhouse Gas Emissions*, of this Draft EIR. For a discussion of the Project's consistency with Plan Bay Area as it relates to population growth, see Section 4.11, *Population and Housing.*

Local

Measure J

Measure J, the Agricultural Lands Preservation Initiative, enacted by a vote of the people on November 6, 1990, is intended to preserve the County's agricultural lands, which have a General Plan land use designation of Agricultural Resource (AR) or Agricultural, Watershed and Open Space (AWOS). Measure J provides that until December 31, 2020, the General Plan's provisions governing maximum building intensity, and minimum parcel size, may not be changed within agricultural areas to reduce the minimum parcel size, the intent or maximum building intensity except by vote of the people. In addition, lands designated as "Agricultural Resource" or "Agriculture, Watershed and Open Space" on the Napa County General Plan Land Use Map adopted by the Board of Supervisors on September 8, 1975, as amended through February 1, 1990 may not be re-designated to another land use category except: by a majority vote of the people; if the land is annexed to a city; or if it is re-designated by the Board of Supervisors pursuant to procedures set forth in the initiative, and only if certain findings can be made.

The General Plan at the time of adoption of Measure J, provided for a minimum parcel size of 40 to 160 acres for lands designated "Agriculture, Watershed and Open Space"; and a minimum parcel size of 40 acres for lands designated "Agricultural Resource". Since then, all areas designated as "Agriculture, Watershed and Open Space" have become subject to a minimum parcel size of 160 acres. The language of Measure J was inserted into the General Plan, and therefore will remain intact and in effect as part of the updated General Plan unless it is changed by the voters or by the Board of Supervisors following Measure J's expiration on December 31, 2020.

Measure P

Measure P, the Save Measure J Initiative, enacted by vote of the people on November 4, 2008, is intended to extend the Provisions of Measure J through the year 2058. Measure "P" is written in a similar manner as Measure "J." Measure "P" readopts portions of the Napa County General Plan as amended through September 28, 2007, requiring that, until December 31, 2058, those sections cannot be changed unless first approved by the voters. Measure "P" readopts existing General Plan provisions that specify the intent, maximum building intensity, and minimum parcel sizes permitted in agricultural areas designated as AR and AWOS. Similar to Measure "J," Measure "P" requires voter approval to change the designation of lands identified as either AR or AWOS to a new designation unless certain limited exceptions apply. Measure "P" includes new exceptions allowing the Board of Supervisors to designate

AR or AWOS lands to another designation without voter approval where necessary to meet State mandated housing obligations but only if certain conditions are met.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Agricultural Preservation and Land Use Element of the Napa County General Plan includes the following policies related to land use and planning (Napa County, 2008).

Goal AG/LU-1: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.

Goal AG/LU-3: Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.

***Policy AG/LU-1*:** Agriculture and related activities are the primary land uses in Napa County.

***Policy AG/LU-2*:** "Agriculture" is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. Agriculture also includes farm management businesses and farm worker housing.

Action Item AG/LU-2.1: Amend County Code to reflect the definition of "agriculture" as set forth within this plan, ensuring that wineries and other production facilities remain as conditional uses except as provided for in Policy AG/LU-16, and that marketing activities and other accessory uses remain incidental and subordinate to the main use.

***Policy AG/LU-3*:** The County's planning concepts and zoning standards shall be designed to minimize conflicts arising from encroachment of urban uses into agricultural areas. Land in proximity to existing urbanized areas currently in mixed agricultural and rural residential uses will be treated as buffer areas and further parcelization of these areas will be discouraged.

***Policy AG/LU-4*:** The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

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 non-agricultural 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-12: No new non-agricultural use or development of a parcel located in an agricultural area shall be permitted unless it is needed for the agricultural use of the parcel, except as provided in Policies AG/LU-2, AG/LU-5, AG/LU-26, AG/LU-44, AG/LU-45, and ROS-1.

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-16: In recognition of their limited impacts, the County will consider affording small wineries a streamlined permitting process. For purposes of this policy, small wineries are those that produce a small quantity of wine using grapes mostly grown on site and host a limited number of small marketing events each year.

Policy AG/LU-20: The following standards shall apply to lands designated as Agriculture, Watershed, and Open Space on the Land Use Map of this General Plan.

> **Intent:** To provide areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety, and welfare.
>
> **General Uses:** Agriculture, processing of agricultural products, single-family dwellings.
>
> **Minimum Parcel Size:** 160 acres, except that parcels with a minimum size of 2 acres may be created for the sole purpose of developing farm labor camps by a local government agency authorized to own or operate farm labor camps, so long as the division is accomplished by securing the written consent of a local government agency authorized to own or operate farm labor camps that it will accept a conveyance of the fee interest of the parcel to be created and thereafter conveying the fee interest of such parcel directly to said local government agency, or entering into a long-term lease of such parcels directly with said local government agency.
>
> Every lease or deed creating such parcels must contain language ensuring that if the parcel is not used as a farm labor camp within three years of the conveyance or lease being executed or permanently ceases to be used as a farm labor camp by a local government agency authorized to develop farm labor camps, the parcel will automatically revert to, and merge into, the original parent parcel.
>
> **Maximum Building Intensity:** One dwelling per parcel (except as specified in the Housing Element). Nonresidential building intensity is non-applicable. Pursuant to Measure Z (1996), the sale to the public of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, as well as the recreation and educational uses by children of animals, such as children's pony rides and petting zoos, and construction of buildings to accommodate such sales and animals shall be permitted on any parcel designated as agricultural produce stand combination district. (See Policy AG/LU-132.)

Policy AG/LU-22: Urban uses shall be concentrated in the incorporated cities and town and designated urbanized areas of the unincorporated County in order to preserve agriculture and open space, encourage transit-oriented development, conserve energy, and provide for healthy, "walkable" communities.

Policy AG/LU-33: The County will promote development concepts that create flexibility, economy, and variety in housing without resulting in significant environmental impacts and without allowing residences to become timeshares, resorts, hotels, or similar tourist-type accommodations.

Policy AG/LU-42: County review of non-residential development proposals shall address the balance of job creation and the availability of affordable housing.

Policy AG/LU-45: All existing commercial establishments that are currently located within a commercial zoning district shall be allowed to continue to operate and use the existing buildings and/or facilities. Additional commercial uses and mixed residential-commercial uses which are permitted by the existing commercial zoning of the parcel shall be permitted on that portion of the parcel zoned commercial. With respect to Policies AG/LU-44 and 45, due to the small numbers of such parcels, their limited capacity for commercially-viable agriculture due to pre-existing uses and/or size, location and lot configuration, and the minimal impact such commercial operations and expansions will have on adjacent agriculture or open space activities or the agricultural and open space character of the surrounding area, such limited development will not be detrimental to Agriculture, Watershed or Open Space policies of the General Plan. Therefore such development is consistent with all of the goals and policies of the General Plan.

Pursuant to Measure D (1998), existing restaurants qualifying under this policy that are currently located within a commercial zoning district shall be allowed to increase the number of seats accommodated within existing buildings and/or facilities on any parcel designated as a historic restaurant combination zoning district. Due to the small number of such restaurants, limited seating expansions within existing commercial buildings and facilities will not be detrimental to the Agricultural, Watershed and Open Space policies of the General Plan. (See Policy AG/LU-133)

Pursuant to Measure K (2008), a parcel which is zoned as an agricultural produce stand may be allowed to establish accessory delicatessen, outdoor barbeque and wine tasting uses. (See Policy AG/LU-136)

Policy AG/LU-46: All existing and legally established nonconforming uses shall be allowed to continue to operate and to use existing buildings and/or facilities provided they are not determined to be a public nuisance or voluntarily abandoned as defined by the zoning ordinance. Legal nonconforming buildings and facilities may be rehabilitated or rearranged, as long as there is no increase in the intensity of use.

The Community Character Element of the Napa County General Plan includes the following policies related to land use and planning (Napa County, 2008).

Policy CC-2: New wineries and other uses requiring the issuance of a Use Permit should be designed to convey their permanence and attractiveness.

Napa Countywide Bicycle Plan

The Napa Countywide Bicycle Plan is a joint effort by the Napa Valley Transportation Authority (NVTA) and the jurisdictions of Napa County to improve the bicycling environment for all residents and visitors by identifying key infrastructure, programs, and policies. The NVTA adopted the current plan in October 2019. The updates build upon the bicycle recommendations presented in the previous plan, and incorporates public input and current industry best practices. For a discussion of the Project's consistency with the Napa Countywide Bicycle Plan as it relates to transportation, see Section 4.13, *Transportation*, of this Draft EIR.

Napa Countywide Pedestrian Plan

The Napa Countywide Pedestrian Plan, released in August 2016, was created to address pedestrian needs and opportunities and to establish a policy framework and implementation plan to enhance pedestrian

mobility and safety throughout all Napa County communities. The plan identifies and prioritizes pedestrian projects, programs, and planning efforts of countywide significance. The Plan provides the background, direction, and tools needed to improve the active transportation network to encourage pedestrian/walking trips in Napa County and improve safety for all users. The plan is an important component for the coordination of planning and programming pedestrian projects throughout all Napa County jurisdictions.

For a discussion of the Project's consistency with the Napa Countywide Bicycle Plan as it relates to transportation, see Section 4.13, *Transportation*, of this Draft EIR.

Napa County Code

The Planning Code serves to implement General Plan policies and is found in the Napa County Code, Title 18. The Napa County Code governs land uses and development standards for specific zoning districts within Napa County.

Commercial Limited (CL): The intent of the CL zoning district classification is to establish areas which will provide the tourist, vacationer, and highway traveler with needed uses and services. Only property designated as urban in the Napa County General Plan and which has frontage on a State highway, Silverado Trail, or an arterial County road or collector road may be zoned to this classification. In addition, areas proposed for inclusion within the CL district have the following characteristics: 1) The parcel is located at or near crossroads on relatively high traffic volume highways; 2) Services [water and sewer] from public utilities are readily available, unless on-site water supply and sewage disposal are adequate; 3) The development of the parcel will not create traffic hazards that cannot be mitigated; and 4) The use will not constitute or contribute to strip commercial development. The following may be permitted in all CL districts upon grant of a use permit:

- Hotels, motels, inns and bed and breakfast establishments with no more than 50 guest rooms.
- Restaurants, cafes, coffee shops, delicatessens, bars and taverns with no more than 100 hundred seats.
- Retail stores less than 5,000 square feet in gross floor area selling groceries, candy, ice cream or alcoholic beverages; laundromat as an accessory use.
- Wineries, located within an existing structure(s) upon an existing lot of record which is presently being commercially used for the production, processing or storage of wine and which is also located in one of those areas designated as urban on the general plan land use map.
- Tourist and excursion transportation facilities.

Agricultural Watershed (AW): The AW zoning district classification is intended to be applied in those areas of the County where the predominant use is agriculturally oriented, where watershed areas, reservoirs and floodplain tributaries are located, where development would adversely impact on all such uses, and where the protection of agriculture, watersheds and floodplain tributaries from fire, pollution and erosion is essential to the general health, safety and welfare. Permitted uses include agriculture/wineries; single-family residential (one dwelling unit per legal lot); second units, either attached to or detached from an existing legal residential dwelling unit, providing that all applicable code conditions are met; small residential care facilities; small family day care homes; farmworker housing; minor antennas and telecommunications facilities, and other compatible uses permitted upon grant of a use permit.

Agricultural Preservation (AP): The AP zoning district classification is intended to be applied in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use, where uses incompatible to agriculture should be precluded and where the development of urban-type uses would be detrimental to the continuance of agriculture and the maintenance of open space which are economic and aesthetic attributes and assets of the County.

County Code Chapter 18.124 contains the process and requirements for the provision of use permits in the County. County Code Section 18.124.130 contains the procedural requirements for use permit modifications.

4.9.4 Significance Criteria

The thresholds used to determine the significance of impacts related to land use and planning are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Physically divide an established community.
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Approach to Analysis

Section 15125(d) of the CEQA Guidelines requires than an EIR shall discuss any inconsistencies with applicable general plans, specific plans, and regional plans as part of the environmental setting. Applicable land use plans considered in this analysis include the Napa County General Plan and Zoning Ordinance (Title 18). Consistency with ABAG's *Plan Bay Area* is discussed in Section 4.7, *Greenhouse Gas Emissions*, and Section 4.11, *Population and Housing*, of this Draft EIR.

The consistency analysis with the Napa County General Plan focuses on potentially significant environmental impacts that would result from a conflict with a policy, land use map, or other General Plan components adopted for the purpose of avoiding or mitigating an environmental effect. Under State law, a development project cannot be approved if it is inconsistent with the General Plan. Ultimately, it is within the County's decision makers' purview to decide if the Project is consistent with the General Plan. Because policies in a general plan reflect a range of competing interests, the County's decision makers are allowed to weigh and balance the plan's policies when applying them and have broad discretion to construe its policies in light of the plan's purposes.

Specific impacts and Project consistency issues associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal cultural resources, energy, GHG emissions, hydrology and water quality, noise, population and housing, public services, transportation, utilities and service systems, and/or wildfire are addressed in each technical section of this Draft EIR. The reader is referred to the relevant sections of this Draft EIR for a detailed analysis of other relevant environmental effects as they relate to a particular issue area.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact to the following topic based on the Initial Study prepared for the Project (see Appendix B). This topic is not addressed further in this document for the following reasons provided by the Initial Study:

- ***Physically divide an established community (criterion a)***. As discussed in Appendix B, *Initial Study,* Section XI, *Land Use and Planning,* the Project would be located on a site that contains the Freemark Abbey Winery complex consisting of vineyards, winery operations, retail sales, a restaurant, a café, a five-room motel, commercial buildings, and six residential structures. The Project site is surrounded by vineyards and wineries with scattered residential units. Since the Project would be limited to construction and operation within a previously developed property situated between residences and vineyards, the Project would not divide an established community. Therefore, there is no impact to this significance criterion, and it is not discussed further.

4.9.5 Impacts of the Project

Impact LUP-1: The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. *(Less than Significant)*

Napa County General Plan

The Project site is designated as AWOS by the Napa County General Plan which is described under Policy AG/LU-20 as areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety, and welfare. The Project would retain existing agricultural uses such as the vineyard on the Project site.

Policies AG/LU-3, 4, 12, and 15.5 support the preservation of agricultural areas except for lands that are shown on the Land Use Map as planned for urban development. Additionally, Policy AG/LU-9 focuses on avoiding the conversion of land mapped as farmland by the State Farmland Mapping and Monitoring Program. Although the Project site has land mapped as Prime Farmland, the site also contains land mapped as Urban and Built-Up. The proposed construction would take place on these existing built-up areas, therefore not interfering with existing agricultural uses. See Section 4.2, *Agricultural and Forestry Resources*, for further discussion on this topic. Additionally, the Project would also include active agriculture on the South Parcel's agriculturally zoned land that is currently fallow. Agricultural uses would consist of growing and harvesting but not processing of agricultural products. Agricultural use on the South Parcel would be intended to provide a "farm-to-table" experience for Project-related food service and to educate hotel guests on Napa County's agricultural economy.

Policy AG/LU-45 allows for additional commercial and mixed residential commercial uses that are permitted under the existing commercial zoning of the parcel to be permitted on that portion of the parcel zoned commercial. The General Plan states that such development will not negatively impact agriculture due to the limited number of parcels with existing commercial zoning. The proposed hotel buildings

proposed are located in parcels zoned CL and are included on the list of CL zoned parcels identified in the Napa County General Plan (Figure AG/LU-2 of the Napa County General Plan).

To the extent that the existing commercial-serving parking on AW zoned lands is a legal nonconformity, Policy AG/LU-46 allows that facility to be continued, rehabilitated, and rearranged so long as there is no intensification of use. Under the Project, the number of commercial-serving parking spaces on AW lands would not be increased over that number documented and approved in use permit P12-00359 (Napa County, 2019).

Policy AG/LU-42 states that "County review of non-residential development proposals shall address the balance of job creation and the availability of affordable housing." As mentioned in Section 4.11, *Population and Housing,* six existing on-site residential dwelling units would be dedicated to housing workers employed on the Project site. Upon issuance of an occupancy permit for the hotel, these housing units will be converted from market rate rentals to below market rate rentals to provide affordable and convenient on-site employee housing. As part of the Development Agreement for the Project, the Project Applicant would also provide five new dwelling units off-site that would be set aside for employee housing.[2]

Policy CC-2 requires uses requiring the issuance of a Use Permit to be designed to convey their permeance and attractiveness. As discussed in Section 4.1, *Aesthetics,* the Project would incorporate modern designs that coordinate with surrounding uses and complement the scenery of the Napa Valley. The design features and materials would complement and remain consistent with existing similar uses in the County.

As discussed above, the Project would not conflict with the Napa County General Plan policies related to environmental protection and would not result in a significant environmental effect related to land use plan consistency. The impact would be **less than significant**.

Napa County Code

The Project site contains 3.54 acres of land zoned for CL and 13.26 acres of land zoned for AW. As mentioned above in Section 4.9.3, *Regulatory Setting*, the intent of the CL designation is to establish areas which will provide the tourist, vacationer, and highway traveler with needed uses and services. Meanwhile, the AW designation is intended to be applied in those areas of the County where the predominant use is agriculturally oriented, where watershed areas, reservoirs and floodplain tributaries are located, where development would adversely impact on all such uses, and where the protection of agriculture, watersheds and floodplain tributaries from fire, pollution and erosion is essential to the general health, safety and welfare.

The Project would construct the proposed hotel and associated guest amenities in the CL-zoned portions, which would be consistent with the zoning of the site. The CL districts permit hotels, motels, inns, and bed and breakfast establishments to have a maximum of 50 guest rooms upon issuance of a use permit. The Project has a proposed 79-room hotel; however, the guestrooms are split with 50 being located in the proposed North Hotel Building on the North Parcel and the remaining 29 being located across the South

[2] As discussed in Section 4.0.3, *Off-site Employee Housing*, the five new units are anticipated to be ministerial approvals and the information here is provided for informational purposes only.

Parcel buildings. This split allows for the Project to remain consistent with the maximum room allotment per parcel described under the CL zoning designation.

The Project would demolish three buildings which currently serve as a restaurant, retail wine shop, art gallery, and five-room motel. The proposed North Hotel Building, which would be located in approximately the same place as the existing restaurant building, would include 50 guest rooms, a spa, retail operations, a rooftop terrace and other public areas, circulation, and back-of-house uses. The existing restaurant and five-room motel buildings would be demolished and replaced with a two-story South Hotel Main Building, a two-story South Hotel Barn Building, a freestanding single-story fitness studio, and two separate two-story bungalow buildings. The South Hotel Main Building would include 11 guest rooms, the South Hotel Barn Building would include 12 guestrooms, and each of the two bungalow buildings would include three rooms, totaling 29 rooms. Due to the proximity of the proposed buildings to AW-zoned land, some site improvements, including redevelopment of parking areas and landscaping, would occur in the AW-zoned land. However, they would not interfere with existing agricultural uses because the proposed hotel buildings would be constructed solely in the CL zoned parcels, in areas that have already been developed. The Project Applicant has vested permit approvals for parking for these areas and the improvements would not constitute an expansion of commercial use on AW-zoned land.

County height requirements for both AW and CL zoning designations are 35 feet when measured from the mid-point of the cord of the roof to existing grade or to finished grade (Section 18.104.120(a) of the County's Zoning Code). Additionally, features such as antennae, utility structures, mechanical features and other similar appurtenances necessarily and normally attached to a structure may be constructed to a height of not more than fifteen feet above the maximum building height in the zoning district (Section 18.104.120(c)). The South Parcel would consist of a series of two-story buildings with a maximum height of 35 feet. While the hotel building on the North Parcel would exceed the 35-foot height limit internal to the structure with a maximum height of 45 feet, since it would be a three story, split-level structure with 35-foot maximum out-facing walls and an underground parking garage, the height would not conflict with the zoning designation maximum.

Therefore, the Project would not conflict with the zoning designations or other relevant County Code provisions and the impact is **less than significant**.

Mitigation: None required.

4.9.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to land use and planning could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

As previously discussed, the Project would have no impact with respect to physically dividing an established community. Accordingly, the Project could not contribute to cumulative impacts related to this topic and is not discussed further.

The cumulative geographic context for land use, plans and policy considerations for the development of the Project consists of the areas surrounding the Project site and cumulative projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*.

Impact LUP-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on land use and planning. ***(Less than Significant)***

As discussed under Impact LUP-1, the Project would not result in a significant land use impact by conflicting with adjacent or nearby land uses; or conflicting with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The Project would not conflict with the General Plan land use designation for the Project site and is consistent with the CL and AW zoning districts located on the Project site. While the Project would intensify commercial and hotel uses on the CL zoned portion of the site, these changes constitute allowable uses under the County Code and are consistent with General Plan Policy AG/LU-45. The Project would also preserve and would not interfere with vineyard-related agricultural uses on the site, as intensification of uses would only occur in existing CL zoned areas. All other cumulative development has been, or will be, subject to development guidance contained within the General Plan, prescribed by zoning, and other applicable land use plans and specific plans to ensure consistency. Therefore, cumulative impacts related to land use and planning would be **less than significant**.

Mitigation: None required.

4.9.7 References

Napa County, 2008. *Napa County General Plan*, adopted by Board of Supervisors Resolution 08-86, June 3, 2008, as amended through February 2022.

Napa County, 2015. *Napa County Zoning*, January 23, 2015. Available: https://www.countyofnapa.org/DocumentCenter/View/8436/Napa-County-Zoning-Map?bidId=. Accessed January 13, 2023.

Napa County. *Napa County Code of Ordinance.* Available: https://library.municode.com/ca/napa_county/codes/code_of_ordinances?nodeId=TIT18ZO. Accessed March 3, 2023.

Napa County, 2019. *Planning Application Form.* Available: https://www.countyofnapa.org/DocumentCenter/View/11804/Application-Form-PDF. Accessed March 3, 2023.

Napa Valley Transportation Authority (NVTA), 2016. *Napa Countywide Pedestrian Plan*. https://nvta.ca.gov/planning-and-projects/planning/regional/napa-countrywide-ped-plan/. Accessed March 9, 2023.

NVTA, 2019. *Napa Countywide Bicycle Plan*. https://nvta.ca.gov/planning-and-projects/planning/regional/napa-countywide-bike-plan/. Accessed March 9, 2023.

4.10 Noise and Vibration

4.10.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts related to noise and vibration. This section first includes a description of the existing environmental setting as it relates to noise and vibration, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on noise and vibration.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to noise and vibration received during the NOP comment period include concerns related to traffic noise and potential impacts of construction noise to be limited to Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. Comments also included information on the frequency of planned events and concerns related to operational traffic noise.

4.10.2 Environmental Setting

Technical Background and Noise Terminology

Noise can be generally defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude (sound power). The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the frequency/sound power level spectrum.

The typical human ear is not equally sensitive to all frequencies of the audible sound spectrum. Therefore, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to low and extremely high frequencies instead of the frequency mid-range. This method of frequency weighting is referred to as A weighting and is expressed in units of A-weighted decibels (dBA). Frequency A-weighting follows an international standard methodology of frequency de-emphasis and is typically applied to community noise measurements.

Noise exposure is a measure of noise over a period of time. Noise level is a measure of noise at a given instant in time. Community noise varies continuously over a period of time with respect to the contributing sound sources of the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources such

as traffic and atmospheric conditions. What makes community noise constantly variable throughout a day, besides the slowly changing background noise, is the addition of short duration single event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual receptor. These successive additions of sound to the community noise environment vary the community noise level from instant to instant, requiring the measurement of noise exposure over a period of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts.

This time-varying characteristic of environmental noise is described using statistical noise descriptors. The most frequently used noise descriptors are summarized below:

- **L_{eq}:** the energy-equivalent sound level is used to describe noise over a specified period of time, typically one hour, in terms of a single numerical value. The L_{eq} is the constant sound level, which would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period).
- **L_{max}:** the instantaneous maximum noise level for a specified period of time.
- **L_{dn}:** is a 24-hour day and night A-weighted noise exposure level, which accounts for the greater sensitivity of most people to nighttime noise by weighting noise levels at night ("penalizing" nighttime noises). Noise between 10:00 p.m. and 7:00 a.m. is weighted (penalized) by adding 10 dB to take into account the greater annoyance of nighttime noises.
- **CNEL:** similar to L_{dn}, the Community Noise Equivalent Level (CNEL) adds a 5-dB "penalty" for the evening hours between 7:00 p.m. and 10:00 p.m. in addition to a 10-dB penalty between the hours of 10:00 p.m. and 7:00 a.m.

As a general rule, in areas where the noise environment is dominated by traffic, the L_{eq} during the peak-hour is generally within one to two decibels of the L_{dn} at that location.

Effects of Noise on People

When a new noise is introduced to an environment, human reaction can be predicted by comparing the new noise to the ambient noise level, which is the existing noise level comprised of all sources of noise in a given location. In general, the more a new noise exceeds the ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1-dB cannot be perceived;
- Outside of the laboratory, a 3-dB change is considered a just-perceivable difference;
- A change in level of at least 5-dB is required before any noticeable change in human response would be expected; and
- A 10-dB change is subjectively heard as approximately a doubling in loudness and can cause an adverse response.

The perceived increases in noise levels shown above are applicable to both mobile and stationary noise sources. These relationships occur in part because of the logarithmic nature of sound and the decibel system. The human ear perceives sound in a non-linear fashion; hence, the decibel scale was developed. Because the decibel scale is based on logarithms, two noise sources do not combine in a simple additive

fashion, rather logarithmically. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level would be 53 dBA, not 100 dBA.

Noise Attenuation

Stationary point sources of noise, including stationary mobile sources such as idling vehicles, attenuate (lessen) at a rate between 6 dB for hard sites and 7.5 dB for soft sites for each doubling of distance from the reference measurement. Hard sites are those with a reflective surface between the source and the receiver such as parking lots or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the changes in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. In addition to geometric spreading, an excess ground attenuation value of 1.5 dB (per doubling distance) is normally assumed for soft sites. Line sources (such as traffic noise from vehicles) attenuate at a rate between 3 dB for hard sites and 4.5 dB for soft sites for each doubling of distance from the reference measurement.

Noise levels may also be reduced by intervening structures, such as a row of buildings, a solid wall, or a berm located between the receptor and the noise source.

Fundamentals of Vibration

As described in the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual (FTA, 2018), ground borne vibration can be a serious concern for nearby neighbors, causing buildings to shake and rumbling sounds to be heard. In contrast to airborne noise, ground borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground borne vibration are trains, buses and heavy trucks on rough roads, and construction activities such as blasting, sheet pile-driving, and operation of heavy earth-moving equipment.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal, which is measured in inches per second (in/sec). The PPV is most frequently used to describe vibration impacts to buildings. The root mean square (RMS) amplitude is most frequently used to describe the effect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (V_{db}) is commonly used to express RMS. The decibel notation acts to compress the range of numbers required to describe vibration. Typically, ground borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors for vibration assessment include structures (especially older masonry structures), people who spend a lot of time indoors (especially residents, students, the elderly and sick), and vibration sensitive equipment such as hospital analytical equipment and equipment used in computer chip manufacturing.

The effects of ground borne vibration include movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. In extreme cases, the vibration can cause damage to buildings. Building damage is not a factor for most projects, with the occasional exception of blasting and pile-driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin.

Existing Noise-Sensitive Land Uses

Human response to noise varies considerably from one individual to another. Effects of noise at various levels can include interference with sleep, concentration, and communication, and can cause physiological and psychological stress and hearing loss. Given these effects, some land uses are considered more sensitive to noise levels than others due to the duration and nature of time people spend at these uses. In general, residences are considered most sensitive to noise as people spend extended periods of time in them, including the nighttime hours. Therefore, noise impacts to rest and relaxation, sleep, and communication are highest at residential uses. Schools, hotels, hospitals, nursing homes, and recreational uses are also considered to be more sensitive to noise as activities at these land uses involve rest and recovery, relaxation and concentration, and increased noise levels tend to disrupt such activities. Places such as churches, libraries, and cemeteries, where people tend to pray, study, and/or contemplate, are also sensitive to noise but due to the limited time people spend at these uses, impacts are usually tolerable. Commercial and industrial uses are considered the least noise-sensitive.

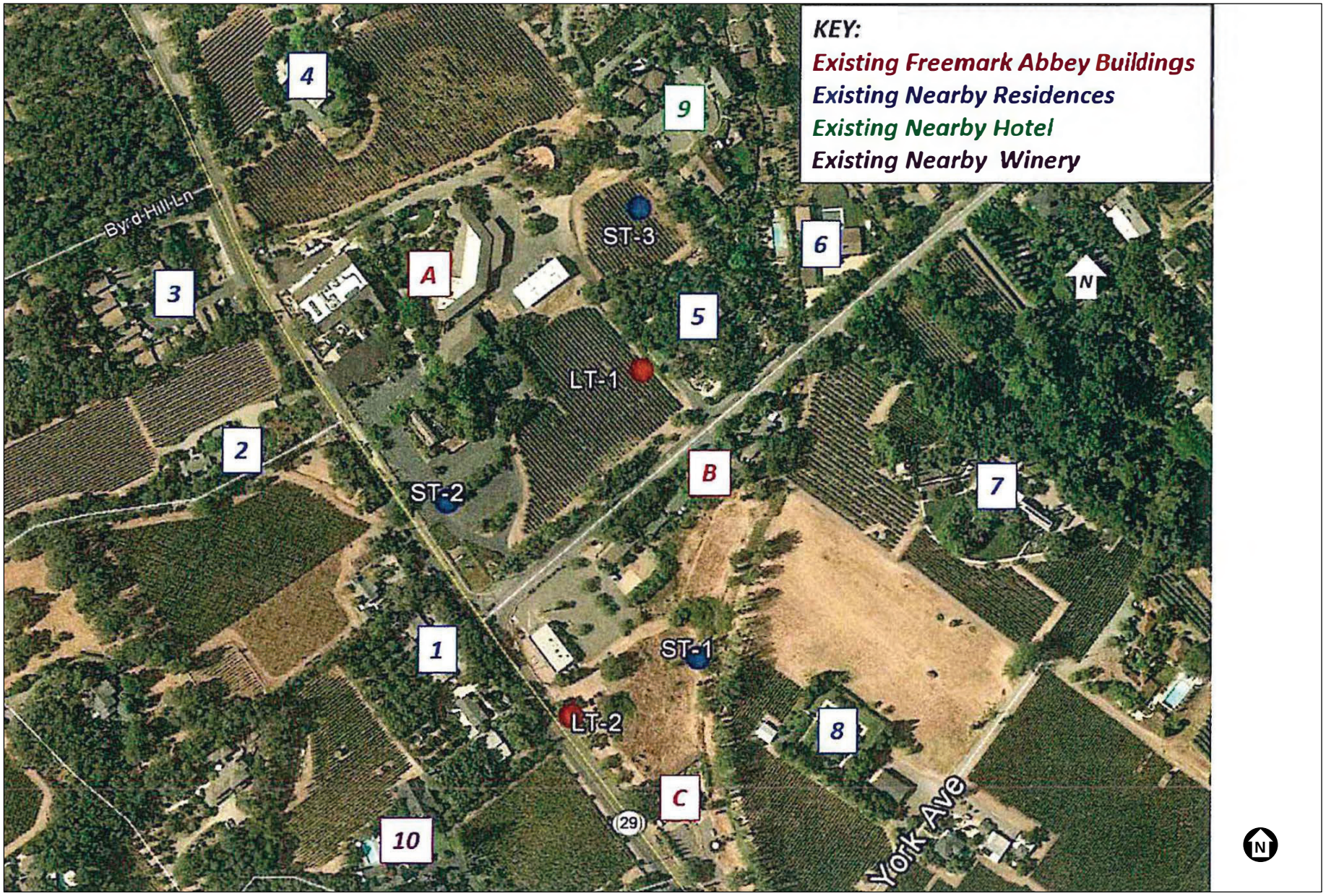
Noise-sensitive land uses in the vicinity of the Project area include rural residences to the south, including a mobile home park to the southwest, a small residential neighborhood on Lodi Lane to the north, and a hotel to the northwest(see Figure 3-2 in Chapter 3, *Project Description*).

Existing Noise Environment

The Project site is in an area of single-family- residential uses, the Vista Del Valle mobile home park, agricultural land, a hotel, and wineries. The main contributor to the existing noise environment in the vicinity of the Project site is traffic along SR 29. Additional noise sources include local roadways, natural sources such as birds, insects, and wind.

To provide the basis for evaluating potential impacts of the Project on the nearest residences, long-term and short-term noise measurements were conducted beginning on Tuesday, March 28, 2017, and concluding on Thursday, March 30, 2017, to document existing ambient noise levels during typical daytime and nighttime hours as documented in the *Inn at the Abbey Environmental Noise and Vibration Assessment* prepared by Illingworth & Rodkin, Inc. (Noise and Vibration Assessment) (**Appendix K**). A 24-hour, long-term measurement (LT-1) was conducted on Wednesday, March 29, 2017, at a location approximately 35 feet from the edge of the access roadway and approximately 165 feet north of the centerline of Lodi Lane. A second long-term measurement, LT-2, was recorded on Wednesday, March 29, 2017, located approximately 255 feet south of the centerline of Lodi Lane and approximately 35 feet east of the centerline of State Route (SR) 29. **Table 4.10-1** shows the measured average noise level (L_{eq}) during different averaging periods.

Ambient and short-term (10-minute) noise measurement data were collected on Tuesday, March 28, 2017.The noise monitoring locations are illustrated in **Figure 4.10-1**. As shown in **Table 4.10-2**, the results of the 10-minute noise measurements indicate that current daytime ambient noise levels on and immediately adjacent to the Project site range from approximately 50 dBA Leq to 67 dBA Leq.



SOURCE: Illingworth & Rodkin, Inc., 2019

Inn at the Abbey EIR

Figure 4.10-1
Noise Monitoring and Sensitive Receptor Locations

ESA

TABLE 4.10-1
LONG-TERM AMBIENT NOISE LEVELS IN THE PROJECT SITE VICINITY

Measurement Location		Day-Night Noise level (Ldn)	Noise Levels in dBA	
			Daytime hourly average, L_{eq}	Nighttime hourly average, L_{eq}
LT-1	Approximately 35 feet from the edge of the access roadway and 165 feet north of the centerline of Lodi Lane.	56	46 to 58	39 to 53
LT-2	Approximately 255 feet south of the centerline of Lodi Lane and 35 feet east of the centerline of SR 29.	76	68 to 76	58 to 75

NOTE: See Figure 4.10-1 for noise measurement locations.
SOURCE: Illingworth & Rodkin Inc., 2019 (Appendix K).

TABLE 4.10-2
SHORT-TERM AMBIENT NOISE LEVELS IN THE PROJECT SITE VICINITY

Noise Measurement Location		Date, Time	L_{max}	$L_{(1)}$	$L_{(10)}$	$L_{(50)}$	$L_{(90)}$	L_{eq}	L_{dn}[a]
ST-1	Southern boundary of the Project site.	3/28/2017, 13:30-13:40	64	60	58	55	52	56	58
ST-2	~80 feet east of the SR 29 centerline.	3/28/2017, 13:50-14:00	83	76	68	64	58	67	67
ST-3	~405 feet north of the Lodi Lane centerline.	3/28/2017, 14: 10-14:20	60	56	53	49	47	50	55

NOTE: See Figure 4.10-1 for noise measurement locations. L_{eq} represents the constant sound level; L_{max} is the maximum noise level.
a. Ldn was approximated by correlating to corresponding period at long-term site.
SOURCE: Illingworth & Rodkin Inc., 2019 (Appendix K).

4.10.3 Regulatory Setting

Federal

Noise Control Act

In 1972, the Noise Control Act was established to address the concerns of noise as a growing danger to the health and welfare of the Nation's population, particularly in urban areas. In 1974, in response to the Noise Control Act, the U.S. Environmental Protection Agency (EPA) published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.[1] **Table 4.10-3** summarizes U.S. EPA findings for residential land uses.

[1] U.S. Environmental Protection Agency (U.S. EPA), 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an adequate margin of Safety. March 1974.

TABLE 4.10-3
SOUND LEVELS THAT PROTECT PUBLIC HEALTH (DBA)

Category	Measure of Exposure	Indoor			Outdoor		
		Activity Interference	Hearing Loss	To Protect Against Both Effects	Activity Interference	Hearing Loss	To Protect Against Both Effects
Residential with Outside Space	L_{dn}	45	70	45	55	70	55
Residential with No Outside Space	L_{dn}	45	70	45	-	-	-

NOTES:

Sound levels are yearly average equivalent in decibels; the exposure period which results in hearing loss at the identified level is a period of forty years.

SOURCE: U.S. Environmental Protection Agency, Information of Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an adequate Margin of Safety, 1974.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) aims to ensure worker safety and health in the United States by working with employers and employees to create better working environments. With regard to noise exposure and workers, OSHA regulations set forth accepted criteria to protect the hearing of workers exposed to occupational noise. Noise exposure regulations are listed in 29 Code of Federal Regulations (CFR) Section 1910.95. Section 1910.95(c)(1) states that an employer shall administer a hearing conservation program whenever noise exposure levels equal or exceed an 8-hour time-weighted average sound level of 85 dBA.

State

Title 24

Title 24 of the California Code of Regulations codifies Sound Transmission Control requirements, which establishes uniform minimum noise insulation performance standards for new hotels, motels, dormitories, apartment houses, and dwellings other than detached single-family dwellings. Specifically, Title 24 states that interior noise levels attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room of new dwellings.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Community Character Element of the Napa County General Plan includes the following policies related to noise and vibration that would be applicable to the Project (Napa County, 2008).

> **Goal CC-7:** Accept those sounds which are part of the County's agricultural character while protecting the people of Napa County from exposure to excessive noise. Goal CC-8: Place compatible land uses where high noise levels already exist and minimize noise impacts by placing new noise-generating uses in appropriate areas.

Goal CC-8: Place compatible land uses where high noise levels already exist and minimize noise impacts by placing new noise-generating uses in appropriate areas.

Policy CC-35: The noises associated with agriculture, including agricultural processing, are considered an acceptable and necessary part of the community character of Napa County, and are not considered to be undesirable provided that normal and reasonable measures are taken to avoid significantly impacting adjacent uses.

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).

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. Note to the Reader: Agricultural uses covered by the Right to Farm are defined in Policy LU-2 in the Agricultural Preservation and Land Use Element. Please also see the Agricultural Preservation/Land Use Element for additional policies regarding agricultural uses and their right to operate.

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.

TABLE 4.10-4
OUTDOOR NOISE LIMITS 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		

SOURCE: Napa County General Plan. 2008.

Policy CC-39: The following are noise compatibility guidelines for use in determining the general compatibility of planned land uses:

TABLE 4.10-5
OUTDOOR NOISE LIMITS NOISE COMPATIBILITY GUIDELINES
(EXPRESSED AS A 24-HOUR DAY-NIGHT AVERAGE OR LDN)

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

NOTES:
See Policy CC-43 for the definitions of these four levels of compatibility.
SOURCE: Napa County General Plan. 2008.

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.

TABLE 4.10-6
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

NOTES:
Standards for public schools are set and enforced by the State of California and are not regulated by the County.
SOURCE: Napa County General Plan. 2008.

Policy CC-43: The following definitions shall be used in combination with the standards in the Noise Compatibility Guidelines shown above.

a) "Completely Compatible" means that the specified land use is satisfactory and both the indoor and outdoor environments are pleasant.

b) "Tentatively Compatible" means that noise exposure may be of concern, but common building construction practices will make the indoor living environment acceptable, even for sleeping quarters, and the outdoor environment will be reasonably pleasant.

c) "Normally Incompatible" means that noise exposure warrants special attention, and new construction or development should generally be undertaken only after a detailed analysis of

noise reduction requirements is made and needed noise insulation features are included in the design. Careful site planning or exterior barriers may be needed to make the outdoor environment tolerable.

d) "Completely Incompatible" means that the noise exposure is so severe that new construction or development should generally not be undertaken.

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-47: Where feasible, the County should embrace new technologies to address existing and potential future noise sources. For example, use of rubberized asphalt concrete in roadway resurfacing can reduce noise levels experienced by nearby residents.

Policy CC-49: Consistent with the County's Noise Ordinance, ensure that reasonable measures are taken such that temporary and intermittent noise associated with construction and other activities does not become intolerable to those in the area. Construction hours shall be limited per the requirements of the Noise Ordinance. Maximum acceptable noise limits at the sensitive receptor are defined in Policies CC-35, CC-36, and CC-37.

Napa County Code

The Napa County Code includes regulations associated with noise. Within Title 8 Health and Safety specifically, Chapter 8.16 sets forth a noise ordinance that is meant to protect the peace and well-being of Napa County residents from excessive and unnecessary noise. **Table 4.12-7** summarizes the maximum permissible exterior noise levels by receiving land use established in Section 8.16.070.

TABLE 4.10-7
EXTERIOR NOISE LIMITS

Receiving Land Use Category	Time Period	Noise Zone Classification[a]		
		Rural	Suburban	Urban
Residential Single and double	10 p.m. — 7 a.m. 7 a.m. — 10 p.m.	45 50	45 55	50 60
Residential multiple and country	10 p.m. — 7 a.m. 7 a.m. — 10 p.m.	45 50	50 55	55 60
Commercial	10 p.m. — 7 a.m. 7 a.m. — 10 p.m.		60 65	
Industrial, including wineries	Anytime	75		

NOTES:

a. The classification of different areas of the County in terms of environmental noise zones shall be determined by the NCO, based upon assessment of County noise survey data. Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction within the zone.

SOURCE: Napa County, 2023.

Section 8.16.080 Special types of provisions (B)(2) Construction or Demolition, specifically addresses noise from construction activities within the County, wherein it is stated that the following acts, and the causing or permitting thereof, are declared to be in violation of County Code Chapter 8.16:

a. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of seven p.m. and seven a.m., such that the sound

therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work of public service utilities or by variance issued by the appropriate authority. This subsection shall not apply to the use of domestic power tools, as specified in subsection (B)(3) of this section.

b. Noise Restrictions at Affected Properties. Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum noise levels at affected properties will not exceed those listed in the following schedule (**Table 4.10-8**):

TABLE 4.10-8
NOISE LIMITS FOR CONSTRUCTION ACTIVITIES

	Residential	Commercial	Industrial
Daily: 7 a.m. to 7 p.m.	75 dBA	80 dBA	85 dBA
Daily: 7 p.m. to 7 a.m.	60 dBA	65 dBA	70 dBA

SOURCE: Napa County, 2022.

c. Loading and Unloading. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of ten p.m. and six a.m. in such a manner as to cause a noise disturbance across a residential real property line or at any time to violate the provisions of subsection (A) of Section 8.16.060 or subsection (A) of Section 8.16.070 (Table 4.10-7).

4.10.4 Significance Criteria

The thresholds used to determine the significance of impacts related to noise and vibration are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Generation of excessive groundborne vibration or groundborne noise levels.
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.

Approach to Analysis

Construction Noise and Vibration Assessment

Construction Noise

All construction activity for the Project would be required to be consistent with the restrictions established by Section 8.16.080 of the Napa County Municipal Code which, as discussed above, limits the hours during which construction activities can occur (between the hours of 7:00 a.m. and 7:00 p.m. on weekdays). Table 8.16.080 of the County Municipal Code includes thresholds of construction activities at property lines. Noise levels at residential land use are not to exceed 75 dBA between the hours of 7:00 a.m. and

7:00 p.m., and noise levels at industrial land use (wineries) are not to exceed 85 dBA between the hours of 7:00 a.m. and 7:00 p.m.

Additionally, for assessment of construction noise impacts, the quantitative evaluation of daytime construction noise effects is based on the general assessment methodology and criteria set forth in the FTA guidelines for residential land uses which is an hourly 90 dBA L_{eq} (FTA, 2018) during daytime hours. The FTA methodology for general assessment of construction noise entails a process for calculating the hourly dBA, L_{eq} for each stage of construction considering (1) the reference noise emission level at 50 feet for equipment to be used for each stage of construction, (2) the usage factor for each piece of equipment, and (3) the distance between construction centerline and receptors. This methodology entails determining the resultant noise levels for the two noisiest pieces of equipment expected to be used in each stage of construction.

The FTA does not publish a software noise model; as such, the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used. The RCNM is used as the FHWA's national standard for predicting construction noise. The RCNM analysis includes the calculation of noise levels (L_{max} and L_{eq}) at incremental distances for a variety of construction equipment. The model inputs include acoustical use factors, L_{eq} values at various distances depending on the receptor location analyzed. Construction noise levels were calculated for the construction phases of the Project.

In addition to the assessment of construction noise relative to the restriction of the County Code and the FTA's 90 dBA L_{eq} daytime standard at residential uses, this analysis applies an increase of 10 dBA or more over existing noise levels at sensitive receptor locations to warrant the implementation of construction noise control measures. Such an increase is a perceived doubling of loudness (Caltrans, 2013).

Construction Vibration

The study area for evaluation of vibration impacts from construction encompasses the construction site and the nearest potentially affected sensitive receptors to that site. Vibration levels are predicted at various distances for equipment reasonably expected to be involved with Project demolition and construction activities and impacts to receptors assessed based on methodology and criteria established by Caltrans and FTA. Construction vibration impacts are analyzed in terms of the potential of Project-related vibrations to result in damage to nearby structures or buildings, based on thresholds put forth by Caltrans (Caltrans, 2020). The Caltrans thresholds for potential architectural damage due to groundborne vibrations is 0.5 in/sec PPV for new residential structures and modern commercial buildings and 0.25 in/sec PPV for historic and older buildings. With respect to human annoyance, Caltrans considers vibrations of 0.04 in/sec PPV to be strongly perceptible and this is the threshold applied for vibration impacts during sensitive nighttime hours when people are likely to be sleeping. The threshold for vibration-sensitive equipment is 65 VdB, as published by FTA and based on the root mean square velocity amplitude (FTA, 2018).

Operational Noise Assessment

Operational Stationary Source Noise

Commercial, retail, or other noise-generating uses developed under the Project could substantially increase noise levels at noise-sensitive land uses if they would expose sensitive receptors to noise levels exceeding standards established by Napa County Code Section 8.16.070.

Operations at proposed noise-producing land uses would be dependent on many variables. The following analysis considers the potential for noise from sources such as mechanical equipment, outdoor maintenance areas, truck loading docks and delivery activities, and parking lots by describing reference noise levels that are documented to be associated with these sources. Noise levels generated from stationary sources are based on the Noise and Vibration Assessment (Appendix K). Existing General Plan policies that address such sources are identified. Finally, mitigation measures with performance standards to address the potential impacts are identified.

Operational Traffic Noise

Guidance on the significance of transportation-related changes to ambient noise levels is provided by the 1992 findings of the Federal Interagency Committee on Noise (FICON), which assessed the annoyance effects of changes in ambient noise levels caused by aircraft operations (FICON, 1992). The recommendations are based on studies that relate aircraft noise levels to the percentage of persons highly annoyed by the noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, they may be applied to all sources of transportation noise described in terms of cumulative noise exposure metrics such as the L_{dn}.

Table 4.10-9 presents criteria based on the FICON findings, which show that as ambient noise levels increase, a smaller increase in decibel levels is sufficient to cause significant annoyance. In other words, the quieter the ambient noise level, the more the noise can increase (in decibels) before it causes significant annoyance. The 5 dBA and 3 dBA noise level increases listed in Table 4.10-9 also correlate directly with noise level increases that Caltrans considers to represent "readily perceivable" and "barely perceivable," respectively, for short-term noise increases. Thus, the significance of permanent increases in transportation noise levels is evaluated based on the increases identified in Table 4.10-9.

Traffic noise levels were modeled using the algorithms of the FHWA's Traffic Noise Prediction Model for the existing and existing plus Project and cumulative plus Project scenarios. The resulting noise levels were then compared to existing modeled conditions, to determine significance relative to the thresholds presented in Table 4.10-9.

TABLE 4.10-9
MEASURES OF A SUBSTANTIAL INCREASE IN TRANSPORTATION NOISE EXPOSURE

Ambient Noise Level without Project (L_{dn})	Significant Impact Assumed to Occur if Project Development Increases Ambient Noise Levels by:
<60 dB	+ 5.0 dB or more
60–65 dB	+ 3.0 dB or more
>65 dB	+ 1.5 dB or more[a]

NOTES:
dB = decibels; L_{dn} = day-night average noise level

a. According to the Federal Interagency Committee on Noise report, the 1.5 A-weighted decibel (dBA) increase in environments that exceed 65 dBA is not necessarily a significant increase but, rather, an increase warranting further investigation.

SOURCE: Federal Interagency Committee on Noise, *Federal Agency Review of Selected Airport Noise Analysis Issues*, August 1992.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact related to the following topic. This topic is not addressed further in this document for the following reason:

- ***Location within vicinity of an airport (criterion c)***. Although Appendix B, Section XIII, *Noise*, identifies the nearest airport as Sonoma County Airport, approximately 17 miles east of the Project area, however, the closest airport is Angwin Airport, approximately 4.7 miles northeast of the Project area. Given the distance, the Project area is well outside of the 60 CNEL noise contours of the closest airport (Napa County, 2008). Therefore, the Project would not result in exposure of people residing or working in the Project area to excessive noise levels, and there would be no impact.

4.10.5 Impacts of the Project

Impact NOI-1: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. *(Less than Significant with Mitigation)*

Construction Noise

Construction activities for the Project would include demolition, site preparation, grading activities, building construction, and paving. Equipment involved with grading and construction at the Project site would include excavators, graders, roller, sweepers, drill rigs, cranes, dumpers, forklifts, generator sets, welders, and trucks for delivering materials and for off-hauling demolition debris. No impact pile driving or blasting activities are proposed. Foundations would be shallow spread footings or matt slab foundations. Basement areas may require drilled piers (MPEG, 2019).

Table 4.10-10 shows typical noise levels produced by various types of construction equipment that would occur at a reference distance of 50 feet from the source. Noise levels at and near the Project construction site would fluctuate depending on the particular type, number and duration of uses of various pieces of construction equipment at any given time.

TABLE 4.10-10
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT

Construction Equipment	Noise Level (dBA, Lmax at 50 Feet)
Dump truck	77
Air compressor	78
Drill Rig	84
Crane	81
Forklift (gradall)	83
Grader	85
Scraper	84
Excavator	81
Dozer	82
Paver	77

TABLE 4.10-10
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT

Construction Equipment	Noise Level (dBA, Lmax at 50 Feet)
Generator	81
Tractor	84
Backhoe	78
Concrete Saws	90
Welder	74
Off-highway Truck	85

SOURCE: FHWA, 2006.

In addition to estimating the noise increases from the operation of individual pieces of equipment as reported in the table below, the total increase in noise from the concurrent/overlapping operation of several pieces of equipment was calculated for major construction phases of the Project. The FHWA RCNM was used to estimate noise generated by the Project construction activities. Construction noise levels were calculated for each stage of construction based on the equipment list provided by the client. Distances to receptors input into the model include lateral distance conservatively excluding any shielding attenuation from intervening topography.

Table 4.10-11 presents the results of the RCNM modelling of various Project construction stages showing the predicted noise levels at the nearest off-site sensitive land use. The nearest residential sensitive receptors to the Project site are the residences along Lodi Lane adjacent to the east side of Project site on the South Hotel Complex (South Parcel) located approximately 160 feet east from the center of the Project site. Additionally, the mobile home park (Vista Del Valle) and a residence on SR 29 are located as close as 170 feet west from the center of the North Hotel Building (North Parcel) Project site, respectively. The noise levels shown in Table 4.10-11 take into account operation of multiple pieces of construction equipment simultaneously for the Leq results. The modeling conservatively assumed that the two noisiest pieces of construction equipment associated with an activity would operate simultaneously for the duration of that activity, modeled as a point source measured from the center of the closest activity area. Construction activities would be conducted in accordance with the provisions of the County's Municipal Code, which limits noise levels at residential land use shall not exceed 75 dBA between the hours of 7:00 a.m. and 7:00 p.m., and noise levels at agricultural land uses (wineries) shall not exceed 85 dBA[2] between the hours of 7:00 a.m. and 7:00 p.m. As can be seen in Table 4.10-11, noise levels generated during Project construction activities at the closest sensitive receptors would be below the FTA daytime criteria of 90 dBA Leq for residential uses. However, noise levels from proposed construction activities at the closest receptors could exceed 75 dBA at a residential land use and exceed existing noise levels by as much as 24 dBA, which would exceed the 10 dBA over ambient increase that warrants implementation of mitigation measures. Therefore, construction noise would result in a significant impact. **Mitigation Measure NOI-1: Construction Noise Control Measures**, is identified to address this potential construction noise impact during all activities.

[2] As shown in Table 4.10-7, the 85 dBA of the County Code standard applies to industrial uses. As shown in Table 4.10-6, the County Code equates wineries with industrial uses for the purposes of noise exposure.

TABLE 4.10-11
DAYTIME NOISE LEVELS FROM PROJECT CONSTRUCTION

Representative Receptor	Existing Daytime Noise Level (dBA L_{eq})	Loudest Two Noise Sources	Reference Noise Level (dBA)[a]	Distance to Receptor[b] (feet)	Usage Factor (%)	Adjusted L_{eq} Level (dBA)[c]	Exceed 90 dBA L_{eq} Daytime Standard?	Resultant Noise Level (dBA)[d]	Increase over Noise Level (dBA)
Demolition									
2993-3001 St Helena Highway Residences	76	Excavator Tractors/Loaders/ Backhoes	84.0	230	40 / 40	67.7	No	76.6	0.6
Vista Del Valle	67	Excavator Tractors/Loaders/ Backhoes	84.0	170	40 / 40	71.1	No	72.5	5.5
1181 Lodi Lane Residence	58	Excavator Tractors/Loaders/ Backhoes	84.0	160	40 / 40	71.6	No	71.8	13.8
3029 St Helena Highway Residence	67	Excavator Tractors/Loaders /Backhoes	84.0	170	40 / 40	71.1	No	72.5	5.5
3050 St Helena Highway	50	Excavator Tractors/Loaders/ Backhoes	84.0	180	40 / 40	70.6	No	70.6	20.6
1190 York Lane Residence	56	Excavator Tractors/Loaders/ Backhoes	84.0	370	40 / 40	64.3	No	64.9	8.9
Site Preparation, Building Construction									
2993-3001 St Helena Highway Residences	76	Other Construction Equipment, Other Construction Equipment	85.0	230	50 / 50	71.7	No	77.4	1.2
Vista Del Valle	67	Other Construction Equipment, Other Construction Equipment	85.0	170	50 / 50	74.4	No	75.1	8.1
1181 Lodi Lane Residence	58	Other Construction Equipment, Other Construction Equipment	85.0	160	50 / 50	74.9	No	75	17
3029 St Helena Highway Residence	67	Other Construction Equipment, Other Construction Equipment	85.0	170	50 / 50	74.4	No	75.1	8.1
3050 St Helena Highway	50	Other Construction Equipment, Other Construction Equipment	85.0	180	50 / 50	73.9	No	73.9	23.9
1190 York Lane Residence	56	Other Construction Equipment, Other Construction Equipment	85.0	370	50 / 50	67.6	No	67.9	11.9
Grading									
2993-3001 St Helena Highway Residences	76	Grader, Other Construction Equipment	85.0	230	40 / 50	71.3	No	77.3	1.3
Vista Del Valle	67	Grader, Other Construction Equipment	85.0	170	40 / 50	73.9	No	74.7	7.7

TABLE 4.10-11
DAYTIME NOISE LEVELS FROM PROJECT CONSTRUCTION

Representative Receptor	Existing Daytime Noise Level (dBA L_{eq})	Loudest Two Noise Sources	Reference Noise Level (dBA)[a]	Distance to Receptor[b] (feet)	Usage Factor (%)	Adjusted L_{eq} Level (dBA)[c]	Exceed 90 dBA L_{eq} Daytime Standard?	Resultant Noise Level (dBA)[d]	Increase over Noise Level (dBA)
1181 Lodi Lane Residence	58	Grader, Other Construction Equipment	85.0	160	40 / 50	74.4	No	74.5	16.5
3029 St Helena Highway Residence	67	Grader, Other Construction Equipment	85.0	170	40 / 50	73.9	No	74.7	7.7
3050 St Helena Highway	50	Grader, Other Construction Equipment	85.0	180	40 / 50	73.4	No	73.4	23.4
1190 York Lane Residence	56	Grader, Other Construction Equipment	85.0	370	40 / 50	67.2	No	67.5	11.5
Paving									
2993-3001 St Helena Highway Residences	76	Paving Equipment, Roller	80.0	230	50 / 20	63.4	No	76.2	0.2
Vista Del Valle	67	Paving Equipment, Roller	80.0	170	50 / 20	66.0	No	69.5	2.5
1181 Lodi Lane Residence	58	Paving Equipment, Roller	80.0	160	50 / 20	66.6	No	67.2	9.2
3029 St Helena Highway Residence	67	Paving Equipment, Roller	80.0	170	50 / 20	66.0	No	69.5	2.5
3050 St Helena Highway	50	Paving Equipment, Roller	80.0	180	50 / 20	65.5	No	65.6	15.6
1190 York Lane Residence	56	Paving Equipment, Roller	80.0	370	50 / 20	59.3	No	61.0	5
Architectural Coating									
2993-3001 St Helena Highway Residences	76	Concrete Saw, Forklift	89.6	230	20 / 40	69.3	No	7.5	0.8
Vista Del Valle	67	Concrete Saw, Forklift	89.6	170	20 / 40	73.7	No	74.5	7.5
1181 Lodi Lane Residence	58	Concrete Saw, Forklift	89.6	160	20 / 40	74.2	No	74.3	16.3
3029 St Helena Highway Residence	67	Concrete Saw, Forklift	89.6	170	20 / 40	73.7	No	74.5	7.5
3050 St Helena Highway	50	Concrete Saw, Forklift	89.6	180	20 / 40	73.2	No	73.2	23.2
1190 York Lane Residence	56	Concrete Saw, Forklift	89.6	370	20 / 40	66.9	No	67.2	11.2

NOTES:

dBA = A-weighted decibels; L_{eq} = equivalent sound level; NA = not applicable

a. The instantaneous maximum noise level (L_{max}) at 50 feet.
b. Distance between the approximate location of equipment and the property line of the sensitive receptor.
c. The L_{eq} level is adjusted for distance and percentage of usage.
d. The resultant noise level is the logarithmic sum of the existing noise level and the contribution (adjusted) noise level from construction.

SOURCE: FHWA. 2006. Roadway Construction Noise Model User Guide; data compiled by Environmental Science Associates, 2023

As described in the Noise and Vibration Assessment (Appendix K), construction best management practices suggest all construction staging laydown and worker parking should be established at locations that will create the greatest distance between the construction-related noise sources and nearest noise-sensitive receptors. Construction haul trucks traveling to and from Project site and staging areas would typically access regional transportation facilities by SR 29 and Lodi Lane, and consequently, would not increase noise levels along local roadways near noise-sensitive receptors. Therefore, occasional construction-related haul trucks are not expected to generate noise impacts to noise-sensitive land uses.

Mitigation Measure NOI-1 would implement a construction noise logistics plan to reduce construction noise consistent with the noise limits of the County noise ordinance and would be sufficient to reduce the residual construction noise impact to **less than significant**.

Stationary Operational Noise Sources

Operation of the Project would increase ambient noise levels in the immediate Project site vicinity primarily associated with the operation of new building stationary equipment, such as HVAC systems. Napa County Code section 8.16.070 establishes performance standards for exposure to noise from stationary/non-transportation sources at the property line of noise-sensitive uses. Specifically, noise exposure is limited to 50 dBA and 75 dBA at the property lines of residential property and industrial property, respectively. All of these standards apply at the property line.

An analysis of mechanical noise impacts was included in the Noise and Vibration Assessment (Appendix K). There are no specific building designs and neither locations nor specifications for mechanical equipment are available at this time Therefore, it is not possible to provide specific estimates of the noise levels at individual receptor locations that would result from operation of stationary sources. It can be reasonably anticipated that building mechanical equipment would be roof-mounted, which would generally reduce noise levels for receptors. However, this analysis conservatively assumes the worst-case scenario, which would place mechanical equipment for each of the future buildings on the ground level along the building facades facing the nearby land uses. Given the attenuation rate of 6 dBA per doubling of the distance for mechanical equipment form the source to nearest sensitive receptors, generated noise levels from mechanical equipment would be less than 45 dBA L_{50} at all residences to the east of SR 29 and the winery to the west of the highway. Noise levels at these receptors would not exceed exterior standards summarized in Table 4.10-7. Residences located west of SR 29 currently experience ambient daytime noise levels ranging from 52 to 75 dBA L_{50} (average of 70 dBA L_{50}) and nighttime noise levels ranging from 30 to 50 dBA L_{50} (average of 46 dBA L_{50}).

Section 8.16.070 of the Napa County Municipal Code states that if the measured ambient noise level differs from that permissible within any of the first four noise limit categories (above), the allowable noise exposure standard shall be the ambient noise level (Napa County, 2022). Since the recorded ambient noise levels in Tables 4.10-1 and 4.10-2 exceed the exterior noise standards summarized in Table 4.10-7, the existing ambient noise level is the Exterior Noise Limit standard. The Project-generated noise levels from mechanical equipment would be less than the existing daytime ambient noise level of 70 dBA L_{50} for residences located west of SR 29. However, Project-generated noise levels from mechanical equipment would potentially exceed the average nighttime noise level of 46 dBA L_{50} at the residences nearest to the Project site and this impact would be potentially significant. **Mitigation Measure NOI-2:**

Operational Noise Performance Standards for Building Stationary Equipment, is identified to address this potential impact.

Implementation of Mitigation Measure NOI-2 would reduce the potential noise impact from stationary sources during operation by requiring that all mechanical equipment is selected and designed to meet the performance standards of Section 8.16.070 of the Napa County Code. As a result of mitigation, this impact would be reduced to a **less-than-significant** level.

Parking Lot Noise

The number of surface parking spaces is expected to reduce from the current 223 surface parking spaces, as an underground parking structure would satisfy a significant portion of the existing parking demand. Overall parking on the Project site would be reduced by 20 spaces. Noise from the surface parking lot would not increase, and would likely lessen with a reduced number of surface parking space. This would result in a **less-than-significant** impact.

Loading Docks Noise

Current truck deliveries are required for the existing winery and restaurant operations. The Project would include a small retail component on the North Parcel, and hotel components would be located on both the North and South Parcels. Project operations are anticipated to require relatively few truck deliveries as part of regular operations (i.e., one or two truck trips weekly). Truck deliveries noise would be minimal compared to the existing winery and restaurant operations. This would result in a **less-than-significant** impact.

Operational Traffic Noise Increases

Operation of the Project would be considered to generate a significant impact if it were to result in a permanent increase in ambient noise levels greater than 3 dBA above existing levels for areas already impacted by noise and a 5 dBA increase at receptors where the noise compatibility standard is being met. As discussed under Section 4.10.4, *Approach to Analysis*, increases in traffic noise levels were determined for this analysis using the FHWA Traffic Noise Prediction Model.

For the existing single-family residences and the mobile home park (Vista Del Valle) located west of the Project site along SR 29, existing ambient levels exceed 60 dBA L_{dn}, and the Project would result in less than 1 dBA L_{dn} noise level increase at these receptors from the compared existing plus Project peak hour volumes to the existing peak hour volumes. For the residences and hotel located east of the Project site along Lodi Lane, the future noise environment is expected to be less than 60 dBA Ldn, and the Project would result in a 1 dBA L_{dn} noise level increase at these receptors from the compared existing plus Project peak hour volumes to the existing peak hour volumes (Appendix K).

Accordingly, the Project impact resulting from increases in operational traffic noise on study area roadways would be **less than significant**.

Mitigation: None required.

Noise Impacts of Public Gathering Spaces

Rooftop Terrace Noise

The proposed outdoor terrace space at North Hotel Building would open at 7:00 a.m. and close at 10:00 p.m. The terrace would include a kitchen and seating areas to provide breakfast and serve as a lounge for hotel guests. The maximum occupancy for the entire terrace would be approximately 150 people. Exterior amplified music or speech is not proposed for the rooftop terrace area; however, indoor amplified sound may occur within the interior lounge space.

Napa County Municipal Code Section 8.16.070 establishes daytime standard of 45 dBA L_{50}, which includes the 5 dBA penalty, at the nearby residences and hotel, unless the ambient noise levels exceed the threshold. The predicted noise levels generated at the rooftop terrace would exceed the County's 45 dBA L_{50} threshold at residences east of the Project site and unmitigated, noise levels would result in a potentially significant impact (Appendix K). **Mitigation Measure NOI-3: Operation Noise Performance Standards for the Rooftop Terrace**, is identified to address this impact. Implementation of Mitigation Measure NOI-3 would reduce the potential noise impact from the rooftop terrace by ensuring it is designed to meet the performance standards of Section 8.16.070 of the Napa County Code. As a result of mitigation, this impact would be reduced to a **less-than-significant** level.

South Parcel Lawn Noise

As discussed in Section 3.3.2, an approximately 1,300-square-foot lawn area would be located on the South Parcel with a capacity of 86 people. Amplified music and speech would not occur at this location; however, non-amplified (acoustic) music, films, and raised conversation would be anticipated. This lawn area at the South Hotel Complex, located on the ground-level between Building B (to the west) and Building C (to the east), would provide shielding with surrounding buildings from the north, west, and east. However, the nearest receptor to the south would have direct exposure to the outdoor use area. Napa County Municipal Code Section 8.16.070 establishes a daytime standard of 45 dBA L_{50}, which includes the 5 dBA penalty, that would apply at the nearby residences and hotel, unless the ambient noise levels exceed the threshold. Predicted Project-generated noise levels at the South Parcel lawn would exceed the County's 45 dBA L_{50} threshold at residences south of the Project site and unmitigated noise levels would result in a potentially significant impact (Appendix K). **Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn**, is identified to address this impact. Implementation of Mitigation Measure NOI-4 would reduce the potential noise impact from South Parcel lawn noise by designing to meet the performance standards of Section 8.16.070 of the Napa County Code. As a result of mitigation, this impact would be reduced to a **less-than-significant** level.

> **Mitigation Measure NOI-1: Construction Noise Control Measures.**
>
> The Project Applicant or its contractors shall employ site-specific noise attenuation measures during all construction activities to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the Napa County Planning, Building and Environmental Services Department prior to the issuance of a demolition and/or grading permit for the Project. Measures specified in the Noise Control Plan and implemented during Project construction shall include, at a minimum, the following noise control strategies:

- Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).
- Unnecessary idling of internal combustion engines shall be prohibited. The Project Applicant or its contractors shall enforce at a minimum the California Air Resources Board regulations that generally limit idling of commercial motor vehicles (including buses and trucks) within 100 feet of a school or residential area for more than 5 consecutive minutes or periods aggregating more than 5 minutes in any 1 hour.
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used where feasible.
- Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
- The Project Applicant or its contractors shall construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Construction staging areas shall be located away from the noise-sensitive receivers, where such locations are available.
- The Project Applicant or its contractors shall erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites. This mitigation would only be necessary if the disturbance coordinator (see last bullet) receives validated noise complaints which are irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- The Project Applicant or its contractors shall locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- The Project Applicant or its contractors shall control noise from construction workers' radios to a point where they are not audible at existing residences bordering the Project site.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
- A detailed construction schedule and plan shall be prepared by the contractor for major noise generating construction activities.[3] The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. A notice shall be sent to neighbors within 1,000

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

feet at least 10 business days prior to major noise generating construction activities that includes the construction schedule.

- Designate a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment.

Before the issuance of any building permit, the Project Applicant shall ensure that all mechanical equipment is selected and designed to reduce impacts on surrounding uses to meet the performance standards of Section 8.16.070 of the Napa County Code to ensure that noise from stationary sources such as mechanical equipment is limited to 50 dBA and 75 dBA at the property lines of residential and industrial off-site (Napa County) receivers,[4] respectively.

If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the County. Methods of achieving these standards include using low-noise-emitting HVAC equipment, locating HVAC and other mechanical equipment within a rooftop mechanical penthouse, and using shields and parapets to reduce noise levels to adjacent land uses.

An acoustical study shall be prepared during final building design to evaluate the potential noise generated by building mechanical equipment and to identify the necessary noise controls that are included in the design to meet the County's requirements. A qualified acoustical consultant shall be retained by Project Applicant to review specific noise reduction measures for mechanical equipment. Reduction measures may include, but are not limited to a selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the hotel buildings away from the building's edge nearest the single-family residences or in locations around the building facades facing away from the nearby receptors. The study shall be submitted to the Napa County Planning, Building and Environmental Services Department for review and approval before the issuance of any building permit.

Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace.

Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 13 of the *Inn at the Abbey Environmental Noise and Vibration Assessment (*Appendix K*)* to reduce noise levels from outdoor activities at the rooftop terrace. This would limit the noticeable increase in noise generated by indoor amplified sound that may occur within the interior lounge space that opens onto the exterior terrace. A 3-foot barrier shall be constructed around the perimeter of the rooftop terrace, and an extension of a 2-foot tall glass or plexiglass barrier on top of the barrier would reduce noise levels generated at the rooftop terrace by 5 dBA. Amplified music and speech within the outdoor portion of the rooftop terrace shall be prohibited.

[4] The County Code equates wineries with industrial uses for the purposes of noise exposure.

Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn.

Design plans shall be amended to include construction of a 5-foot barrier as indicated in Figure 14 of the *Inn at the Abbey Environmental Noise and Vibration Assessment (*Appendix K*)* to reduce noise levels from outdoor activities at the South Parcel lawn. This would limit the noticeable increase in noise generated by occasional events at the outdoor activity space. The barrier shall have a minimum surface density of three lbs/ft^2 (e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units). The height of the barrier shall be measured from the pad elevation of the South Parcel lawn. Amplified music and speech within the outdoor South Parcel lawn shall be prohibited.

Significance after Mitigation: Less than Significant.

Impact NOI-2: The Project would not generate excessive groundborne vibration or groundborne noise levels. ***(Less than Significant)***

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

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

TABLE 4.10-12
VIBRATION LEVELS FOR CONSTRUCTION ACTIVITY

Equipment	Estimated PPV (inches per second) At 25 Feet (reference)
Jack Hammer	0.035
Loaded Trucks	0.076
Caisson Drilling	0.089
Vibratory Roller	0.21

SOURCE: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, 2018 and Caltrans, 2020.

According to the Noise and Vibration Assessment *(*Appendix K*)*, the nearest existing off-site building would be approximately 120 feet to the west of the Project site, opposite SR 29. At this distance vibration levels would be up to 0.04 in/sec PPV and are well below the building damage threshold. Project vibration levels at other nearby but further set back buildings would be similar to or less than that

estimated for the nearest off-site building. Accordingly, Project impacts from vibratory roller use on nearby buildings during construction would be **less than significant**.

Mitigation: None required.

4.10.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to noise and vibration could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

Impact NOI-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on noise and vibration. ***(Less than Significant with Mitigation)***

The geographic scope of analysis for cumulative noise and vibration construction impacts encompasses sensitive receptors within approximately 1,000-feet of the Project site. Beyond 1,000-feet, the contributions of noise and vibration from other projects would be greatly attenuated through both distance and intervening structures, and their contribution would be expected to be minimal. Table 4.0-1, in Section 4.0, lists the reasonably foreseeable projects in the vicinity of the Project site. Only three of these cumulative projects, the Vine Trail project, the Duckhorn Vineyards Winery Major Modification project, and the Vineyard 29 Winery Major Modification project, are within 1,000-feet of the Project site.

The Vine Trail project has completed construction as of August 2024, and as such, would not contribute any construction-related noise. The project is a shared-use bicycle and pedestrian path and would not include any operational traffic. The Vineyard 29 project requests recognition and authorization of the existing employees, visitation and marketing events as well as an increase in the winery's production, visitors, employees, and marketing. Construction associated with the Vineyard 29 would be primarily surface-level including parking, roadway, and utility improvements. No building construction activities would occur. As such, minimal construction noise would be anticipated, and the Vineyard 29 project would not combine with the Project such that a significant cumulative construction noise or vibration impact would occur. During operation, the Vineyard 29 project would result in additional eight (8) employees and 20 visitors to the site per day compared to existing conditions (Napa County, 2023). As such, minimal operational and traffic noise impacts associated with the additional visitors and winery production increase would not combine with the Project such that a significant cumulative operational noise or vibration impact would occur.

Construction activity associated with the Project could overlap with construction activity associated with the Duckhorn project and result in a cumulative noise impact. However, as discussed under Impact NOI-1, the Project would be required to implement Mitigation Measure NOI-1: Construction Noise Control Measures, which would reduce the Project's contribution to potential cumulative construction noise impacts during all activities. Mitigation Measure NOI-1 would implement a construction noise logistics plan to reduce construction noise to be consistent with the noise limits of the County noise ordinance and

would be sufficient to reduce the Project's contribution to cumulative construction noise impacts to a less than-significant level. During operation, the Duckhorn project would result in an increase in daily visitation, by increasing their existing *By Appointment Tours and Tastings* of 82 visitors per day for a proposed total of 197 daily visitors. This increase in visitors is estimated to result in a net increase of 17 peak-hour trips during both the weekday and weekend afternoon peak hour (Napa County, 2024). As such, minimal operational traffic noise impacts associated with the additional visitation are anticipated and would not combine with the Project such that a significant cumulative impact would occur. Additionally, regarding operational stationary noise sources, Napa County Code section 8.16.070 establishes performance standards for exposure to noise from stationary/non-transportation sources at the property line of noise-sensitive uses. While the stationary noise associated with the Project could combine with the Duckhorn project, Mitigation Measures NOI-2, NOI-3, and NOI-4 would reduce the Project's contribution to potential cumulative operational stationary noise impacts, and would be sufficient to reduce the Project's contribution to cumulative construction noise impacts to a less-than- significant level.

Additionally, the Noise and Vibration Assessment (Appendix K), analyzed potential cumulative increases in operational traffic noise. A significant impact could occur if the future cumulative traffic noise level increase were either 3 dBA Ldn or greater for future levels exceeding 60 dBA Ldn or 5 dBA Ldn or greater for future levels at or below 60 dBA Ldn and if the Project were to make a "cumulatively considerable" contribution to the overall traffic noise increase. A "cumulatively considerable" contribution would be defined as an increase of 1 dBA Ldn or more attributable solely to the Project.

The Project traffic volumes were added to the future peak hour traffic volumes to generate the future plus Project peak hour scenario. By comparing both future and future plus Project scenarios to the existing peak hour scenario, the noise level increases with and without Project traffic were estimated. Traffic noise level increases estimated for the future scenario (no Project) were 1 dBA Ldn along SR 29, 1 dBA Ldn along Lodi Lane, and 4 dBA Ldn along Silverado Trail. The same noise level increases along SR 29 and Silverado Trail were calculated when comparing the future plus Project scenario to the existing peak hour traffic volumes. While a 2 dBA Ldn increase was calculated along Lodi Lane during the peak hour on weekends, this would be a less-than-significant impact since the increase along Lodi Lane would be less than 5 dBA Ldn under both future scenarios.

The rest of the cumulative projects are further than 1,000-feet and are therefore sufficiently distant to not meaningfully contribute to cumulative construction-related or operational noise or vibration impacts. As a result, cumulative noise and vibration impacts would be the same as the project-level impacts identified above.

In summary, with implementation of Mitigation Measure NOI-1, the Project when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on noise and vibration.

Mitigation Measure NOI-1: Construction Noise Control Measures. (See Impact NOI-1 above)

Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment. (See Impact NOI-1 above)

Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace. (See Impact NOI-1 above)

Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Parcel Lawn. (See Impact NOI-1 above)

Significance after Mitigation: Less than significant.

4.10.7 References

California Department of Transportation (Caltrans), 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. September 2013

Caltrans, *Transportation and Construction Vibration Guidance Manual*, April 2020, Table 19, p. 38, https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf, accessed March 29, 2022.

Federal Highway Administration (FHWA), 2006. Roadway Construction Noise Model User Guide, 2006.

Federal Transit Administration. Transit Noise and Vibration impact Assessment Manual. FTA Report No. 0123. September 2018. Available online: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed March 29, 2022.

Illingworth & Rodkin, Inc., 2019. *Inn at the Abbey Environmental Noise and Vibration Assessment*. February 12, 2019. (Appendix K)

Miller Pacific Engineering Group (MPEG), Geotechnical Investigation for Inn at the Abbey, January 2019.

Napa County, 2008. *Napa County General Plan*, adopted by Board of Supervisors Resolution 08-86, June 3, 2008, as amended through February 2022.

Napa County. Napa County, California – Code of Ordinance. 2022. Available online: https://library.municode.com/ca/napa_county/codes/code_of_ordinances. Accessed March 30, 2022.

Napa County, 2023. Vineyard 29 Winery Major Modification #P20-00062-MOD & Exception to the Napa County Road and Street Standards Initial Study Checklist, October 11, 2023.

Napa County, 2024. Duckhorn Vineyards Winery, Use Permit Major Modification #P19-00097-MOD Initial Study Checklist (Revised), May 2024.

U.S. EPA, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*, March 1974.

4.11 Population and Housing

4.11.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on population and housing. This section first includes a description of the existing environmental setting as it relates to population and housing, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on population and housing.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to population and housing received during the NOP comment period include concerns related to the number of employees and employee housing.

Project-related impacts on the displacement of a substantial number of existing homes and people are addressed in Appendix B, *Initial Study*, of this Draft EIR and summarized in Section 4.11.4 below. The Initial Study concluded that that there would be no impact in regard to displacement of existing homes or people, therefore, these concerns are not further discussed in this Draft EIR. Project-related impacts to population growth are analyzed in this section below.

4.11.2 Environmental Setting

Napa County and Region

The Project site is located approximately one-half mile north of the city limits of St. Helena, in unincorporated Napa County. Napa County is located within the planning area of the Association of Bay Area Governments (ABAG), which is the Bay Area region's federally designated metropolitan planning organization. As outlined in ABAG and the Metropolitan Transportation Commission's (MTC) Plan Bay Area, and as described below, Napa County's employment, housing, and population as a whole are projected to continue to grow in the future. Recent trends related to population and housing of unincorporated Napa in the past decades are related to wildfire incidents that have resulted in the loss of numerous housing units in unincorporated Napa County.

Population

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990. However, unincorporated Napa County's residential population has seen a decrease in its population from 2010 to 2020. In 2020, the population of unincorporated Napa County was estimated to be 24,924 (see **Table 4.11-1**). The population of unincorporated Napa County makes up approximately 17.9 percent of Napa County. From 1990 to 2000, the population of the unincorporated county decreased by 24 percent, largely due to the incorporation of American Canyon in 1992 rather than an actual decline in population. This trend continued, with a decrease of approximately 4.6 percent between 2000 and 2010, and a further decline of approximately 4.9 percent between 2010 and 2020, as the population dropped to from 26,213 to 24,924 (CDOF, 2021). Conversely, Napa County's overall

population has increased by 1.8 percent during this period, indicating that growth in the County has occurred entirely within its incorporated cities. Overall, however, the County has lagged behind the Bay Area region, which has seen growth of approximately 8.4 percent over the same decade.

TABLE 4.11-1
POPULATION PROJECTIONS — 2020 TO 2040

	2020	2040	Growth (2020-2040)
Unincorporated Napa County	24,924[a]	30,120[b]	5,196 (20.8%)
Napa County (as a whole)	139,000[a]	158,050[b]	19,050 (13.7%)
Bay Area[c]	7,920,230[b]	9,652,950[b]	1,732,720 (21.9%)

NOTES:

a. California Department of Finance, E-4 Series.
b. ABAG, *Plan Bay Area Projections 2040*, July 2017.
c. The nine-county Bay Area Region includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

SOURCES: CDOF, 2021; ABAG, 2017.

Despite these measures of growth, the region as a whole is projecting population growth in the coming decades, and a share of this growth will be accommodated in unincorporated Napa County. The ABAG in conjunction with the MTC routinely prepares population, household, and employment forecasts. *Plan Bay Area Projections 2040* presents projected growth in the San Francisco Bay Area, its nine counties, and individual cities and smaller geographic areas. These projections are based on assumptions about the U.S. economy and demographic change, how different economic sectors will grow and change, and the region's success in meeting the housing investment strategies as encouraged by the Plan Bay Area. Table 4.11-1 presents population projections for the County, and San Francisco Bay Area between 2020 and 2040.

Housing

Trends for the change in the number of housing units mirror those for population described above. The number of housing units declined in unincorporated Napa County between 2010 and 2020. These recent declines can be attributed to the loss of housing due to wildfires. According to data collected by the California Department of Finance (CDOF), there was an estimated 11,491 housing units in unincorporated Napa County. According to the CDOF estimates, there was an average size of 2.46 persons per household in unincorporated Napa County in 2020. This was slightly lower than the County average of 2.67 persons per household. In 2020, unincorporated Napa County had a vacancy rate of 24.3 percent which was substantially higher than the County average of 10.3 percent (CDOF, 2022). **Table 4.11-2**, summarizes household projections in the unincorporated County, County as a whole, and the Bay Area based on projections data taken from the CDOF and ABAG.

Employment

The number of jobs in the unincorporated Napa County is projected to slightly decrease. This is because the projected employment decreases to the agriculture, finance, and education sectors outweigh the projected increase in employment to the manufacturing, wholesale, transportation, information, government, construction, and retail sectors. The ABAG projects job growth in Napa County to increase by 15.9 percent

and the Bay Area to increase by 13.6 percent over this time span. In 2020, there were approximately 17,005 employed residents in the unincorporated Napa County (ABAG, 2017). **Table 4.11-3** below displays a summary of job projections based on the ABAG projections for the County and Bay Area.

TABLE 4.11-2
HOUSEHOLDS PROJECTIONS — 2020 TO 2040

	2020	2040	Growth (2020-2040)
Unincorporated Napa County	11,491[a]	11,835[b]	344 (3.0%)
Napa County (as a whole)	50,365[b]	54,625[b]	4,260 (8.5%)
Bay Area[c]	2,881,965[b]	3,425,700[b]	543,735 (18.9%)

NOTES:

a. California Department of Finance, E-5 Series.
b. ABAG, *Plan Bay Area Projections 2040*, July 2017.
c. The nine-county Bay Area Region includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

SOURCES: CDOF, 2022; ABAG, 2017.

TABLE 4.11-3
JOB PROJECTIONS — 2020 TO 2040

	2020	2040	Growth (2020-2040)
Unincorporated Napa County	21,185	21,110	-75 (-0.35%)
Napa County (as a whole)	71,905	83,355	11,450 (15.9%)
Bay Area[a]	4,136,190	4,698,375	562,185 (13.6%)

NOTES:

a. The nine-county Bay Area Region includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

SOURCES: ABAG, 2017.

4.11.3 Regulatory Setting

Regional

Plan Bay Area 2040

SB 375 requires all metropolitan regions in California to complete a sustainable communities strategy (SCS) as part of a regional transportation plan. In the Bay Area, the MTC and ABAG are jointly responsible for developing and adopting an SCS that integrates transportation, land use, and housing to meet GHG reduction targets set by the California Air Resources Board.

Plan Bay Area 2040, adopted in July 2017, serves as the SCS for the Bay Area, in accordance with SB 375.[1] *Plan Bay Area 2040* provides a roadmap for accommodating projected household and employment growth in the nine-county Bay Area by 2040 as well as a transportation investment strategy for the region. A core household and employment growth strategy of Plan Bay Area is "focused growth" in existing communities along the existing transportation network. Key to implementing this focused

[1] Association of Bay Area Governments, *Plan Bay Area 2040*, Final, adopted July 26, 2017.

growth strategy are Priority Development Areas (PDAs) and Transit-Rich Areas (TRAs), as recommended and approved by local governments. As defined by the plan, PDAs are areas where new development will support the needs of residents and workers in a pedestrian-friendly environment served by transit. Plan Bay Area also recommends increasing non-auto travel mode share and reducing vehicle miles traveled per capita and per employee by promoting transit-oriented development, transit improvements, and active transportation modes such as walking and bicycling.

Plan Bay Area 2040 serves as the most recent regional transportation plan and sustainable communities strategy for the Bay Area region. *Plan Bay Area 2050* updates *Plan Bay Area 2040* and is consistent with the current Regional Housing Needs Allocation cycle. However, since *Plan Bay Area 2050* was adopted in late 2021, *Plan Bay Area 2040* continues to serve as the basis for regional and county-wide transportation models until the models are updated. Updates to the models are anticipated within the next several years.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Agricultural Preservation and Land Use and Economic Development Elements of the Napa County General Plan includes the following policies related to population and housing (Napa County, 2008).

Goal AG/LU-5: With municipalities, other governmental units, and the private sector, plan for commercial, industrial, residential, recreational, and public land uses in locations that are compatible with adjacent uses and agriculture.

Goal AG/LU-6: Create a stable and predictable regulatory environment that encourages investment by the private sector and balances the rights of individuals with those of the community and the needs of the environment.

Goal AG/LU-7: Plan for demographic changes, environmental or climatic changes, and desired social services when siting public facilities and when considering the design of those facilities.

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.

Policy AG/LU-31: The County will work with the cities and town to see that low and moderate cost housing is provided to address the needs of low and moderate income householders in Napa County. In addition, the County will accept responsibility for meeting its fair share of the housing needs, including a predominant percentage generated by any new employment in unincorporated areas.

Policy AG/LU-33: The County will promote development concepts that create flexibility, economy, and variety in housing without resulting in significant environmental impacts and without allowing residences to become timeshares, resorts, hotels, or similar tourist-type accommodations.

Policy E-13.5: Increasing the supply of workforce housing will help the County maintain a stable and locally based workforce, reduce commuter traffic and air emissions, and support the local economy.

Napa County Municipal Code

Development is required to conform to Napa County Municipal Code Chapter 18.107 Nonresidential Developments – Housing Fees. The housing fees for nonresidential developments shall be established by resolution of the board of supervisors. The fees are established per gross square foot of nonresidential space and based on the following nonresidential land use categories: office, retail, warehouse, industrial, and hotel.

4.11.4 Significance Criteria

The thresholds used to determine the significance of impacts related to population and housing are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Approach to Analysis

The Project's effects related to population and housing are evaluated by assessing anticipated population growth under the Project in relation to adopted regional and local growth projections, including projections included in the ABAG's *Plan Bay Area 2040*. The analysis utilizes projections under *Plan Bay Area 2040* as opposed to *Plan Bay Area 2050* because the former includes projections for households, jobs, and population at the regional, County, and unincorporated County levels. *Plan Bay Area 2050* does not include population projections at the County level and does not isolate unincorporated County numbers. Therefore, *Plan Bay Area 2040* growth projections provide the most relevant data.

As discussed in Section 4.0.3, *Off-site Employee Housing*, it is assumed that the off-site housing units developed as part of the Project Applicant's Development Agreement to meet the Project's affordable housing obligation would be separately entitled following environmental review. This analysis does not speculate regarding the location or impacts of the new off-site housing units, which would comply with County Code and zoning requirements, be consistent with the County's General Plan, and therefore fall within the forecast of cumulative growth, as described below.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact on the following topics based on the Initial Study prepared for the Project (see Appendix B). These topics are not addressed further in this document for the following reasons:

- ***Displace substantial numbers of existing people or housing (criterion b)***. As discussed in Appendix B, Section XII, *Population and Housing,* the Project would not remove any existing housing units and would not displace substantial numbers of people. Therefore, this significance criterion is not applicable to the Project and is not discussed further.

4.11.5 Impacts of the Project

Impact POP-1: The Project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). ***(Less than Significant)***

Construction

As described in Chapter 3, *Project Description,* the Project site currently contains three structures (a restaurant, commercial building, and motel), totaling 10,048 square feet, that would be demolished during construction of the Project. The Project would construct a 79-room hotel and accessory buildings, totaling 78,841 square feet of new construction. Construction of the Project would result in a temporary increase in construction employment. The employment would occur during the approximately 3-year construction period. The size of the construction workforce would vary during the different subphases of construction, but the maximum average daily number of construction workers would occur during building construction. Given the relatively common nature of the anticipated construction, the demand for employment would likely be met with the existing and anticipated labor market within the County. The temporary nature of the construction activities would not require a substantial number of workers to relocate from outside the region.

Operation

As also described in Chapter 3, current uses at the Project site utilize 55 employees, and the Project is expected to add 48 new employees for the new hotel use which would total 103 employees at the Project site. As mentioned above, employment is projected to decrease by 0.35 percent by 2040 in unincorporated Napa County. The Project is expected to add 48 new employees, which would be greater than the expected employment forecast. However, this level of job growth would represent approximately 0.4 percent of the estimated employment in the County in 2040.[2] The Project would represent a small amount

[2] (48 net new employees / 11,450 projected new 2040 employees) * 100 = 0.4 percent

of the projected employment in the County, therefore it would not result in substantial unplanned growth for the County.

The Project-induced housing demand that would be generated from the 48 new employees would partially be satisfied by the six residential dwelling units on the Project site which would be retained and used to house employees during Project operation. These residential dwelling units are currently being used as rental units and would not result in an increase in on-site residential dwelling units. Additionally, as part of the Development Agreement for the Project, the Project Applicant would commit to provide five new off-site residential dwelling units for employee housing in the County.[3] For informational purposes, the County considers the uses associated with the structures proposed for demolition to be entitled, but non-operational. The entitled uses would generate approximately 106 FTE employees on the Project site (BAE, 2024).

Overall, the Project would result in an increase in employment and tourism, which could lead to indirect population growth. Potential indirect population impacts could be induced through the employment opportunities, some of which would be expected to seek and find housing in Napa County. As mentioned above, this Project-induced housing demand would be partially satisfied by the six residential dwelling units on the Project site. Additionally, the Project would not include extension of roads or expansion of service infrastructure beyond the Project site. Therefore, the Project would not have any new infrastructure that would induce or otherwise result in unplanned population growth. Furthermore, the increase in visitors would be temporary and would not require additional permanent residential housing.

Summary

The population growth associated with the Project would be consistent with adopted regional and local projections. As described above, construction of the Project would result in a temporary increase in construction employment. The maximum average of daily construction workers would occur during building construction, and this demand for employment would likely be met with the existing and anticipated labor market within the County. Furthermore, the temporary nature of the construction activities would not require a substantial number of workers to relocate from outside the region. Additionally, the Project would represent a small amount of the projected employment in the County. Employee housing on the Project site would partially satisfy the increase in housing demand generated by new employment. The Project would not construct any new infrastructure that would induce or otherwise result in any direct or indirect unplanned population growth. Therefore, the impact of the Project on substantial unplanned population growth would be **less than significant.**

Mitigation: None required.

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[3] As discussed in Section 4.0.3, *Off-site Employee Housing*, the five new units are anticipated to be ministerial approvals and the information here is provided for informational purposes only. The off-site units are assumed to be compliant with County Code and zoning requirements, be consistent with the County's General Plan, and therefore fall within the forecast of cumulative growth.

4.11.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to population and housing could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on population and housing is Napa County.

Impact POP-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on population and housing. ***(Less than Significant)***

The Project in combination with past, present, and reasonably foreseeable future development in the County would lead to an increase in employment growth. However, as described under Impact POP-1 above, the Project would result in approximately 48 new jobs. Cumulative development in the area would include several projects to be developed for winery expansions and non-residential construction, which would generate employment in the area in addition to the Project. As discussed above in Impact POP-1, the Project would represent a small fraction of the projected employment in the County in 2024 and housing needs would be partially met with on-site residential dwelling units. Similarly, any housing needs generated by cumulative development would be subject to the County's housing impact mitigation fee (County Code Chapter 18.107). The fee provides funds for constructing affordable housing in the County and is paid at the time that building permits are issued for a project. This fee is charged to all new non-residential developments based on the gross floor area of non-residential space multiplied by the applicable fee by type of use as required under County Code Chapter 18.107 and is considered to reduce housing impacts associated with job generation to a less-than-significant level. These cumulative projects have the potential to increase the visitor and tourism population in the area, however, the increase in visitors would be temporary and would not require additional housing. Thus, the Project would not contribute considerably to any potential cumulative substantial unplanned employment, population, and housing growth in the County, and the impact would be **less than significant.**

Mitigation: None required.

4.11.7 References

Association of Bay Area Governments (ABAG), 2017. *Plan Bay Area 2040 Projections 2040 Forecasts for Population, Household and Employment for the Nine County San Francisco Bay Area Region*, July 2017. Available: http://projections.planbayarea.org/#:~:text=Projections%202040%20is%20the%20most. Accessed January 3, 2023.

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4.12 Public Services and Recreation

4.12.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on public services. This section first includes a description of the existing environmental setting as it relates to public services, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on public services.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. There were no comments relating to public services received during the NOP comment period.

Project-related impacts on schools, parks, and recreational facilities are addressed in Appendix B, *Initial Study*, of this EIR and summarized in Section 4.12.4 below. The Initial Study concluded that potential impacts related to schools, parks, and other public facilities would not result in any impacts, and, therefore, are not further discussed in this Draft EIR. Project-related impacts to fire and police protection services are analyzed in this section of the Draft EIR.

4.12.2 Environmental Setting

Fire Protection

The County of Napa contracts with the California Department of Forestry (CAL FIRE) for fire protection services as the Napa County Fire Department (NCFD). CAL FIRE provides administrative support and coordination with five full-time paid stations and oversees the County's nine volunteer fire companies operating under a County Fire Plan, which is approved by the County Board of Supervisors (Napa County, 2024a). Napa County is located with CAL FIRE's Sonoma-Lake-Napa Unit (LNU), which serves six northern Bay Area counties and several municipalities. The CAL FIRE LNU Headquarters is located in Napa County (1199 Big Tree Road) approximately 1.70 miles northwest of the Project site (CAL FIRE, 2023). The CAL FIRE LNU Unit Chief also serves as the County's Fire Chief, coordinating fire protection services for all County fire agencies. The NCFD owns the fire protection stations and equipment but contracts with CAL FIRE for the staffing and management of the facilities (Napa County, 2016). The County also contracts with the cities of St. Helena and Calistoga, and Schell-Vista Fire Protection District and South Lake County Fire Protection District for the provision of fire protection services to specified unincorporated areas adjoining these agencies (Napa County, 2024a). NCFD does not have adopted response time standards or service level ratios (NCFD, 2023).

NCFD operates 19 fire stations in unincorporated Napa County, made up of both volunteer and career firefighters. NCFD Station 26 (3535 N Saint Helena Highway) is located approximately 1.70 miles northwest of the Project site and NCFD Volunteer Station 21 is located approximately 1.70 miles northeast of the Project site (Napa County, 2024b). The St. Helena Fire Department (1500 Main Street, St. Helena), a mutual aid fire station for the NCFD, is also located approximately 1.75 miles southeast of the Project site. NCFD

Station 26 has three apparatus bays, a maximum staffing of nine firefighters, and is reported to be in "Good" general physical condition according to NCFD's assessment included in its 2023 *Long-Range Master Plan*. NCFD vehicle and equipment replacement costs are typically scheduled, with those costs included in the County's annual budget. Under the service contract with CAL FIRE, the County/NCFD pays for salaries and benefits of the staffing provided by CAL FIRE with costs that vary based on seasonal fire activity. Primary funding for the NCFD is from an allocation of the County's General Fund Property Tax Revenues, and NCFD also receives funding from the issuance of safety permits, and construction and building permit review services (NCFD, 2023).

NCFD is also supported by the Napa County Firewise Foundation and 13 local Fire Safe Councils that educate and mobilize community members to protect their homes and communities from the threat of wildland fires through education and fire fuel reduction programs (NCFD, 2023).

Emergency Medical Services

In 2011, Napa County formed its own local Emergency Medical Services (EMS) Agency. This EMS system was redesigned to incorporate one Countywide Exclusive Operating Area (EOA) and to conduct a Request for Proposals for emergency Advance Life Support (ALS) ambulance services, which was later awarded to American Medical Response (AMR). The EOA provider responds to 911 calls and transports patients with an ALS ambulance throughout Napa County.

The EOA is designed to provide specific response times to the various populated areas within Napa County called Emergency Response Zones (ERZ). There are five zones distinguished by response time performance requirements and each zone is distributed over multiple areas of the County. The zones are designated as Urban, Suburban, Rural 1, Rural 2, and Wilderness. AMR is responsible to comply with four priorities in each ERZ which are potentially life-threatening emergency response (Priority 1), non-life-threatening emergency response (Priority 2), non-emergency response (Priority 3), and non-emergency interfacility ALS transports (Priority 4) (Napa County, 2021). The Project site is located within the Rural 1 zone, which has response time requirements for 90 percent of calls as measured in a calendar month as listed in **Table 4.12-1** below. In 2023, response times for all zones were met in all calendar months (Napa County EMS, 2023).

TABLE 4.12-1
RESPONSE TIME REQUIREMENTS FOR RURAL 1 EMERGENCY RESPONSE ZONE

Priority Level	Compliance	Rural 1 Zone
Priority 1	90%	15:00
Priority 2	90%	25:00
Priority 3	90%	60:00
Priority 4	90%	15:00

SOURCE: Napa County, 2021

Law Enforcement Services

The Napa County Sheriff's Office (NCSO) provides law enforcement services to the unincorporated portions of the County and through mutual aid agreements with the Napa City Police Department, the City of Vallejo Police Department and CHP. The NCSO provides contract law enforcement services through mutual aid agreements to the City of Calistoga Police Department, the City of Napa Police Department, and the City of St. Helena Police Department. The NCSO also provides contract law enforcement services to the City of American Canyon and the Town of Yountville.

In 2023, the NCSO employed 142 members and responded to 25,254 calls for service (NCSO, 2024a). The NCSO main office is located approximately 25 miles southeast of the Project site near the Napa County Airport. There are several NCSO substations in various locations throughout the County including Angwin, the City of Napa, Lake Berryessa, and Yountville. The NCSO also operates out of the Saint Helena Regional Office in Bothe State Park (3801 N Saint Helena Highway) located approximately 2.25 miles northwest of the Project site (NCSO, 2024b). The St Helena Police Department is also located approximately 2.25 miles southeast of the Project site.

4.12.3 Regulatory Setting

Federal

No federal plans, policies, regulations, or laws are applicable to the provision of public services for the proposed Project.

State

California Fire Code

The California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout the State of California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, and fire safety during construction and demolition.

California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which includes regulations for building standards (as set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, high-rise building and childcare facility standards, and fire-suppression training.

California Occupational Safety and Health Administration

In accordance with California Code of Regulations, Title 8, Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Local

Napa County Code

The Napa County Code includes the Uniform Fire Code and standards for fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, and additional provisions intended to protect and assist first responders.

Napa County General Plan

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

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

Policy SAF-15: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs.

Policy SAF-20**:** All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

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

Goal SAF-5: To protect residents and businesses from hazards caused by human activities.

Policy SAF-34**:** 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.

Napa County Road and Street Standards

Updated in April 2023, the *Napa County Road and Street Standards* provides regulations to govern the design and development of public and private roads, driveways and parking areas in the unincorporated

county, in compliance with changes in accepted health and safety practices and with changes in county ordinances and State and federal law. Objectives of the *Road and Street Standards* include providing adequate safety and service and producing Standards which equal or exceed the State Minimum Fire Safe Regulations. The County's roadway standards are developed in consultation with the County Fire Marshal, County Public Works, County Planning, Building and Environmental Services, and other agencies to ensure adequate widths for emergency access and evacuation (Napa County, 2023).

4.12.4 Significance Criteria

The thresholds used to determine the significance of impacts related to public services and recreation are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:
  - i) Fire protection;
  - ii) Police protection;
  - iii) Schools;
  - iv) Parks; or
  - v) Other public facilities.
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Approach to Analysis

Evaluation of potential public service impacts was based on a review of documents pertaining to the Project, including the Napa County General Plan and consultation with appropriate public service providers. Impacts from public services that would result from the Project were evaluated by comparing existing service capacity and facilities against future demand associated with Project implementation, in addition to personal communications held with the NCSO and the NCFD.

The Project could have a significant impact on public services if: (1) it would require the construction of new or physically altered governmental facilities in order to maintain acceptable levels of public services; and (2) the construction or alteration of such facilities would result in a substantial adverse physical impact on the environment.

As discussed in Section 4.0.3, *Off-site Employee Housing*, it is assumed that the off-site housing units developed to meet the Project's affordable housing obligation would be separately entitled through a ministerial approval process or following environmental review, if applicable. This analysis does not speculate regarding the location or impacts of the new off-site housing units, which would comply with

County Code and zoning requirements, be consistent with the County's General Plan, and therefore fall within the forecast of cumulative growth, as described below. The increased demand for public services associated with off-site employee housing is assumed to be minimal.

Topics Considered and Effects Found Not to Be Significant

The Project would have no impact or less than significant impacts to the following topics based on the Initial Study prepared for the Project (see Appendix B). Therefore, these topics are not addressed further in this document for the following reasons:

- ***Adverse Physical Impacts Related to Schools (criterion a[iii])***. As discussed in Appendix B, *Initial Study,* Section XV*,* the Project does not include new residential units, and would not generate new residents at the Project site. There would thus be no impact to existing school facilities or demand for new facilities. Therefore, this significance criterion is not applicable to the Project and is not discussed further.
- ***Adverse Physical Impacts Related to Parks (criterion a[iv])***. As discussed in Appendix B, *Initial Study,* Section XV, there are no new residents which would be introduced to the Project site. Because residents are associated with additional demand for park facilities, these facilities would not be affected by the Project. Therefore, this significance criterion is not applicable to the Project and is not discussed further.
- ***Adverse Physical Impacts Related to Other Public Services (criterion a[v])***. As discussed in Appendix B, *Initial Study,* Section XVI, the demand for other public services such as libraries is associated with the number of residents in a given area. Because there are no new residential units included on the Project site, such public service facilities would not be impacted by the Project. Therefore, this significance criterion is not applicable to the Project and is not discussed further.
- ***Physical Deterioration of Existing Parks and Recreational Facilities (criterion b)***. As discussed in Appendix B, *Initial Study,* Section XVI, while the Project would not increase the number of residents in the area, it would increase the number of employees at the Project site. New employment at the Project site, however, would be filled by workers currently living in the Napa County region, and an increase in recreational use resulting from employment generated at the site is not anticipated. Therefore, this significance criterion is not applicable to the Project and is not discussed further.
- ***Construction or Expansion of Recreational Facilities (criterion c)***. As discussed in Appendix B, *Initial Study,* Section XVI, the Project would not include public recreational facilities. There would thus be no impact related to the construction or expansion of public recreational facilities. The construction of private, on-site recreational facilities included as part of the Project would not result in physical effects not discussed in the Initial Study. Therefore, this significance criterion is not applicable to the Project and is not discussed further.

4.12.5 Impacts of the Project

Impact PUB-1: The Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered fire protection and emergency medical response services facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection and emergency medical response services. ***(Less than Significant)***

As described in Section 4.12.2, *Environmental Setting*, the CAL FIRE/(NCFD provide fire protection and Napa County EMS provides emergency medical response to residents of Napa County. The Project would introduce a new 79-room hotel with associated guest amenities and commercial uses. The Project would add 48 new full-time equivalent (FTE) employees to the Project site, resulting in an increase to 103 total FTE employees from the previous 55 FTE employees. Although the demand for fire protection and emergency service is generally associated with the number of new residents in an area, development of the hotel use may also generate additional need for fire protection and emergency medical services due to an increase in population at the Project site from employees and hotel guests. This increase in population on the Project site would not likely result in any physical impacts associated with the need for new or physically altered fire protection facilities. The NCFD has not indicated that the Project's increase in employees and hotel guests at the Project site would require additional operational staff or new facilities (NCFD, 2025). Additionally, Napa County's EMS agreement with AMR requires that AMR, as the contractor, maintains sufficient resources to achieve the response time standards in Table 4.12-1 (Napa County EMS, 2021).

The Project is required to be designed to comply with the most up-to-date building and fire codes and would include fire safety measures and equipment, including but not limited to, use of fire-retardant building materials, inclusion of emergency water infrastructure (fire hydrants and sprinkler systems), installation of smoke detectors and fire extinguishers, installation of emergency response notification systems, and provision of adequate emergency access ways for emergency vehicles. Project fire safety plans would be subject to review and approval by the County and Fire Department. The Project would have to adhere to these requirements and other established fire safety standards as noted in General Plan Policy SAF-20.

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

Therefore, the increase in calls for fire protection and emergency medical services associated with implementation of the Project would not result in a significant impact due to the need for new or expanded facilities. As such, the impact would be **less than significant**.

Mitigation: None required.

Impact PUB-2: The Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. ***(Less than Significant)***

As described in Section 4.12.2, *Environmental Setting*, NCSO provides law enforcement services to the unincorporated portions of the County. While the demand for police protection services is generally associated with the number of new residents in an area, development of the hotel use may also generate additional need for police services due to an increase in population at the Project site from employees and hotel guests. As stated above in Impact PUB-1, the Project would add 48 new FTE employees in addition to the existing 55 FTE employees. This increase of employment onsite would not likely result in any physical impacts associated with the need for new or physically altered police facilities. As confirmed by the NCSO, the increase in employees and hotel guests at the Project site would not affect the ability of the NCSO to adequately respond to calls for service in the area, nor would staffing levels need to be increased (NCSO, 2023). Thus, there would be no need for new or physically altered police facilities that could result in substantial adverse physical environmental impacts. Additionally, the Project would be required to adhere to Napa County General Plan Policy SAF-34, which provides a framework for evaluating the potential impact of development on public safety issues by the NCSO. The impact would be **less than significant**.

Mitigation: None required.

4.12.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to public services could occur if the incremental impacts of the proposed Project combine with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on public services includes the surrounding local emergency personnel and facilities that serve the Project area. These include CAL FIRE/NCFD, Napa County EMS, and the NCSO.

Impact PUB-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in a significant cumulative impact on public services. ***(Less than Significant)***

The Project and cumulative projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, are all within the service areas of CAL FIRE/NCFD, Napa County EMS, and the NCSO. The winery projects seeking amended use permits listed in Table 4.0-1 would involve intensification of uses and result in additional employees and visitors in the Project area, leading to increased demand for public services. As described in Section 4.12.2, *Environmental Setting,* there are no known deficiencies in service levels associated with public service providers in the Project area. As none of the cumulative projects include residential uses, the increased demand for public services associated with cumulative project is also assumed to be minimal. While a cumulative increase in calls for

service could lead to the need for additional staffing for the public service providers, increases in staffing would be addressed over time through the County's budgeting process. Since there are existing fire protection and police service facilities nearby in the Project area, it is not anticipated that the Project when combined with cumulative development would result in the construction of new, or expansion of existing, fire and police facilities. Similar to the Project, cumulative projects would also be required to adhere to Napa County General Plan Policies SAF-20 and SAF-34. Compliance with County requirements would ensure that adequate public services are available to serve the Project and cumulative development. Therefore, the cumulative impact regarding cumulative impacts to public services, specifically fire and police protection services, would be **less than significant**.

Mitigation: None required.

4.12.7 References

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NCFD, 2025. Personal correspondence on February 12th, 2025.

4.13 Transportation

4.13.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on transportation. This section first includes a description of the existing environmental setting as it relates to transportation, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on transportation.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020 and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to transportation received during the NOP comment period include concerns related to intersection safety and vehicle turning movements at State Route 29 (SR 29) and Silverado Trail from Lodi Lane, landscaping and sight distance, vehicle trip reduction measures, the interaction of the Project with the Vine Trail, pedestrian safety, and general cumulative traffic impacts.

4.13.2 Environmental Setting

Roadway Network

The roadway network serving Project area is shown in **Figure 4.13-1**. The County's roadway network is comprised of a hierarchy of roads with different classifications and characteristics, including freeways and highways, arterials, collectors and local roads. Key roadways are described below.

SR 29. SR 29 is a highway adjacent to the Project site and runs predominantly north-south and has two 12-foot travel lanes with a posted speed limit of 50 miles per hour (mph). The roadway is mostly straight adjacent to the Project site; however, there is a horizontal curve approximately 500 feet north of the site and the roadway has about a 4 percent grade in the northbound direction. Along the Project frontage, the roadway varies in width between approximately 36 and 46 feet depending on the width of the shoulders and the presence of a left-turn lane. Based on traffic counts collected as part of the Traffic Impact Study (TIS) prepared for the Project (**Appendix L**), the average daily traffic (ADT) along the Project frontage is approximately 15,600 on weekdays and 13,600 on weekend days.

Lodi Lane. Lodi Lane is a two-lane arterial roadway that runs northeast-southwest between SR 29 and Silverado Trail, though as noted above the roadway is considered to run east-west for the purpose of the TIS and the EIR. The roadway is approximately 30 feet wide and has a posted speed limit of 40 mph. Based on traffic counts collected as part of the TIS, the ADT adjacent to the Project site is approximately 1,100 on weekdays and 900 on weekend days.

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

SOURCE: W-Trans

Inn at the Abbey EIR

Figure 4.13-1
Project Area roadways and Existing and Planned Bicycle and Transit Facilities

ESA

Bicycle and Pedestrian Facilities

Bicycle Facilities

The *Napa Countywide Bicycle Plan* (2019) identifies the Proposed Bicycle Network which will construct facilities that create a safe, connected, and comfortable bicycle system to link to community destinations, such as schools, transit, trails, and retail areas in Napa County.

Bicycle planning and design typically relies on guidelines and design standards established by the California Department of Transportation (Caltrans) in the *Highway Design Manual* (Chapter 1000: Bicycle Transportation Design). The *Highway Design Manual* provides four distinct types of bikeway facilities, as described below.

- **Class I Bikeways (Bike Paths).** Shared-Use Path (Class I) are two-way paved facilities, physically separated from motor vehicle traffic and used by bicyclists, pedestrians, and other non-motorized users. Shared-use paths are often located in an independent alignment, such as a greenway, though sometimes they are located adjacent to roadway. Shared-use paths provide low-stress facilities for bicyclists.
- **Class II Bikeways (Bike Lanes).** Bike Lanes (Class II) provide an exclusive space for bicyclists in the roadway and are established by painting lines and symbols on the roadway surface. Bike lanes are for one-way travel and are typically provided in both directions on two-way streets and/or on one side of a one-way street. Bike lanes are the most common facility type in Napa County. Most bike lanes are located on major connector routes, such as Silverado Trail
- **Class III Bikeways (Bicycle Routes).** Bike Routes and Bicycle Boulevards are two types of Class III facilities in Napa County. This Plan Update will include Class III Rural Routes and Class III Bicycle Boulevards as facility types, but this section describes the existing conditions in the county where bike routes are applied more broadly than in rural areas. Bike routes are designated with pavement markings or signage to indicate a shared lane environment between bicyclists and drivers. While signage and markings support wayfinding and indicate bicyclist positioning on shared streets, bicycle routes do not provide any protection or separation between people driving and people bicycling. When located on streets that have high traffic speeds and/or volumes, bike routes are uncomfortable and most people will choose not to ride on them.
- **Class IV Bikeways (cycle tracks or "separated" bikeways)** provide a right-of-way designated exclusively for bicycle travel within a roadway and are protected from other vehicle traffic by physical barriers, including, but not limited to, grade separation, flexible posts, inflexible vertical barriers such as raised curbs, or parked cars. No separated bike lanes currently exist in the unincorporated areas or elsewhere in Napa County.

There are existing Class II bike lanes on Silverado Trail in the Project vicinity and plans to provide a Class III bike route on SR 29 adjacent to the Project site. A segment of the Class I trail (the Vine Trail) that runs from St. Helena to Calistoga parallel to SR 29 that runs along the Project site frontage recently completed construction, that would ultimately connect Vallejo to Calistoga. A 12.5-mile segment of the Vine Trail has already been constructed between South Napa and Yountville. The existing and planned bicycle and transit facilities serving the Project site are listed in **Table 4.13-1**.

TABLE 4.13-1
EXISTING AND PLANNED BICYCLE FACILITIES SUMMARY

Facility (Type)	Length (Miles)	Begin Point	End Point
Existing			
Silverado Trail (Class II)	2.9	Bale Lane	Deer Park Road
Planned			
Vine Trail (Shared-Use Path Class I)	47.0	Calistoga	Vallejo
SR 29 (Class III)	6.15	Deer Park Road	Calistoga – southern city limit

SOURCE: NVTA, 2019; W-Trans. 2019 (Appendix L)

Pedestrian Facilities

The *Napa Countywide Pedestrian Plan* (2016) is intended to guide pedestrian planning in the region. The Pedestrian Plan describes the existing setting for pedestrians in unincorporated County areas, as well as within individual jurisdictions in Napa County. The Pedestrian Plan describes unincorporated areas as predominantly rural, with limited pedestrian infrastructure and few marked crosswalks at intersections (NVTA, 2016). As expected, due to the rural setting of the Project site, a connected pedestrian network is lacking in the Project vicinity. However, the recently completed section of the Vine Trail has added a walking/biking trail system to the Project area. As discussed in Chapter 3, *Project Description*, the Project Applicant has contributed easements for Vine Trail and a trail rest shelter.[1]

Public Transportation

Public transit services, though not yet a major travel mode in Napa County, are available in all of the cities and in some of the unincorporated areas of the County. Fixed-route local, intercity and demand-response service and paratransit service are provided by the Napa Valley Transportation Authority (NVTA) and are described below. (NVTA, 2016; Napa County, 2007)

Vine Transit

Vine Transit, (The VINE) provides intra- and inter-city fixed route services in Napa County. The VINE operates local transit service in the City of Napa, and regional transit service between Napa County and transit and rail connections in El Cerrito, Vallejo, Fairfield, and Suisun City, as well as airport connection services to Oakland International Airport, San Francisco International Airport, and Sacramento International Airport. (The Vine, 2024)

The Project site is located along VINE Route 10 – Up Valley Connector, which provides service between Napa Valley College and Calistoga seven days a week. Weekday headways are generally every 45 minutes and weekend headways are generally every hour. Bus stops are located on SR 29 just north of the Project site in the northbound and southbound direction. The stop just north of the Project site in the southbound direction has an overhead shelter.

[1] As of publication of this Draft EIR, the Vine Trail rest shelter has been constructed.

4.13.3 Regulatory Setting

Federal

No federal plans, policies, regulations, or laws related to transportation and circulation are applicable to the Project.

State

Senate Bill 375

Senate Bill (SB) 375 provides guidance regarding curbing emissions from cars and light trucks. There are four major components to SB 375. First, SB 375 requires regional greenhouse gas emission targets. These targets must be updated every eight years in conjunction with the revision schedule of the housing and transportation elements of local general plans. Second, Metropolitan Planning Organizations are required to create a Sustainable Communities Strategy (SCS) that provides a plan for meeting regional targets. Third, SB 375 requires housing elements and transportation plans to be synchronized on 8-year schedules. Finally, Metropolitan Planning Organizations must use transportation and air emissions modeling techniques that are consistent with the guidelines prepared by the California Transportation Commission.

Senate Bill 743

Passed in 2013, SB 743 changed the focus of transportation impact analysis in CEQA from measuring impacts to drivers, to measuring the impact of driving. The change was made by replacing Level of Service (LOS) as a performance metric with a vehicle miles traveled (VMT) approach. This shift in transportation impact focus is intended to better align transportation impact analysis and mitigation outcomes with the State's goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through development of multimodal transportation networks. LOS or other delay metrics may still be used to evaluate the impact of projects on drivers as part of land use entitlement review and impact fee programs but are no longer the metric for determining the significance of impacts from project-related traffic. City and County general plans may still contain LOS policies for which conflicts or inconsistencies with such policies are analyzed in CEQA (see Napa County General Plan policies, below).

To help aid lead agencies with SB 743 implementation, the Governor's Office of Planning and Research (OPR) produced the *Technical Advisory on Evaluating Transportation Impacts in CEQA* in 2018.

Local

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Napa County General Plan includes the following applicable goals and policies related to transportation within Napa County (Napa County, 2008; Napa County, 2019).

> **Goal CIR-1:** The County's transportation system shall complement the policies of the Agricultural Preservation and Land Use Element to protect the County's rural character.

Goal CIR-2: The County's transportation system shall provide all users with accessibility to desirable destinations on well-maintained transportation facilities throughout the County. The operation, maintenance, and expansion of the transportation system will consider the needs of Napa County residents of all income levels, ages and abilities, as well as businesses, employees, and visitors.

Goal CIR-3: The County's transportation system shall encompass the use of private vehicles, local and regional transit, paratransit, transportation network companies, walking, bicycling, air travel, rail, and water transport. It shall support the implementation of new transportation technologies and travel options to the extent those technologies and options support the County's goals of improving mobility while reducing congestion and emissions.

Goal CIR-4: The County supports State, regional, and local efforts to reduce greenhouse gas emissions from the transportation system.

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-5: The County supports a coordinated approach to land use and circulation planning that increases opportunities for physical activity and promotes public health by prioritizing implementation of improvements to active transportation modes and encouraging mixed-use developments that locate complementary uses within reasonable walking or bicycling distance of each other.

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 project' 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.

Policy CIR-7: All applicants for development projects or modifications thereto shall be required to evaluate the vehicle miles traveled (VMT) associated with their projects, in order to determine the projects' environmental impacts pursuant to the California Environmental Quality Act. Applicants shall specify feasible measures to reduce a proposed project's VMT and shall provide an estimate of the VMT reduction that would result from each measure. Upon the effective date of the pertinent State CEQA Guidelines, projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact.

Policy CIR-8: In support of State and regional goals to reduce greenhouse gas emissions and encourage active transportation modes, the County will implement programs to reduce the number of VMT on local roadways and regional routes in the County. In addition to those Transportation Demand Management strategies to reduce single-occupant vehicle use listed in Policy CIR-23, the County will support measures that eliminate or reduce the length of vehicle trips. Such measures could include:

- Increased efforts towards construction of affordable and workforce housing units, and additional incentives for construction of farm labor housing in the County;
- Coordination between local agencies, including local chambers of commerce, the County, cities and town, to facilitate business partnerships and interconnectivity using shared transportation facilities, such as shuttles;
- Increased parking reductions from that currently allowed in the zoning ordinance, for any two or more developments that offer opportunities for bicycle or pedestrian activity between them, such as shared parking lots and privately-maintained multi-use paths;
- Transportation system impact fee incentives for discretionary and private development projects for which the County and project applicant agree that the applicant will construct planned pedestrian and bicycle transportation facilities, including but not limited to bicycle lanes and multi-use paths.

Policy CIR-9: The County shall update its Transportation Impact Study (TIS) Guidelines to specify a methodology for evaluating a project's VMT and a list of potential mitigation measures for achieving VMT reductions from a project. The County shall periodically monitor vehicle trips at built projects to assess the effectiveness of specified VMT reduction measures and shall periodically modify the list in the TIS Guidelines to reflect ongoing best practices in VMT reduction.

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-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 NVTA, 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-12: The County recognizes the importance of its commercially-zoned properties in providing businesses with opportunities to locate throughout the County, thereby reducing distances that residents of the unincorporated areas must drive to retail or service-based destinations.

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-15: As electrification of the vehicle fleet is an important step toward achieving necessary greenhouse gas emission reductions, the County will require the provision of electric vehicle charging stations as part of housing and employment development projects.

Policy CIR-19: The County's roadway modifications and capacity expansion should minimize disruption to and safety impacts on neighborhoods, communities, and all roadway users, including agriculture.

Policy CIR-20: Roadway modifications and capacity expansions shall be designed to conform to existing landforms and shall include landscaping and/or other treatments to ensure that aesthetics and rural character are preserved.

Policy CIR-21: The County supports beautification programs for roadways in the unincorporated area. Roadway beautification shall be consistent with the character of the area in which the roadway is located and with other County policies related to preserving the character of the County including policies on signage as defined in the Community Character Element.

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-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 CIR-33: The County shall work with private developers, Caltrans, NVTA, local jurisdictions, and other agencies to implement the projects and policies identified in the Countywide Bicycle and Pedestrian Plans.

Policy CIR-36: The County shall work with the NVTA and other transit agencies in adjoining counties to develop effective connections between public transit in Napa County and regional transportation networks (such as BART, SMART, Baylink, airports, etc.) via rail, bus, bicycle, and other means to serve the needs of local residents, commuters, and visitors.

Policy CIR-37: The County shall support efforts of NVTA and local and regional transit agencies to expand cost-effective transit options for Napa residents, employees and visitors; examples may include increasing the availability and accessibility of transit information, exploring options for allowing commuter service to operate on the Napa Wine Train right-of-way, implementing programs to encourage use of private transit operations or other innovative technologies to supplement regional transit, and developing additional interregional transit solutions.

Policy CIR-38: The County seeks to maintain operations of roads and intersections in the unincorporated County area that minimize travel delays and promote safe access for all users. Operational analysis shall be conducted according to the latest version of the Highway Capacity Manual and as described in the current version of the County's Transportation Impact Study Guidelines. In general, the County seeks to maintain Level of Service (LOS) D on arterial roadways and at signalized intersections, as the service level that best aligns with the County's desire to balance its rural character with the needs of supporting economic vitality and growth.

In situations where the County determines that achieving LOS D would cause an unacceptable conflict with other goals and objectives, minimizing collisions and the adequacy local access will be the County's priorities. Mitigating operational impacts should first focus on reducing the project's vehicular trips through modifying the project definition, applying TDM strategies, and/or applying new technologies that could reduce vehicular travel and associated delays; then secondarily should consider physical infrastructure changes. Proposed mitigations will be evaluated for their effect on collisions and local access, and for their effectiveness in achieving the maximum potential reduction in the project's operational impacts (see the County's Transportation Impact Study Guidelines for a list of potential mitigation measures).

The following roadway segments are exceptions to the LOS D standard described above:

- State Route 29 in the unincorporated areas between Yountville and Calistoga: LOS F is acceptable.
- Silverado Trail between State Route 128 and Yountville Cross Road: LOS E is acceptable.
- State Route 12/121 between the Napa/Sonoma county line and Carneros Junction: LOS F is acceptable.
- American Canyon Road from I-80 to American Canyon City Limit: LOS E is acceptable.

Policy CIR-42: Roadway, culvert, and bridge improvements and repairs shall be designed and constructed to minimize fine-sediment and other pollutant delivery to waterways, to minimize increases in peak flows and flooding on adjacent properties, and where applicable, to allow for fish passage and migration, consistent with all applicable codes and regulations.

Napa Countywide Transportation Plan – Advancing Mobility 2045

As the County transportation authority, NVTA is required to develop long-range Countywide transportation priorities through a comprehensive planning process. The Countywide transportation plan (CTP), *Advancing Mobility 2045*, outlines priorities for NVTA and Napa County's transportation system to relieve congestion, improve traffic safety, create more active transportation infrastructure, provide more reliable and frequent bus service, and maintain and repair the existing transportation system. *Advancing Mobility 2025* provides a direction for the four- to five-year plan while taking into consideration land use, environmental, population, and financial projections over a 25-year planning horizon. *Advancing Mobility 2045* is part of a regional planning process that culminates in the publication of a Regional Transportation Plan (RTP) by the

Metropolitan Transportation Commission (MTC). *Advancing Mobility 2045* identifies the following goals to articulate the optimal outcomes for where Napa Valleys' transportation system should be in 2045:

Goal #1: Serve the transportation needs of the entire community regardless of age, income, or ability

Goal #2: Improve system safety in order to support all modes and serve all users

Goal #3: Use taxpayer dollars efficiently

Goal #4: Promote Napa County's economic sustainability

Goal #5: Minimize the energy and other resources required to move people and goods

Goal #6: Prioritize the maintenance and rehabilitation of the existing system

Advancing Mobility 2045 also outlines several performance measures and targets associated with each of the goals described above (NVTA, 2021).

Napa Countywide Bicycle Plan

NVTA and the local jurisdictions of Napa County developed the 2019 Napa Countywide Bicycle Plan (Bicycle Plan) with the aim to improve the bicycling environment for all residents and visitors by identifying key infrastructure, programs, and policies in the plan. The first Countywide bicycle plan was adopted in 2003 and was updated in 2012. The 2019 Bicycle Plan builds upon the bicycle recommendations presented in the 2012 Napa Countywide Bicycle Plan. The Bicycle Plan approaches the bicycling environment with an eye toward making bicycling possible for a large part of the population, not only those who already ride or are already comfortable riding in most traffic conditions (NVTA, 2019). The Bicycle Plan identifies the following goals and policies:

Connectivity: Develop a well-designed low Level of Traffic Stress (LTS) connected bicycle network

***Connectivity Policies*:**

- Build and maintain a local and Countywide bicycle transportation and recreation network that connects Napa County's incorporated cities/town and unincorporated communities and provides access to public transportation and community destinations
- Develop and maintain continuous low Level of Traffic Stress (LTS) bicycle facilities of all types to provide accessible intra-city connections that serve as the framework of the Countywide Bikeway System
- Prioritize coordination and completion of regionally significant primary bikeways including the Napa Valley Vine Trail, the Bay Trail and the Ridge Trail, and local connections to those facilities
- Provide secure bicycle parking at public and private destinations throughout Napa County
- Integrate the bicycle network and bicycle facility amenities into land use decisions and developments

Equity: Improve bicycle access for disadvantaged and/or underserved communities

Equity Policies:

- Implement projects that improve access for disadvantaged and/or underserved communities, particularly those reliant on walking, biking and transit for transportation

Safety: Improve safety for all ages and abilities

Safety Policies:

- Work to reduce the number and severity of bicycle collisions
- Work to reduce bicycle fatalities to zero by 2035
- Improve locations that have high incidences of bicycle collisions, and/or impediments or conflicts to bicyclists
- Implement Complete Streets policies that ensure accommodation and enable safe access for users of all ages and abilities
- Implement appropriate, well-designed bicycle facilities using accepted design standards, including intersection and other crossing improvements

Education and Encouragement: Increase mode share of bicycling

Education and Encouragement Policies:

- Encourage education programs for all users of the roadway in all jurisdictions and school districts
- Develop programs and public outreach materials to promote safety and the positive benefits of bicycling

Napa Countywide Pedestrian Plan

The *Napa Countywide Pedestrian Plan* (2016) is intended to guide pedestrian planning in the region. The Pedestrian Plan aims to provide a pedestrian network that is well-connected, safe, and enjoyable for Napa County residents and visitors of all levels of mobility. It aims to increase the number of pedestrian trips Countywide and to set the groundwork for a shift in travel mode choice such that non-motorized options are widely available accessible, and convenient. (NVTA, 2016) The Countywide Pedestrian Plan identifies the following goals and policies:

Goal 1: Provide a connected network of pedestrian sidewalks, trails, and pathways in the County and its jurisdictions that are safe and accessible to a variety of users and that foster community interactions

Policy 1A: Protect the character and context of the County and its jurisdictions

Policy 1B: Prioritize safe routes to schools, safe routes to transit, and safe routes for seniors within the County

Policy 1C: Acknowledge the central role that the Vine Trail plays in active transportation infrastructure and prioritize connections between the trail and key destinations

Policy 1D: Work to reduce the rate of pedestrian collisions

Policy 1E: Connect key pedestrian desire lines via accessible sidewalks and marked crosswalks, focusing on downtown areas, transit stops, schools, senior housing and destinations, and tourist destinations and lodging

Goal 2: Encourage a multimodal transportation system

Policy 2A: Adhere to the current design standards in this plan as well as local design standards and other national and State manuals when designing new or retrofitted streets and communities

Policy 2B: Investigate the use of performance measures such as multi-modal level of service or built environment factors to facilitate complete streets implementation

Policy 2C: Prioritize infrastructure projects that will increase the walk mode share, while also taking advantage of all available funding opportunities to construct pedestrian infrastructure, including private development with an appropriate nexus

Policy 2D: Investigate creative parking measures such as shared parking, parking maximums, and strategic parking locations to encourage a "park once" environment in commercial districts

Policy 2E: Review new development proposals to ensure pedestrian access and circulation is maintained or improved, including during construction phases

Goal 3: Obtain funding for pedestrian projects

Policy 3A: Continue to allocate Capital Improvement Plan (CIP) funding to pedestrian projects

Policy 3B: Pursue grant funding related to pedestrian projects

Policy 3C: Identify new funding sources and partnership opportunities, such as those focusing on public health and sustainability

Goal 4: Encourage and educate residents about walking and enforce safe interactions between pedestrians and motorists

Policy 4A: Increase public awareness of pedestrian facilities, amenities, and safety

Policy 4B: Pursue recognition such as Walk-Friendly Community status

Policy 4C: Implement ongoing pedestrian safety enforcement programs and campaigns

Policy 4D: Partner with local health agencies to encourage more activity among youth through the built environment to target childhood obesity

Policy 4E: Collaborate with local businesses to enhance wayfinding and streetscape amenities

Napa County Road and Street Standards

Updated in April 2023, the *Napa County Road and Street Standards* provides regulations to govern the design and development of public and private roads, driveways and parking areas in the unincorporated county, in compliance with changes in accepted health and safety practices and with changes in county ordinances and State and federal law. Objectives of the *Road and Street Standards* are to (a) provide reasonable standards that relates to terrain and parcel size; (b) preserve the natural landscape and desirable aesthetic features while balancing the needs of property owners; (c) encourage the location of roads to minimize disturbance or impacts on wetlands, critical native plant communities, or other environmentally sensitive areas; (d) minimize diversion and concentration of storm runoff; (e) encourage use of native grasses and other native plant materials for erosion control and habitat enhancement; (f) minimize alteration of streams and ephemeral drainage at discharge outfalls; (g) identify "impacted" runoff basins where special design considerations may be necessary to minimize downstream flooding and other impacts to neighboring properties; (h) provide adequate safety and service; (i) provide low

maintenance cost road facilities; (j) produce Standards compatible with city requirements within areas of influence; and (k) produce Standards which equal or exceed the State Minimum Fire Safe Regulations. The County's roadway standards are developed in consultation with the County Fire Marshal, County Public Works, County Planning, Building and Environmental Services, and other agencies to ensure adequate widths for emergency access and evacuation (Napa County, 2023).

Napa County Traffic Impact Study Guidelines

The Napa County Transportation Impact Study (TIS) Guidelines have been updated to complement recent changes the Circulation Element of the County General Plan. The TIS Guidelines establish a protocol for evaluating a project's effects on transportation and is intended to provide a clear and consistent technical approach to transportation analysis for projects within Napa County's jurisdiction. The following components are addressed in the TIS Guidelines:

- Situations and thresholds that commonly trigger the need for a TIS
- Scope and extent of the required TIS
- Transportation analysis methods
- Criteria to determine if the transportation-related effects of a proposed project constitute a significant impact under CEQA or conflict with Napa County policies
- Recommended Improvement Measures and/or Conditions of Approval
- Guidelines for documentation of the findings, conclusions, and recommendations

Attachment C of the TIS Guidelines contains the VMT Analysis Approach for Development Project in Napa County (Napa County, 2022). A TIS has been prepared for the Project consistent with the County's TIS Guidelines and is provided in Appendix L.

4.13.4 Significance Criteria

The thresholds used to determine the significance of impacts related to transportation are based on Appendix G of the CEQA Guideline*s*. The Project could have a significant impact on the environment if it would:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
   - Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).
   - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
   - Result in inadequate emergency access.

Approach to Analysis

Consistency with Plans and Policies

The Project was reviewed for consistency relevant programs, plans, ordinances, and policies addressing the circulation system, including the County's General Plan, Countywide Transportation Plan,

Countywide Bicycle Plan, and Countywide Pedestrian Plan. While the County's General Plan contains policies related to vehicle congestion and delay related to roadway and intersection level of service (LOS), under the current CEQA Guidelines, LOS is no longer considered an environmental impact under CEQA, and VMT has been adopted as the most appropriate measure of transportation impacts. The Project's TIS (Appendix L) contains an LOS analysis and recommended conditions of approval are discussed in the analysis below to address potential inconsistencies with General Plan policies.

Trip Generation

As shown in **Table 4.13-2**, the Project would be expected to result in 645 new trips on a daily basis, including 33 trips during the weekday afternoon (PM) peak hour and 57 trips during the weekend midday (MD) peak hour. Operating conditions during the weekday PM and weekend MD peak periods were evaluated to capture the highest potential volumes on the local transportation network. The weekday PM peak period occurs between 4:00 and 6:00 p.m. and typically reflects the highest level of congestion during the homeward bound commute; the weekend MD peak period generally occurs between 12:00 and 2:00 p.m. While the Project also includes retail space, it would be auxiliary to the hotel so the trips associated with this use would reasonably be reflected in the trip rates for the hotel as it is common for hotels to have auxiliary retail and restaurant uses (Appendix L).

TABLE 4.13-2
PROJECT TRIP GENERATION SUMMARY

Land Use	Units	Daily		Weekday PM Peak			Weekend MD Peak		
		Rate	Trips	Trips	In	Out	Trips	In	Out
Hotel[a]	79 rooms	8.17	645	33	14	19	57	32	25

NOTES:
a. The trip generation potential was estimated using standard rates for "Resort Hotel" (ITE LU #330) and "Hotel" (ITE LU # 310) contained in the *Trip Generation Manual*, 9th Edition, 2012, published by the Institute of Transportation Engineers (ITE). It is noted that rates in the more recent 11th Edition of the *Trip Generation Manual* are slightly lower.

PM = afternoon, MD = mid-day

SOURCE: W-Trans, 2024 (Appendix L)

VMT Methodology

The 2022 *Napa County Traffic Impact Study (TIS) Guidelines* include a methodology for analyzing VMT for development projects in Napa County based on total VMT as well as thresholds of significance for use in CEQA analyses. It is common that an existing facility, whether a winery or another type of use, may apply to the County for some type of modification. Modifications may involve expansion of operating hours or of production quantities, changes to the number of events or visitors permitted, construction of new or expanded buildings, modifications to existing buildings to allow for more intensive use, and so on. In many cases, the requested modification would trigger more vehicle trips to/from the project site. The guidelines specify the procedure for projects considered to be modifications to existing facilities, stating that "for the purposes of VMT analysis, the County will consider the baseline trip generation for all existing facilities to be the trip generation under entitled operating characteristics as of January 1, 2022. When an existing facility applies for a modification, the trip generation associated with that modification will be calculated as the change between the facility's entitled operations on January 1, 2022 and the expected operations once the proposed modification is complete" (Napa County, 2022). As the Project

Applicant is seeking a use permit major modification for the Project, consistent with the County's TIS Guidelines, this VMT analysis considers the net new daily passenger vehicle and truck trips that would be generated as a result of the Project. A summary of entitled uses at the Project site is shown in **Table 4.13-3** and the trip generation for entitled uses is shown in **Table 4.13-4**.

TABLE 4.13-3
SUMMARY OF ENTITLED USES

Land Use	Description
Existing	
Winery/tasting room	60,000 gallons/year
Restaurant	6,500 square feet
Café	950 square feet
Retail wine space	985 square feet
Entitled (Not Operational)	
Motel	5 rooms
Restaurant	5,100 square feet
Retail wine space	1,800 square feet
Art gallery	1,700 square feet
Commercial retail space	3,500 square feet

SOURCE: W-Trans, 2024 (Appendix L)

TABLE 4.13-4
TRIP GENERATION SUMMARY FOR ENTITLED USES

Land Use	Units	Daily		Weekday PM Peak			Weekend MD Peak		
		Rate	Trips	Trips	In	Out	Trips	In	Out
Winery & tasting room[a]	n/a	n/a	119	45	15	30	66	33	33
Quality Restaurant	11.600 ksf	89.95	1,043	87	58	29	126	74	52
Motel	5 rooms	5.63	28	2	1	1	3	2	1
Specialty Retail	8.935 ksf	44.32	396	24	11	13	45	25	20
Total Entitled			**1,586**	**158**	**85**	**73**	**240**	**134**	**106**

NOTES:
a. Developed using the County of Napa Winery Traffic Information/Trip Generation Sheet.
ksf = 1,000 square feet; MD = mid-day
SOURCE: W-Trans, 2024 (Appendix L)

According to the County's TIS Guidelines, if a project has more than 110 net new daily passenger vehicle trips (calculation does not include truck trips), the Project is required to conduct a VMT analysis and determine whether it causes a significant environmental impact as defined by General Plan Policy CIR-7 (i.e., the project must identify feasible measures to reduce the project's VMT by at least 15% in order to be considered not to have a significant environmental impact). If a project modifying an existing facility that would generate additional trips where the net cumulative result of all project modifications after

January 1, 2022 would generate less than 110 net new daily passenger vehicle and truck trips, the project is presumed to have a less-than-significant environmental impact for VMT and the project applicant is encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT (Napa County, 2022).

Transportation Hazards and Emergency Access

The analysis addresses proposed circulation modifications and potential transportation hazards associated with the Project and the adequacy of proposed emergency access. Section 4.16, *Wildfire*, evaluates the Project's potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, as well as the Project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires.

4.13.5 Impacts of the Project

Impact TRA-1: The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. ***(Less than Significant with Mitigation)***

General Plan Consistency

As discussed in Section 4.9, *Land Use and Planning*, the Project would be consistent with the policies of the Agricultural Preservation and Land Use Element (Goal CIR-1) and would also preserve and would not interfere with vineyard-related agricultural uses on the site, as intensification of uses would only occur in existing commercially zoned areas (Policy CIR 3). The Project would also include a mixed-use development, with the proposed hotel and existing winery use, that locates complementary uses within reasonable walking or bicycling distance of each other (Policy CIR-5). Under the Project, the number of commercial-serving parking spaces on AW lands would not be increased over that number documented and approved in use permit P12-00359, and the Project would result in the reduction of approximately 9 spaces from existing conditions (Policy CIR-14).

The Project would integrate the recently constructed Vine Trail adjacent to the site (Policies CIR-10, CIR-33, and CIR-36). The Project would also introduce transportation elements that would support the implementation of new transportation technologies and travel options, including installing an e-bike charging station that would be available to the public using the Vine Trail (Goal CIR-3) as well as installing 150 percent of the electric vehicle charging stations required by the CBC (Policy CIR-15). The Project would also include the provision of employee housing on-site, which would reduce vehicle trips (Policy CIR-8).

As discussed in Section 4.1, *Aesthetics*, the Project would include landscaping designs including the planting of new trees along SR 29 and the Vine Trail, improving the visual quality of the site from its current, unmaintained state and adding to the visual character along these routes (Policy CIR-21). The proposed Lodi Lane crossing improvement, required as part of the public benefits and improvements as terms of a Development Agreement, would be required to minimize disruption to and safety impacts on all roadway users (Policy CIR-19) and would be required to be designed to conform to existing landforms and shall include landscaping and/or other treatments to ensure that aesthetics and rural character are preserved (Policy CIR-20).

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15 percent reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." As discussed under Impact TRA-2 below, while not required to reduce VMT impacts, which would be less than significant for the Project according to the County's TIS Guidelines, in order to demonstrate consistency with General Plan Policy CIR-7 and CIR-23, and reduce Greenhouse Gas (GHG) emissions associated with the Project, the TIS (Appendix L) identified trip and VMT reduction measures, including a recommended employee transportation demand management (TDM) program, on-site employee housing, and visitor trip reduction measures, that aim to reduce unmitigated VMT by 15 or more percent.

The TIS includes a recommended employee TDM program that consists of the following:

- **Education, Outreach, and Marketing:** The presence of a staff person dedicated part-time to overseeing and managing the TDM program will be helpful in ensuring the ongoing success of these programs. This would not be a distinct position, but instead is intended to be a role that is integrated into the duties of the on-site manager.
- **Carpool Incentives:** Including existing and proposed uses, the Project site would have up to 103 employees on-site across all uses at peak times so there is a substantial opportunity for employees to carpool to work, especially considering that the winery, tasting room, hotel, and restaurant would require numerous employees to work the same shift. Financial incentives can be an effective way to encourage employees to carpool to work. This program would be offered to the existing employees as well as new employees of the hotel.
- **Subsidized Transit Passes:** The Project site is conveniently located next to two Vine Transit stops on SR 29 and is therefore accessible via transit.
- **Guaranteed Ride Home:** One of the reasons that many employees do not carpool to work is the fear of being stranded should they need to leave in an emergency. Employees who carpool to work should be guaranteed a ride home in case of an emergency or unique situation. As part of the V-Commute program offered by the NVTA, employees who carpool or commute via alternative modes are able to use a taxi, rental car, Lyft, Uber, or other means to get home in an emergency and are reimbursed for the full cost of the service. The program is available to all who work or attend college in Napa County and is free to join, but registration is required.
- **Bicycle Trip-end Facilities:** The Project includes long-term covered bicycle storage for six bicycles and an additional 12 standard spaces to accommodate a total of 18 bicycles, which exceeds County requirements. Showers and changing rooms would further encourage employees to ride their bicycles to and from work.

The Project includes six on-site residential dwelling units that would be dedicated for use by employees, which would help reduce employee trips. Employees living in these units would not be required to use vehicles to commute to work or to travel home for lunch. Therefore, having six employees living on-site would result in a reduction of approximately 18 daily vehicle trips.

Tasting rooms at wineries are the most popular attraction for visitors to Napa County and visitors typically visit 3.7 wineries on average. The proposed hotel is located adjacent to the Freemark Abbey winery and is proximate to dozens more. While bicycling is already a popular activity in Napa County for touring bicyclists, the construction of the Napa Valley Vine Trail is expected to generate interest in bicycling for visitors interested in riding shorter distances who may be less comfortable riding with vehicle traffic, as well as providing a pedestrian trail for those choosing to walk. Construction of an 8.2-mile segment of the Vine Trail has been completed as of August 2024 and would be accessible via a short walk from the Project site. The trail will enable users to ride or walk to within a half mile of the center of Calistoga and St. Helena. This is anticipated to be a popular option for hotel visitors, as it would enable them to avoid driving along SR 29, which is typically congested, particularly during peak visitor season. There are dozens of wineries with tasting rooms, restaurants, and other destinations located in close proximity to the trail. Having bicycles on-site for guest use would encourage the use of these facilities.

To estimate the trip reduction from visitors' potential use of on-site bicycles, it is noted that most visitors are couples who would typically be sharing a motor vehicle. As a result, it is reasonable to assume that the number of bicycle trips would be approximately twice the number of vehicle trips replaced. With 79 rooms at the hotel, it is reasonable to assume that at least 10 people per day would choose to bicycle in lieu of driving, or 20 person-trips per day (i.e., each visitor exiting and returning to the site would equal two trips). Assuming that all the visitors are couples that would otherwise drive together, this would result in a reduction of 10 trips per day. As the Vine Trail continues to develop, it is expected to generate more demand for bicycle trips, which could further reduce trips. It is recommended that the Project provide a minimum of 10 bicycles for use by visitors to allow for this level of usage; each bicycle could potentially be used multiple times per day, which could further reduce trips.

It is also noted that to provide a conservative assessment of the Project's potential operational effects on the surrounding transportation network, the trip generation presented in the TIS did not account for internal trips. Standard ITE rates for hotels were developed based on data collected at sites that have amenities such as retail and restaurant facilities, hence the rates include trips for these ancillary uses which are not proposed as part of the project. In the case of the proposed Inn at the Abbey Project, these ancillary retail and restaurant uses already exist and are generating trips, but use of unadjusted hotel trip generation rates does not accurately reflect the anticipated trip reductions due to interactions among these uses and the proposed hotel. Such internal trips would consist of visitors patronizing the existing on-site retail, tasting room, and restaurant uses as opposed to there being new amenities generating these trips. These trips would generally be made by walking and would not result in any new vehicle trips or VMT. The internal capture trips for the hotel, restaurant, retail, and winery uses were calculated to be 22 percent of the weekday PM peak hour trips. Due to the nature of the existing and proposed uses, all of the internal capture trips would be expected to be associated with visitor travel. Estimating conservatively, a 10 percent rate was applied to estimate the daily internal capture rate for the proposed hotel and existing uses on the site. This would equate to a reduction of 65 trips per day.

As shown in **Table 4.13-5** below, after accounting for internal capture trips, the recommended employee TDM program, on-site employee housing, and visitor trip reduction program, would reduce Project-related trips to 19 percent below estimates using standard ITE rates. This would exceed the County requirement for projects to reduce trips to 15 percent below expected levels.

TABLE 4.13-5
TOTAL TRIP REDUCTION

TDM Measure	Trip Reduction Estimate
Internal Capture Trip Reduction (10%)	65
Employee TDM Trip Reduction (9.5%)	28
On-Site Employee Housing	18
Visitor Trips	10
Combined Trip Reduction	**121 (19%)**
Required Trip Reduction	*97 (15%)*

SOURCE: W-Trans, 2024 (Appendix L)

Mitigation Measure TRA-1: Transportation Demand Management Program, includes requirements to ensure that the employee transportation demand management (TDM) program measures are enacted, on-site employee housing is deed restricted, and bicycles are provided on-site for guest use. With implementation of Mitigation Measure TRA-1, the Project would be consistent with General Plan Policy CIR-7. Mitigation Measure TRA-1 would also ensure that the Project would be consistent with the County's General Plan and supportive of State, regional, and local efforts to reduce greenhouse gas emissions from the transportation system (Goal CIR-4) and ensure that TDM strategies are incorporated into the Project (Policy CIR-23). The Project Applicant would be required to provide a bus shelter and bench as amenities to support transit use (Policy CIR-11). Alternative transportation would be encouraged by visitors through the provision of on-site bicycles for hotel guests (Policy CIR-27). Free transit passes for employees would also increase the accessibility of transit (Policy CIR-37). Therefore, with implementation of Mitigation Measure TRA-1, the Project would be consistent with the County's General Plan.

As noted in the TIS (Appendix L), the Project would exceed the County's General Plan consistency criteria for evaluating LOS. However, as indicated above, under the current CEQA Guidelines, LOS, or vehicle delay, is no longer considered a physical environmental impact under CEQA, and VMT has been adopted as the most appropriate measure of transportation impacts. A recommended condition of approval to address potential inconsistencies with General Plan policies is provided in the Project's TIS and listed below that will be included with the Project approvals.

Recommended Condition of Approval: To address the Project's impact on the Lodi Lane approach to SR 29 under Future Conditions, it is recommended that the Project Applicant restripe the approach to provide a dedicated right-turn lane.

Napa Countywide Transportation Plan Consistency

As discussed in Section 4.11, *Population and Housing*, the Project is expected to add 48 new full-time equivalent (FTE) employees for the new hotel use, which would add to the 55 existing FET employees for a total 103 FTE employees at the Project site. As such, the Project would support Goal #4 (promote Napa County's economic sustainability) and the performance target identified in the Countywide Transportation Plan of maintaining or improving the baseline level of job accessibility by VINE in the County by adding new jobs next to existing VINE stops. The Project would also support Goal #5

(minimize the energy and other resources required to move people and goods) and performance targets by providing new employment opportunities in proximity to existing (under construction) and planned bicycle facilities, increasing the chance that employees would commute to work via bicycle. As the Project site is in close proximity to existing VINE stops, the Project would also support the performance target of maintaining or increasing VINE baseline annual ridership. Additionally, as discussed under above, the Project would be subject to a TDM program to reduce VMT by 15 percent or more which would support the Countywide performance target. Therefore, the Project would be consistent with the applicable goals of the Countywide Transportation Plan.

Napa Countywide Bicycle Plan and Pedestrian Plan Consistency

Bicycle Plan policies include building and maintenance of a local and Countywide bicycle transportation (and recreation) networks that connects the County's incorporated cities/town and unincorporated communities and provides access to public transportation and community designations, as well as integrating bicycle facility and bicycle facility amenities into land use decisions and developments and implementing Complete Streets policies that ensure accommodation and safe access for users. The Pedestrian Plan aims to provide a pedestrian network that is well-connected, safe, and enjoyable for Napa County residents and visitors of all levels of mobility. As discussed above, the Project would integrate the recently constructed Vine Trail adjacent to the site, as the Project Applicant has already contributed easements to support construction, and an e-bike charging station would be installed that would be available to the public using the Vine Trail. The Project would also include 18 bicycle parking spaces, which exceeds County requirements, and Mitigation Measure TRA-1 would require that on-site bicycles be provided for hotel guests. The Project would also include an at-grade street crossing enhancement to the existing Vine Trail crossing at Lodi Lane and SR 29 to increase pedestrian, bicycle, and on-site operational safety and traffic calming. Therefore, the Project would not conflict with the Napa Countywide Bicycle Plan or Countywide Pedestrian Plan.

Summary

For the reasons discussed above, with implementation of Mitigation Measure TRA-1, the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and the impact would be **less than significant**.

> **Mitigation Measure TRA-1: Transportation Demand Management Program.**
>
> Prior to issuance of building permits, the Project Applicant shall implement a Transportation Demand Management (TDM) Program for the Project and shall submit the TDM Program to the County for review and approval by the Napa County Department of Public Works. The TDM Program shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. The TDM Program shall be designed to achieve the following trip reduction, as required by the County:
>
> - A 15 percent reduction compared to the unmitigated VMT estimated for the Project.
>
> The TDM Program shall contain provision of on-site employee housing, visitor trip reduction measures, and an employee TDM Program as outlined below:
>
> 1. The existing six on-site housing units shall be deed restricted affordable for employees for the life of the Project.

2. As part of the visitor trip reduction measures, the Project Applicant shall provide at least 10 bicycles on-site as part of the guest amenities and provide maps illustrating bicycle routes to local tasting rooms, restaurants, and other destinations to encourage the use of on-site bicycles. The bicycles shall be kept under good maintenance and replaced as necessary throughout the life of the Project. The TDM Program coordinator for the employee TDM program described below shall include on-site bicycle maintenance in the reporting requirements for the employee TDM Program.
3. The employee TDM program shall consist of the following:
    - **Education, Outreach, and Marketing:** The Project Applicant shall identify a TDM program coordinator. The presence of a staff person dedicated part-time to overseeing and managing the TDM Program will be helpful in ensuring the ongoing success of these programs. This would not be a distinct position, but instead is intended to be a role that is integrated into the duties of the on-site manager. The duties shall include the following:
        - Create and distribute employee transportation information welcome packets
        - Maintain and update a bulletin board or other physical source of transportation information
        - Distribute Napa Bicycle Coalition maps
        - Monitor bicycle facilities
        - Promote the ride-matching program
        - Market special events such as the Napa Valley Transportation Authority (NVTA) "V-Commute Challenge" program
    - **Carpool Incentives:** The Project Applicant shall provide an incentive of $50 per month to employees who agree to carpool to work a minimum of 75 percent of the time. In addition, the Project Applicant shall reserve five parking spaces immediately adjacent to the wine production building for use by carpool vehicles only. This program shall be offered to the existing employees as well as new employees of the hotel.
    - **Subsidized Transit Passes:** Employees wishing to use transit to reach the site shall be provided with a monthly pass for Vine Transit free of charge. The Project Applicant shall also install a shelter and bench at the northbound transit stop near the Project site along SR 29.
    - **Guaranteed Ride Home:** Employees shall be provided information about the V-Commute program offered by the NVTA and would be encouraged to register for the service.
    - **Bicycle Trip-end Facilities:** Showers and changing rooms shall be provided on-site to further encourage employees to ride their bicycles to and from work.

The employee TDM Program, shall be available for the first two years of Project operation. After that time, the effectiveness of the program shall be reevaluated and modified, if needed, in coordination with Napa County Public Works Department staff. County staff shall determine future reporting requirements and intervals after the initial two-year TDM Program reevaluation (e.g., TDM Program evaluation every four years), and may enact corrective measures if necessary.

Mitigation Measure Effectiveness

A set of recommended trip reduction strategies have been developed to reduce project-generated trips by reducing single-occupancy vehicle trips, parking demand, and total VMT through use of alternative modes of transportation and more efficiently planned trips. Measures were recommended based on what was determined to be feasible for the proposed uses given the context of the Project. There are no formal trip reduction initiatives currently being implemented in association with existing winery/tasting room, restaurant, café, and wine retail uses. However, since the proposed hotel is located on the same site with these uses, the inclusion of existing employees as eligible participants in the proposed programs could be accomplished efficiently and would achieve trip/emission reductions for the site. Therefore, the estimated trip reductions for existing employees were included along with the trip reductions for the employees of the proposed hotel.

As shown in **Table 4.13-6**, the features of the recommended employee TDM program in Mitigation Measure TRA-1 would result in a potential VMT reduction of 9.8 percent. The CAPCOA report states that when multiple trip reduction measures are applied, the reductions cannot necessarily be added, as there may be diminishing returns. To account for this, "multiplicative dampening" is applied to more accurately account for the trip reduction, which for the implementation of the above-described measures is 9.5 percent.

TABLE 4.13-6
SUMMARY OF EMPLOYEE TRIP REDUCTION

Trip Reduction Measures	VMT Reduction Estimate (%)
Education, Outreach, and Marketing	4.0
Carpool/Ridesharing	4.0
Transit Subsidy	0.1
Bicycle Parking/Lockers/Showers	1.7
Total Potential VMT Reduction	9.8
Total Reduction (Multiplicative Dampening Applied)	**9.5**

SOURCE: W-Trans, 2024 (Appendix L)

After accounting for internal capture trips, on-site employee housing, employee trip reduction programs, and visitor trip reduction programs, Project-generated trips would be reduced to 19 percent below estimates using standard ITE rates as shown in Table 4.13-5. Mitigation Measure TRA-1 includes requirements to ensure that the employee TDM program measures are enacted, on-site employee housing is deed restricted, and bicycles are provided on-site for guest use. This exceeds the County requirement for projects to reduce trips to 15 percent below expected levels. Additionally, to ensure future effectiveness, Mitigation Measure TRA-1 requires that the employee TDM program be reevaluated and modified, if necessary, after two years of operation. Therefore, with implementation of Mitigation Measure TRA-1, the impact would be **less than significant**.

Significance after Mitigation: Less than Significant.

Impact TRA-2: The Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). ***(Less than Significant)***

As described under *Approach to Analysis*, consistent with Napa County's TIS Guidelines, the trip generation for the Project would be considered the change between the existing Inn at the Abbey complex's entitled operations on January 1, 2022, and the expected operations once the proposed modification is complete.

The Project would involve demolition of three existing structures (a restaurant building, a commercial building, and a motel) and construction of a 79-room hotel development split between the North and South Parcels, divided by Lodi Lane. The County considers the uses associated with the structures proposed for demolition to be entitled, but non-operational. Since the proposed hotel would replace the already approved, but non-operational uses, the impact of the land use change was evaluated by comparing the trip generation of the proposed hotel to the trip generation for the entitled non-operational uses. As shown in **Table 4.13-7** below, the entitled non-operational uses were estimated to generate approximately 797 trips per day and the proposed hotel would generate approximately 645 trips per day, or 152 fewer trips per day.

TABLE 4.13-7
NET NEW TRIP GENERATION (PROPOSED USES VS. ENTITLED, NON-OPERATIONAL USES)

Land Use	Units	Daily		Weekday PM Peak			Weekend MD Peak		
		Rate	Trips	Trips	In	Out	Trips	In	Out
Proposed Uses									
Hotel[a]	79 rooms	8.17	645	33	14	19	57	32	25
Entitled, Non-Operational Uses									
Quality Restaurant	5.1 ksf	89.95	459	55	32	23	38	26	12
Motel	5 rooms	5.63	28	2	1	1	3	2	1
Specialty Retail	7.0 ksf	44.32	310	35	20	15	19	8	11
Total Entitled, Non-Operational			*797*	*93*	*54*	*39*	*60*	*36*	*24*
Net Difference			**-152**	**-60**	**-40**	**-20**	**-3**	**-4**	**1**

NOTES:
a. The trip generation potential was estimated using standard rates for "Resort Hotel" (ITE LU #330) and "Hotel" (ITE LU # 310) contained in the *Trip Generation Manual*, 9th Edition, 2012, published by the Institute of Transportation Engineers (ITE). It is noted that rates in the more recent 11th Edition of the *Trip Generation Manual* are slightly lower.
ksf = 1,000 square feet; MD = mid-day
SOURCE: W-Trans, 2024 (Appendix L)

As stated in the County's TIS Guidelines, the baseline for assessing VMT impacts is the trip generation of the entitled uses. When an existing facility applies for a modification, the trip generation associated with that modification is calculated as the change between the facility's entitled operations on January 1, 2022 and the expected operations once the proposed modification is complete. If a project modifying an existing facility that would generate additional trips where the net cumulative result of all project modifications after January 1, 2022 would generate less than 110 net new daily passenger vehicle and truck trips, the project is presumed to have a less-than-significant environmental impact for VMT (Napa County, 2022). As shown in Table 4.13-7, since the ADT associated with the entitled, non-operational

uses (797 trips) exceed the ADT associated with the proposed uses under the Project (645 trips) resulting in a net reduction of 152 ADT, the Project would generate less than 110 net new daily passenger vehicle and truck trips and the Project's VMT impact would be considered **less than significant**.

Mitigation: None required.

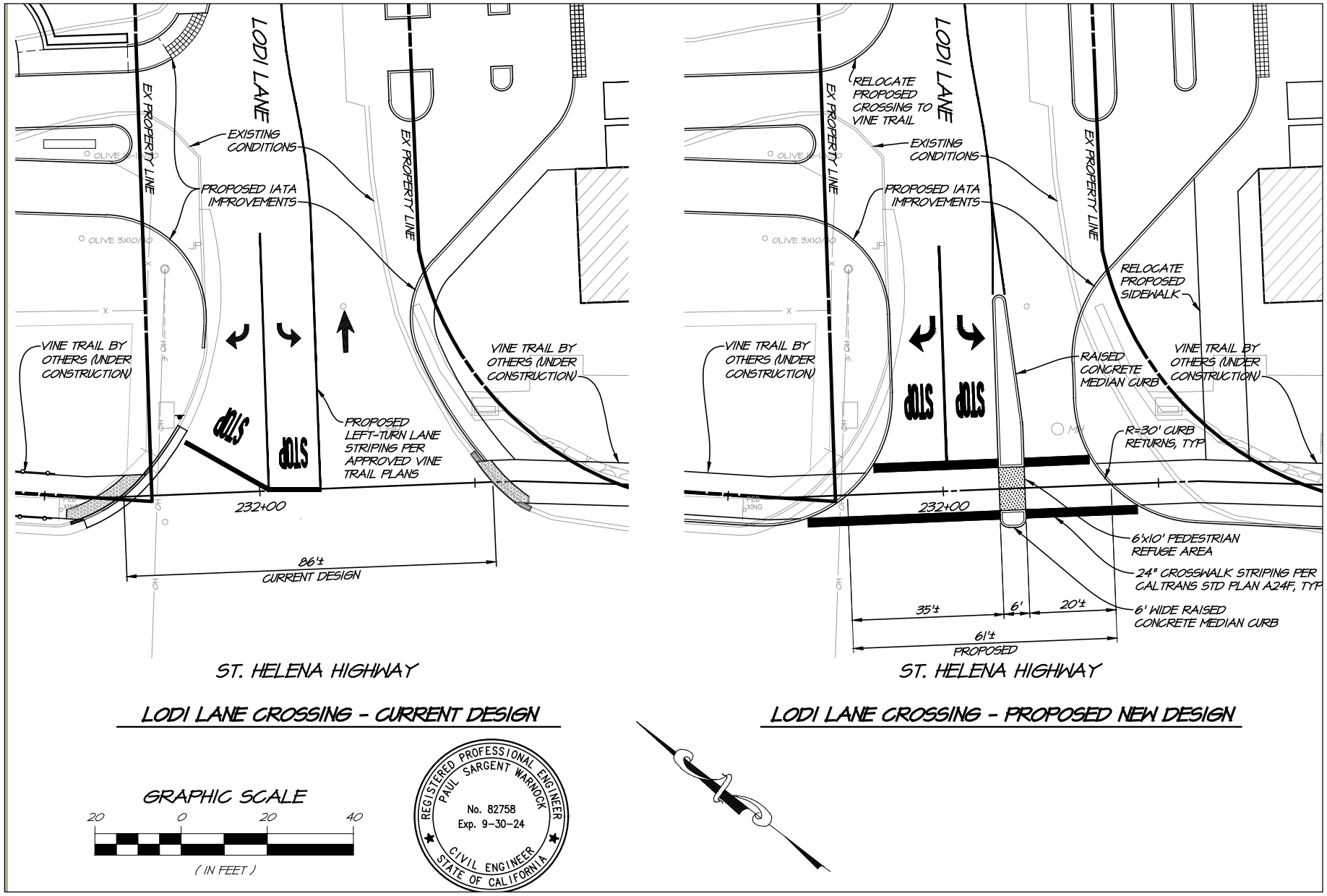
While not required to reduce VMT impacts, which would be less than significant for the Project according to the County's TIS Guidelines, in order to demonstrate consistency with General Plan Policies CIR-7 and CIR-23, and reduce GHG emissions associated with the Project, Mitigation Measure TRA-1 (refer to Impact TRA-1 above) contains requirements for a TDM program that would reduce Project trips and VMT by 15 percent. Implementation of Mitigation Measure TRA-1 also satisfies the provision in the County's TIS Guidelines that encourages project applicants to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Impact TRA-3: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). ***(Less than Significant with Mitigation)***

The Project would include the expansion of existing uses on the Project site and would not introduce incompatible uses. The TIS (Appendix L) evaluated site access and on-site circulation, and found that, as proposed, site access (driveways) and on-site circulation would be expected to operate acceptably. The Project would modify existing driveways but would not add additional points of ingress or egress from SR 29. If any modification to site access points were required, such modifications would be required to comply with Caltrans and County standards. The discussion below addresses proposed circulation modifications and potential transportation hazards associated with the Project.

Lodi Lane Crossing Improvement

The Project would not include any changes to existing road, bicycle, or pedestrian infrastructure, except for the proposed at-grade street crossing enhancement to the existing Vine Trail crossing at Lodi Lane and SR 29. If the crossing improvement were to introduce a design feature that would increase transportation-related hazards, this would be considered a potentially significant impact. A preliminary design for the Lodi Lane crossing improvement is shown in **Figure 4.13-2**. The preliminary design includes a 6-foot-wide raised median curb with a 6-foot-wide by 10-foot-long pedestrian refuse area that would taper along Lodi Lane. The preliminary design also includes standard Caltrans 24-inch-wide crosswalk striping. Given that the North and South Parcels are segmented by Lodi Lane, there is also a need for a connected pedestrian network within the Project site and from one side of Lodi Lane to the other. This improvement proposed by the Project Applicant is intended to increase pedestrian, bicycle, and on-site operational safety and traffic calming. **Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements,** would ensure that that the final design of the crossing improvement is reviewed by County and Caltrans staff and constructed in accordance with the Napa County Road and Street Standards. As such, the Lodi Lane crossing improvement would improve safety along Lodi Lane and the Vine Trail and would not introduce a hazardous design feature.



SOURCE: RSA, 2024

Inn at the Abbey EIR

Figure 4.13-2
Preliminary Lodi Lane Crossing Improvement

ESA

Collision Analysis

The TIS (Appendix L) reviewed collision history in the Project area to determine any trends or patterns that may indicate a safety issue. As shown in **Table 4.13-8** for intersections, the intersection of SR 29/Lodi Lane had a collision rate below the Statewide average; however, the intersection of Silverado Trail/Lodi Lane had a collision rate substantially higher than the Statewide average which warranted further analysis. Of the five total collisions, three were rear-ends attributed to unsafe speeds and four of the five occurred in the northbound direction. The other two collisions were an overturn attributed to unsafe speed and a broadside. The two horizontal curves to the south of the intersection have a posted advisory speed of 40 mph and there is approximately 300 feet of stopping sight distance available in the northbound direction while traversing the curves, which is the exact amount recommended by Caltrans for speeds of 40 mph, so adequate stopping sight distance is provided for vehicles travelling at the advisory speed. However, if motorists travel at speeds above 40 mph, sight distance is less than the recommended minimum. Installation of a speed feedback sign near the curves would make motorists more aware of their speeds and encourage travel at a more appropriate speed for the amount of stopping distance. The TIS recommended that the Project Applicant work with County staff to install a speed feedback sign on Silverado Trail in the northbound direction between the driveway to Melka Estates winery and the horizontal curve.

TABLE 4.13-8
COLLISION RATES AT PROJECT AREA INTERSECTIONS AND ROADWAY SEGMENTS

Name	Number of Collisions (2014-2018)	Calculated Collision Rate (c/mve)	Statewide Average Collision Rate (c/mve)
Intersection			
SR 29/Lodi Lane	3	0.13	0.16
Silverado Trail/Lodi Lane	5	**0.46**	0.16
Roadway Segment			
SR 29 – York Lane to Ehlers Lane	12	0.55	1.16
Lodi Lane – SR 29 to Silverado Trail	0	0.00	1.16
Silverado Trail – Bournemouth Road to Glass Mountain Road	15	**2.10**	1.20

NOTES:
c/mve = collisions per million vehicles entering
Bold text indicates a value above the Statewide average
SOURCE: W-Trans, 2019 (Appendix L)

As also shown in Table 4.13-8 for roadway segments, SR 29 experienced collisions at a below-average rate and Silverado Trail had a calculated collision rate higher than the Statewide average. There were no collisions reported on Lodi Lane during the evaluation period. Of the 15 collisions on the segment of Silverado Trail, more than half had unsafe speed as the primary collision factor, which is consistent with the collisions that occurred at the intersection of Silverado Trail/Lodi Lane. Five collisions were attributed to improper turning or wrong side of the road and are likely due to the fact that the 0.7-mile roadway segment has five horizontal curves. Installation of a speed feedback sign near the Melka Estates Winery driveway on Silverado Trail would help reduce collisions at the Lodi Lane intersection, and along

the Silverado Trail segment generally. This safety improvement is included in Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.

Turn Lanes

The TIS also evaluated the operation of the Project driveways and the effect it could have on the roadway to which it would connect (i.e., SR 29). **Figure 4.13-3** illustrates proposed driveway locations for the Project. The TIS analyzed the potential need for a right- or left-turn lane on SR 29 at the Project Driveway 2, the main entrance to the site, considering existing and future conditions with or without the Project. The need for a right-turn lane or taper[2] on SR 29 at Driveway 2 would not be warranted and no additional facilities would be recommended. For a left-turn on SR 29 at Driveway 2, a left-turn lane would not be warranted under existing conditions with or without the Project; however, due to the large growth anticipated on SR 29, a left-turn lane would be warranted on SR 29 at Driveway 2 under future conditions with or without the Project. Because the Project site has multiple access points, the TIS recommended that rather than constructing a left-turn lane that meets current Caltrans highway design standards, left-turns should be prohibited at Driveway 2. Signage should be installed in the southbound direction on SR 29 that reads “Freemark Abbey Winery and Resort Use Lodi Lane” or similar to be reviewed and approved by the County and Caltrans prior to installation. In addition, a mini "pork-chop” island[3] should be installed at Driveway 2 to restrict access to right-turn movements only at this location. This safety improvement is included in Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.

Sight Distance

At driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle. The TIS evaluated site distances along SR 29 and Lodi Lane at the main driveways (Driveways 2 and 3 in Figure 4.13-3) based on sight distance criteria contained in the Caltrans *Highway Design Manual*. Adequate sight distance is available in each direction along SR 29 and Lodi Lane to accommodate all turns, although landscaping could affect sight lines. The TIS recommended that any landscaping within the vision triangles at the driveways on SR 29 or Lodi Lane should be planted and maintained such as it is less than 3 feet more than 7 feet in height to maximize clear sight lines. This safety improvement is included in Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements.

Summary

As discussed above, with implementation of Mitigation Measure TRA-2, the Project would not introduce any transportation design features that would be considered hazardous. Mitigation Measure TRA-2 would ensure that safety improvements, including final design of the Lodi Lane crossing improvement, a speed feedback sign on Silverado Trail, maintenance of landscaping for sight lines, and a prohibition of left-turns from SR 29 into the Project driveway, would be implemented. Therefore, with implementation of Mitigation Measure TRA-2, the Project would not result in any impacts related to increased transportation hazards and the impact would be **less than significant**.

[2] A right-turn taper is a shoulder area that gets progressively wider as the motorist drives toward the intersection.

[3] A pork-chop island is a triangular shaped intersection traffic control island which splits the flow of traffic in two, one to turn using the slip lanes, and one to go through or cross traffic lanes.

SOURCE: RSA, 2019; ESA, 2024

Inn at the Abbey EIR

Figure 4.13-3
Proposed Driveway Locations

ESA

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

The Project Applicant shall implement the following safety improvements:

- The at-grade crossing improvement proposed at Lodi Lane shall be constructed in accordance with the current Napa County Road and Street Standards at the time of submittal of final design and shall be reviewed by the County and Caltrans staff and subject to approval by the Napa County Public Works Department prior to the issuance of a grading permit for the Project.
- The Project Applicant shall install a speed feedback sign on Silverado Trail in the northbound direction between the driveway to the Melka Estates Winery (2900 Silverado Trail) and the horizontal curve before Bournemouth Road. The exact location of the sign shall be coordinated with Napa County Public Works Department staff prior to the issuance of a grading permit for the Project.
- To ensure that sight lines remain adequate, any landscaping within the vision triangles at the driveways on SR 29 or Lodi Lane shall be planted and maintained such as it is less than 3 feet more than 7 feet in height to maximize clear sight lines. An ongoing maintenance plan shall be submitted to and approved by the Napa County Public Works Department prior to the issuance of a grading permit for the Project.
- Prior to a final certificate of occupancy for the Project, the Project Applicant shall install signage or other appropriate measures in the southbound direction on SR 29 that prohibits left-turns at Driveway 2 (as shown in the Project's Traffic Impact Study, Appendix L). The signage shall be reviewed and approved by the Napa County Public Works Department and Caltrans and read "Freemark Abbey Winery and Resort Use Lodi Lane" or similar. All southbound left-turns into the Project site shall occur via the existing left-turn lane at Lodi Lane. Additionally, the Project Applicant shall construct a mini pork-chop island or other similar features to delineate that only right-turns are allowed at Driveway 2 on SR 29.

Significance after Mitigation: Less than Significant.

Impact TRA-4: The Project would not result in inadequate emergency access. ***(Less than Significant)***

Section 4.16, *Wildfire*, evaluates the Project's potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, as well as the Project's potential to expose people or structures to a significant risk of loss, injury or death involved wildland fires. Please reference this section for an evaluation of the adequacy of emergency access during regional/large-scale emergency and/or natural disaster situations.

The North Parcel has four existing driveways, two on SR 29 and two on Lodi Lane, all of which would remain with the Project. The South Parcel is currently served by a single driveway that would be replaced with two new driveways. The County maintains the roadway network in accordance with industry design standards, which ensures that the physical network would be free of obstructions to emergency responders. Emergency access to the Project site would be subject to review by the County and responsible emergency service agencies, thus ensuring that the Projects would be designed to meet all emergency access and design standards. According to the TIS prepared for the Project, as proposed, all drive aisles meet County design standards and driveway widths would be adequate to accommodate

emergency response vehicles. Site access and circulation are expected to operate adequately for both passenger and emergency response vehicles. Adequate site distance is also available in each direction along SR 29 and Lodi Lane to accommodate all turns into and out of Project site driveways.

Project construction could include temporary lane closures related to infrastructure connections and upgrades off-site within public rights-of-way. Construction of infrastructure and roadway improvements in the right-of-way would be required to follow Napa County Code Chapter 12.04 requirements for encroachment permits during construction. Specifically, Napa County Section 12.04.100, *Traffic Control*, would require that the encroachment permit for any work that would encroach on any public street include traffic control measures to manage the movement of vehicles, including ensuring that emergency vehicles (e.g., police, fire, ambulances, and other vehicles traveling under emergency conditions) are able to pass through or by construction sites.

During operation, additional vehicles associated with the Project could increase delays for emergency response vehicles, particularly in more urbanized areas during peak commute hours. However, emergency responders maintain response plans that include use of alternate routes, sirens and other methods to bypass congestion and minimize response times. In addition, California law requires drivers to yield the right-of-way to emergency vehicles and remain stopped until the emergency vehicle passes to ensure the safe and timely passage of emergency vehicles.

Based on the above considerations, adequate emergency access would be provided to the Project site, and the impact would be **less than significant**.

Mitigation: None required.

4.13.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to transportation could occur if the incremental impacts of the Project combined with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on transportation is Countywide for transportation impacts related to consistency with plans and policies and VMT. The cumulative scope for transportation hazards and emergency access include the projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*.

Impact TRA-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on transportation. ***(Less than Significant with Mitigation)***

Consistency with Plans and Policies

Similar to the Project, cumulative projects would be subject to and reviewed by the County for consistency relevant programs, plans, ordinances, and policies addressing the circulation system, including the County's

General Plan, Countywide Transportation Plan, Countywide Bicycle Plan, and Countywide Pedestrian Plan. Therefore, the Project, in combination with cumulative projects, would not result in cumulative transportation impacts with respect to consistency with plans and policies and the impact would be **less than significant**.

VMT

Cumulative projects, including the projects listed in Table 4.0-1 (except for the Vine Trail project), would introduce new vehicle trips to the Project area and accordingly result in increased overall VMT. The cumulative increase in VMT would be considered a potentially significant impact. As discussed under Impact TRA-2 above, according to the County's TIS Guidelines, since the trips associated with the entitled, non-operational uses exceed the trips associated with the proposed uses under the Project resulting in a net reduction of 152 trips, the Project would generate less than 110 net new daily passenger vehicle and truck trips and the Project's VMT impact would be considered **less than significant** and the Project would not contribute considerably to cumulative VMT impacts. While not required to reduce VMT impacts, which would be less than significant for the Project according to the County's TIS Guidelines, in order to demonstrate consistency with General Plan Policies CIR-7 and CIR-23, and reduce GHG emissions associated with the Project, Mitigation Measure TRA-1 contains requirements for a TDM program that would reduce Project trips and VMT by at least 15 percent. Implementation of Mitigation Measure TRA-1 also satisfies the provision in the County's TIS Guidelines that encourages project applicants to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Transportation Hazards and Emergency Access

Cumulative projects, including any new roadway, bicycle, pedestrian, and transit infrastructure improvements, would be subject to, and designed in accordance with applicable design standards and specifications which address potential design hazards including sight distance, driveway placement, signage and striping, etc. Additionally, any new transportation facilities, or improvements to such facilities associated with subsequent projects would be constructed based on applicable industry design standards and best practices consistent with the County's zoning code and building design and inspection requirements. The County's evaluation of projects' access and circulation will incorporate analysis with respect to County standards for emergency access as well as for service to pedestrians, bicyclists, and transit users.

Of the projects listed in Table 4.0-1, only the Duckhorn Vineyards Winery Use Permit Major Modification project included a shared safety improvement. Installation of a speed feedback sign near the Melka Estates Winery driveway on Silverado Trail was also recommended in the TIS prepared for the Duckhorn project, noting that whichever project was approved first between the Duckhorn project and proposed Project should install the sign (W-Trans, 2021). Implementation of Mitigation Measure TRA-2 would ensure that the safety improvement is implemented. Therefore, with implementation of Mitigation Measure TRA-2, the Project's contribution to potential cumulative transportation impacts with respect to transportation hazards and emergency access would be **less than significant**.

> **Mitigation Measure TRA-1: Transportation Demand Management Program.** (see Impact TRA-1 above)

Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements (see Impact TRA-3 above)

Significance after Mitigation: Less than Significant.

4.13.7 References

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4.14 Tribal Cultural Resources

4.14.1 Introduction

This section identifies and evaluates tribal cultural resources in the context of the Project and includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating impacts, and the results of the impact assessment. Tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, State, or local register of historical resources.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020 and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to tribal cultural resources received during the NOP comment period include referrals for specific tribal correspondences and a request that Napa County provide participating tribal consultants any cultural resources records and studies previously conducted in the vicinity of the Project site.

4.14.2 Environmental Setting

Information about the environmental setting of the Project site and its vicinity, as well as those conditions as they relate to pre-contact or indigenous cultural resources, is provided in Sub-sections 4.5-2 and 4.5-8 within Section 4.5, *Cultural Resources,* of this Draft EIR. The following provides ethnographic context.

The Project located is within the ethnographic territory of the Wappo, a population of Yukian speaking, hunter-gatherer people with their own unique dialect and language, who occupied the northern Napa Valley and portions of the north and eastern Russian River Valley, within the Santa Rosa Plain. Geographically, the territorial area occupied by the Wappo stretched in a northwesterly direction from just north of the present-day cities of Napa and Sonoma to include the cities of Geyser, Cloverdale and Middletown at its northern extent (Kroeber, 1925:218–219, Plate 27; Barrett, 1908:264). This territory included the broad northwest-southeast trending river valleys and associated tributaries, as well as the flanking mountains of the Coastal Range and a small enclave along the southern shore of Clear Lake called Lile'ek by the Pomo, their neighbors to the west (Kroeber, 1925:219). Isolated from other Yukian-speaking peoples this group was bound on all sides by other native groups, the Lake Miwok to the north, the Patwin (Wintun) to the south and east, the Pomo to the north and west, and the Coast Miwok to the southwest (Heizer and Whipple, 1971: Map 1).

The name Wappo is a version of the Spanish term "guapo" which means handsome or brave, a title given to this group during the time of the Missions as a result of their "stubborn resistance to the military adjuncts of the Franciscan establishments" (Kroeber, 1925:217). Stephen Powers recognized the original name for these peoples as Ashochimi, and noted that the use of the term "Wappo – The Unconquerable" by this population, in reference to itself, was common practice (Powers, 1872).

It is surmised that the population of the Wappo prior to European contact may have exceeded 1,000 persons before falling drastically to 40 persons by 1908. During Spanish occupation, the Wappo were

notably resistant to all attempts of subjugation, from which they obtained their title. Despite this resistance, this native population was eventually brought under the control of the Mission at Sonoma, between 1823 and 1834. The remaining population was eventually moved to a reservation in Mendocino, where the majority perished, eventually leading to the closure of the reservation in 1867 (Kroeber, 1925: 221; Sawyer, 1978:258–259).

Today the Wappo people are represented by the Mishewal Wappo Tribe of Alexander Valley. The tribe has 340 living members and is currently seeking federal recognition from the U.S. government.

As discussed in Chapter 4.5 of this EIR, as well as cultural resources studies conducted for the Project (Barrow, 2019; Mattes, 2024), two pre-contact archaeological sites were identified in the vicinity of the Project site through archival research and field investigation. These sites were found to not extend into the Project's areas of direct impact (i.e., ground disturbance locations).

Tribal Consultation

Initial correspondence with Native American tribes was initiated for the Project by the consulting archaeologist in January 2019, which included a request of the Native American Heritage Commission (NAHC) for a search of the Sacred Lands File (SLF) and a list of tribal representatives who may have an interest in the Project. The NAHC's response, on January 17, 2019, stated that the SLF search yielded negative results and provided the requested consultation list. The consultation list provided by the NAHC included representatives of four Native American tribes: Cortina Rancheria – Kletsel Dehe Band of Wintun Indians, Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation. During the subsequent correspondences between the archaeological consultant and tribes, Ryan Peterson of the Middletown Rancheria Tribal Historic Preservation Department emailed a response letter on January 9, 2019 stating that the tribe had no comments at that time, but requested to be contacted if evidence of human habitation is found. Leland Kinter of the Yocha Dehe Wintun Nation responded by letter on January 17, 2019, stating that the Project site is outside of their aboriginal territory and declined to comment on the Project. Mr. Kinter also stated that all correspondence should be sent to the Mishewal-Wappo Tribe of Alexander Valley.

Following the NOP for the EIR, Napa County contacted the NAHC to initiate formal tribal consultation in accordance with Public Resources Code Section 21080.3, and received and updated list on August 3, 2020. Napa County distributed letters on March 19, 2020 describing the Project and inquired about interest in consultation to contacts at Middletown Rancheria, Yocha Dehe Wintun Nation, and Mishewal Wappo of Alexander Valley. A response via email was received from Yocha Dehe Wintun Nation on March 30, 2020, restating that Napa County should defer correspondence to Mishewal Wappo of Alexander Valley. Middletown Rancheria responded via email on March 26, 2020, stating that the Project would take place within an area of concern, and requested copies of all proposed Project plans and applicable scoping and environmental documents. Napa County provided electronic links to those documents on April 16, 2020. Middletown Rancheria requested formal consultation on April 17, 2020, and a virtual meeting took place on July 30, 2020. During the virtual meeting, Middletown Rancheria requested that their representative be present on the first day of Project construction activity for the purpose of providing cultural sensitivity training; the training program was attached to the email correspondence.

Correspondence between the archaeological consult and a representative of Mishewal Wappo of Alexander Valley, for the purpose of coordinating Native American monitoring during the subsurface field examination, took place via telephone on February 16, 2024 and February 21, 2024, with this collaborative working taking place on February 21, 2024.

4.14.3 Regulatory Setting

Federal

There are no federal laws or regulations relevant to the Project specifically related to tribal cultural resources. Section 106 of the National Historic Preservation Act considers historic properties, which also includes traditional cultural properties.[1] Sub-section 4.5-4, *Regulatory Setting*, within Section 4.5 of this EIR, *Cultural Resources*, provides a summary of Section 106 of the National Historic Preservation Act.

State

Public Resources Code Section 21074 (Assembly Bill 52)

In September 2014, the California Legislature enacted Assembly Bill (AB) 52, which added provisions to the Public Resources Code regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 requires lead agencies to analyze project impacts on tribal cultural resources (Public Resources Code Sections 21074 and 21083.09). The law defines tribal cultural resources in a new section, Public Resources Code Section 21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (Public Resources Code Sections 21080.3.1, 21080.3.2, and 21082.3).

Public Resources Code Section 21084.3 addresses mitigation for tribal cultural resources impacts as follows:

a) Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.

b) If the lead agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Section 21080.3.2, the following are examples of mitigation measures that, if feasible, may be considered to avoid or minimize the significant adverse impacts:

    1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

    2) Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

        A. Protecting the cultural character and integrity of the resource.

        B. Protecting the traditional use of the resource.

[1] A Traditional Cultural Property is a property that is eligible for inclusion in the National Register of Historic Places based on its associations with the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community.

C. Protecting the confidentiality of the resource.

3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

4) Protecting the resource.

Finally, AB 52 required the Office of Planning and Research to update Appendix G of the CEQA Guidelines to provide sample questions regarding impacts on tribal cultural resources (PRC Section 21083.09).

California Public Resources Code Sections 5097.98 and 5097.99

PRC Section 5097.98 (and reiterated in CEQA Guidelines Section 15064.59 [e]) identifies steps to follow in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery. PRC Section 5097.99, as amended, states that no person shall obtain or possess any Native American artifacts or human remains which are taken from a Native American grave or cairn. Any person who knowingly or willfully obtains or possesses any such artifacts or human remains is guilty of a felony which is punishable by imprisonment. Any person who removes, without authority of law, any such items with an intent to sell or dissect or with malice or wantonness is also guilty of a felony which is punishable by imprisonment.

California Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code protects human remains by prohibiting the disinterring, disturbing, or removing of human remains from any location other than a dedicated cemetery.

California Native American Historic Resource Protection Act

The California Native American Historic Resources Protection Act of 2002 imposes civil penalties, including imprisonment and fines up to $50,000 per violation, for persons who unlawfully and maliciously excavates upon, removes, destroys, injures, or defaces a Native American historic, cultural, or sacred site that is listed or may be listed in the California Register.

Local

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Community Character Element of the Napa County General Plan includes the following policies related to cultural resources (Napa County, 2008).

Goal CC-4: Identify and preserve Napa County's irreplaceable cultural and historic resources for present and future generations to appreciate and enjoy.

Goal CC-5: Encourage the reuse of historic buildings by providing incentives for their rehabilitation and reuse.

***Policy CC-17*:** Significant cultural resources are sites that are listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources

due to their potential to yield new information regarding prehistoric or historic people and events or due to their intrinsic or traditional cultural value.

***Policy CC-18*:** Significant historical resources are buildings, structures, districts, and cultural landscapes that are designated Napa County Landmarks or listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources. Owner consent is a prerequisite for designation as a County Landmark.

***Policy CC-19*:** The County supports the identification and preservation of resources from the County's historic and prehistoric periods.

***Policy CC-20*:** The County shall support and strengthen public awareness of cultural and historic preservation through education, public outreach, and partnership with public and private groups involved in historic preservation. Example programs include:

- Providing information to the public on historic preservation efforts and financial incentive programs.
- Creating a historic preservation page on the County's Web site with links to federal and State historic preservation programs and financial incentive programs.
- Distributing pamphlets that outline and discuss historic preservation programs available to property owners.
- Keeping handouts and applications on federal and State incentive programs at the Planning and Building public counters.
- Partnering with local non-profits to place plaques or other identification at designated historic buildings and sites.
- Coordinating with open space/land conservation organizations to preserve historic buildings and sites on land set aside for conservation, whether for public or private use.

***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.

***Policy CC-24*:** Promote the County's historic and cultural resources as a means to enhance the County's identity as the nation's premier wine country and a top tourist destination, recognizing that "heritage tourism" allows tourists to have an authentic experience and makes good business sense.

4.14.4 Significance Criteria

The thresholds used to determine the significance of impacts related to tribal cultural resources are based on Appendix G of the CEQA Guidelines. Implementation of the Project could have a significant impact on the environment if it would:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or;

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Approach to Analysis

Impacts on tribal cultural resources are assessed in consultation, as applicable, with the affiliated Native American tribes in accordance with Public Resources Code Section 21080.3. This analysis considers whether the Project would cause damaging effects to any tribal cultural resource, including archaeological resources and human remains.

4.14.5 Analysis, Impacts and Mitigation

Impact TCR-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074. (*Less than Significant with Mitigation)*

Based on the consultation, there are no known tribal cultural resources in the vicinity of the Project site. The results of the cultural resources records search conducted for the Project indicates that there are two pre-contact archaeological sites recorded in the vicinity of the Project site. One of these resources, site P-28-000952, was evaluated and determined to be not eligible for listing in the National and California Registers, and as such, does not qualify as a historical resource or unique archaeological resource.

Based on the results of the surface and subsurface survey completed for the Project, site P-28-000389 is not located within areas of proposed ground disturbance for the Project. Despite the negative findings of the investigation, the unanticipated discovery of significant archaeological resources, either associated with site P-28-000389 or a newly identified resource, cannot be entirely discounted. Disturbance of potentially significant archaeological resources during ground-disturbing activities associated with the Project could result in a potentially significant impact to tribal cultural resources. This impact would be reduced to a less-than-significant level through implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-2, as described in Section 4.5, *Cultural Resources*, of this EIR. Mitigation Measure CUL-1a would also comply with the recommendations from Middletown Rancheria received during the consultation process described above. Implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-2 would reduce potential impacts to tribal cultural resources by requiring a cultural resources sensitivity training prior to ground disturbing activity associated with the Project; archaeological and Native American monitoring during ground disturbing activities according to a Cultural Resources Monitoring Plan; and protocol for the inadvertent discovery of cultural materials and human remains. Therefore, with implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-2, the impact would be **less than significant**.

> **Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program.** (Refer to Sub-section 4.5-24, *Cultural Resources*, Impact CUL-2.)
>
> **Mitigation Measure CUL-1b: Archaeological and Native American Monitoring.** (Refer to Sub-section 4.5-25, Cultural Resources, Impact CUL-2.)

Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials. (Refer to Sub-section 4.5-25, Cultural Resources, Impact CUL-2)

Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains. (Refer to Sub-section 4.5-26, Cultural Resources, Impact CUL-3)

Significance after Mitigation: Less than Significant.

4.14.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. The geographic context for the analysis of cumulative effects related to tribal cultural resources are the portions of the North Coastal Range identified as the territory of the local Native American community.

Impact TCR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would contribute considerably to cumulative impacts on tribal cultural resources. (*Less than Significant with Mitigation)*

Cumulative development in portions of the County identified as the territory of the local Native American community could result in significant cumulative impacts on tribal cultural resources. This includes commercial and infrastructural development and maintenance projects slated for implementation within 0.5-mile of the Project site, as summarized in Table 4.0-1 of this Draft EIR. While no known archaeological resources are located within the Project's areas of direct impact, as evident by archival research and surface and subsurface field investigations, the potential exists for unknown archaeological resources and/or human remains, which could also be considered tribal cultural resource. Each individual project is subject to review under CEQA and therefore would be required to avoid, minimize, and compensate for any significant impacts on sensitive cultural resources, such that the cumulative impact would be reduced, though not completely eliminated. Because not all such impacts from these other projects have been or can be reduced with certainty to less-than-significant levels, the loss of any archaeological resources and/or human remains, which could also be considered tribal cultural resources, would result in a potentially significant cumulative impact.

As discussed above, there is low potential for the discovery of cultural materials, including human remains, during Project implementation. However, despite the low potential inferred through archival research and field investigation, ground disturbing activity within the Project site has the potential to encounter previously unrecorded archaeological resources and/or human remains, which could also be considered tribal cultural resources, and construction-associated grading and excavation could destroy these resources. As a result, the Project could result in a considerable contribution to the cumulative loss of tribal cultural resources, and this cumulative impact would be potentially significant.

Implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-2 would effectively avoid damage to or loss of tribal cultural resources, and little to no residual impact would remain after mitigation. With implementation of this mitigation measure, the contribution of the Project to this cumulative impact would be less than considerable, and this impact would be reduced to a **less-than-significant** level.

Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program. See Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-1b: Archaeological and Native American Monitoring. See Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials. See Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains. See Section 4.5, *Cultural Resources*.

Significance After Mitigation: Less than Significant.

4.14.7 References

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4.15 Utilities and Service Systems

4.15.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts on utilities and service systems. This section first includes a description of the existing environmental setting as it relates to utilities and service systems, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on utilities and service systems.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020 and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. Comments relating to utilities and service systems received during the NOP comment period include concerns related to wastewater treatment and disposal as well as water demand, supply, and availability, particularly regarding the water agreement with the City of St. Helena.

Project-related impacts on solid waste are addressed in Appendix B, *Initial Study*, of this EIR and summarized in Section 4.15.4 below.

4.15.2 Environmental Setting

Water

Napa County water supply is derived from multiple sources including local groundwater, surface storage, reclaimed water and imported State Water Project supplies. In general, the unincorporated areas of Napa County rely on groundwater. The Project site is located within the Napa-Sonoma Valley Groundwater Basin, Napa Valley Subbasin (2-2.01). The Napa Valley Subbasin is the predominant groundwater basin within Napa Valley. Groundwater level trends in the Napa Valley Subbasin are stable in the majority of wells with long-term groundwater level records. While many wells have shown at least some degree of response to drought conditions, groundwater levels are generally higher than they were at the same wells during the 1976 to 1977 drought. An exception to this is the Milliken-Sarco-Tulucay (MST Subarea) located east and northeast of the city of Napa where groundwater is primarily supplied through Tertiary sedimentary and volcanic units (Napa County GSA, 2022). However, the Project site is located outside of the MST groundwater deficient subarea.

Project Site Water Infrastructure and Supply

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

North Parcel Water System

A non-transient, non-community water system currently exists on the North Parcel, served by two on-site wells and a connection to City of St. Helena water. [1] The North Parcel is served by two on-site wells: the Vineyard Well and the Abbey Well. The Vineyard Well, located within the existing vineyard, was drilled in 1996 and water from this well is known to have high arsenic levels and must be blended with water from other sources to reduce the arsenic concentration below the maximum contaminant level (MCL). Water from the Vineyard Well is chlorinated, and routed to a blending system, where it is blended with water from the Abbey Well, and City of St. Helena water to reduce the arsenic levels below the MCL. Blended water passes through a carbon filter and a 5-micron filter and receives ozone treatment prior to entering the North Parcel distribution system. The Abbey Well, located adjacent to the Stone Building, was drilled in 1978 and is known to have low capacity and is dependent on the aquifer level. A third well, the Wilson Well, exists off-site on an adjacent parcel. The Wilson Well is not connected to the public water system but is plumbed to supplement the 300,000-gallon fire water tank on the North Parcel (RSA+, 2020a).

South Parcel Water System

A separate transient, non-community water system exists on the South Parcel, which is served by one well located east of the existing residences on Lodi Lane. [2] The Alumbaugh Well was drilled in 1997 and is known to have high levels of iron and manganese. Water from the Alumbaugh well is routed to a treatment system on the South Parcel, where it passes through iron and manganese filters. It receives chlorine treatment prior to entering the existing South Parcel distribution system (RSA+, 2020a).

Wastewater

The Freemark Abbey Winery, Markham Winery, Culinary Institute of America, and Wine Country Inn, collectively use a wastewater pond system for treatment of combined winery process and domestic wastewater and disposal of treated wastewater to land, referred to as the Combined Wastewater Management System (CWMS). The CWMS is located on the Markham Winery property at 2812 St. Helena Highway, about 0.5 mile south of the Project site. Combined domestic and winery wastewater is pumped from the Freemark Abbey facilities directly to the pond system located on the Markham property. Treated water is pumped to a drip irrigation system situated on approximately 15 acres of vineyards located adjacent and to the north and south of the wastewater ponds, on property owned by the Freemark Abbey Winery and the Institute. Treated water is not currently used on the Project site.

The existing CWMS currently treats combined sanitary sewer and process wastewater flows from Markham Vineyards and Freemark Abbey, and only treats sanitary sewer flows from the Culinary Institute of America and Wine Country Inn. The permitted discharge capacity of the CWMS is 16.07 million gallons per year (MGY). The Freemark Abbey's allocation under the CWMS is 4.0 MGY (RSA+, 2025b).

[1] A non-transient, non-community water system is a public water system that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

[2] A transient, non-community water system is a public water system that provides water to 25 or more people for at least 60 days per year, but not to the same people and not on a regular basis (for example, gas stations, campgrounds). Water may be provided by means of serving food, water, drinks or ice, restrooms, water faucets, or lodging.

The South Parcel's existing commercial and motel use buildings are served by on-site wastewater treatment systems. The existing Lodi Lane residential buildings are each served by separate, individual septic systems.

Stormwater Drainage

The Project site slopes generally to the southeast with slopes ranging from 1-15 percent. Runoff from the Project site flows via roof gutters and surface flow to on-site storm drains and natural flow lines, which ultimately discharge to the Napa River (RSA+, 2020b).

Other Utilities

Electricity and Natural Gas

Pacific Gas and Electric Company (PG&E) provides electric power service in Napa County. In the County, there are overhead and underground PG&E electric distribution systems, and overhead and underground secondary distribution and service systems. The closest high-voltage transmission line to the Project site is a PG&E 60 kilovolt (kV) transmission line located east of Silverado Trail. Existing low-voltage overhead distribution power lines run along SR-29 and Lodi Lane adjacent to the Project site (CEC, 2024).

PG&E also provides natural gas service in Napa County through underground natural gas distribution systems. A natural gas transmission pipeline runs along SR-29 adjacent to the Project site (PG&E, 2024).

Telecommunications

The telecommunications system serving the County consists of aboveground and buried telecommunications circuits from several providers, primarily AT&T, Verizon, and Comcast.

4.15.3 Regulatory Setting

Section 4.8, *Hydrology and Water Quality*, contains additional or more detailed descriptions of regulatory requirements related to water quality in Section 4.8.3, *Regulatory Setting*, that may also be applicable to the Project and are hereby incorporated by reference.

Federal

National Pollutant Discharge Elimination System NPDES

The National Pollutant Discharge Elimination System (NPDES) is a nationwide program for permitting of surface water discharges, including from municipal and industrial point sources. In California, NPDES permitting authority is delegated to and administered by the nine regional water quality control boards (regional water boards). The San Francisco Bay Regional Water Board (RWQCB) has set standard conditions for each permittee in the Bay Area, including effluent limitation and monitoring programs. In addition to issuing and enforcing compliance with NPDES permits, each regional water board prepares and revises the relevant basin plan (refer to the following discussion of State regulations).

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), Subtitle D, contained in Title 42 of the United States Code Section 6901 et seq. contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design, groundwater monitoring, and closure of landfills. The U.S. EPA waste management regulations are codified in 40 CFR 239–282. The RCRA Subtitle D is implemented by Title 27 of the PRC, approved by the U.S. EPA.

State

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA) establishes a framework for local agencies to develop and implement plans to sustainably manage high- and medium-priority basins by 2040 (DWR, 2022). The SGMA provides groundwater sustainability agencies with the legal authority to regulate groundwater pumping and assess groundwater charges as tools to support continued groundwater sustainability.[3] The SGMA allows a groundwater sustainability agency with an adopted groundwater sustainability plan to, among other things, impose reasonable operating regulations on existing wells to minimize interference; regulate, limit, or suspend groundwater extraction, construction of new wells, enlargement of existing wells, or reactivation of abandoned wells; and establish groundwater extraction allocations. The Project is located within the Napa Subbasin, the largest groundwater basin in Napa County, that is identified by DWR as a high-priority basin, though not one in condition of critical overdraft. The Napa Subbasin Groundwater Sustainability Plan was adopted by the Napa County Groundwater Sustainability Agency (GSA) in 2022 (Napa County GSA, 2022).

Assembly Bill 325

Assembly Bill (AB) 325, the Water Conservation in Landscaping Act of 1990, directs local governments to require the use of low-flow plumbing fixtures and the installation of drought-tolerant landscaping in all new development. Pursuant to the Water Conservation in Landscaping Act, the California Department of Water Resources developed a Model Water Efficient Landscape Ordinance.

California Health and Safety Code Section 116555

Under California Health and Safety Code Section 116555, a public water system must provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Executive Order N-7-22

On March 28, 2022, Governor Gavin Newsom issued Executive Order (EO) N-7-22 in response to intensifying drought conditions. Among other requirements, EO N-7-22 limits a county, city or other public agency's ability to permit modified or new groundwater wells, and instructs the SWRCB to consider (1) requiring certain water conservation measures from urban water suppliers and (2) banning non-functional or decorative grass at businesses and institutions.

[3] California Water Code sections 10725 and 10726.4.

Before local entities can permit new or modified groundwater wells in high and medium priority groundwater basins, EO N-7-22 requires the Groundwater Sustainability Agency (GSA) monitoring the basin to verify in writing that the permitted action is not inconsistent with the Groundwater Sustainability Plan or other groundwater management program for the basin. Additionally, the permitting entity must determine that the well will not interfere with nearby wells and will not cause subsidence that could negatively affect nearby infrastructure. This does not apply to permits for wells that will provide less than 2 AF annually of groundwater for individual domestic users,[4] or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

On June 7, 2022, the Napa County Board of Supervisors accepted procedures to implement the Governor's Executive Order N-7-22.[5] Well permits for proposed non-exempt wells located within the Napa Valley Subbasin are considered responsive to EO N-7-22 if the following conditions are met: (1) the proposed groundwater use does not exceed 0.3 acre-feet (AF) per acre; (2) the proposed well is located at least 1,500 feet from a Significant Stream; and (3) the proposed well is located at least 500 feet from other existing water supply wells. Well permits for non-exempt wells in the Napa Valley Subbasin will require written verification to be provided by the Napa County GSA to Napa County Planning, Building and Environmental Services (PBES) Department stating that the proposed well and its operation will be consistent with the Napa Valley Subbasin Groundwater Sustainability Plan.

California Green Building Standards Code

Water and Wastewater

Part 11 of the Title 24 Building Energy Efficiency Standards is referred to as the California Green Building Standards Code (CALGreen Code). The CALGreen Code is intended to encourage more sustainable and environmentally friendly building practices, conserve natural resources, and promote the use of energy-efficient materials and equipment. Since 2011, the CALGreen Code has been mandatory for all new residential and non-residential buildings constructed in the State. Mandatory measures related to water conservation include water-conserving plumbing fixture and appliance requirements, including flow rate maximums, compliance with State and local water-efficient landscape standards for outdoor potable water use in landscape areas, and recycled water systems, where available. The CALGreen Code was most recently updated in 2022 to include new mandatory measures for residential and non-residential uses; the 2022 amendments to the CALGreen Code became effective January 1, 2023.

Solid Waste

As amended, the CALGreen Code (California Code of Regulations Title 24, Part 11) requires that readily accessible areas be provided for recycling. The CALGreen Code also requires that projects recycle and/or salvage for reuse a minimum of 65 percent of their non-hazardous construction and demolition waste or comply with a local construction and demolition waste management ordinance, whichever is more

[4] California Code of Regulations § 660. Domestic Uses. Domestic use means the use of water in homes, resorts, motels, organization camps, campgrounds, etc., including the incidental watering of domestic stock for family sustenance or enjoyment and the irrigation of not to exceed one-half acre in lawn, ornamental shrubbery, or gardens at any single establishments. The use of water at a campground or resort for human consumption, cooking or sanitary purposes is a domestic use.

[5] Napa County Board of Supervisors meeting June 7, 2022, Administrative Item 11C; Napa County Planning, Building and Environmental Services Department Napa County Groundwater Sustainability Agency, Napa County and GSA Response to the Governor's Emergency Executive Order N-7-22, June 6, 2022.

stringent (Section 5.408.1). The 2016 version of the code increased the minimum diversion requirement for non-hazardous construction and demolition waste to 65 percent from 50 percent (in the 2013 and earlier versions) in response to AB 341, which declared the policy goal of the State that not less than 75 percent of solid waste generated would be source reduced, recycled, or composted by 2020.

Assembly Bill 939 (California Integrated Waste Management Act)

AB 939, enacted in 1989 and known as the Integrated Waste Management Act (Public Resources Code Section 40050 et seq.), requires each city and county in the State to prepare a Source Reduction and Recycling Element to demonstrate a reduction in the amount of waste being disposed to landfills. The act required each local agency to divert 50 percent of all solid waste generated within the local agency's service area by January 1, 2000. Diversion includes waste prevention, reuse, and recycling. SB 1016 revised the reporting requirements of AB 939 by implementing a per capita disposal rate based on a jurisdiction's population (or employment) and its disposal.

The Integrated Waste Management Act requires local agencies to maximize the use of all feasible source reduction, recycling, and composting options before using transformation (incineration of solid waste to produce heat or electricity) or land disposal. The act also resulted in the creation of the State agency now known as the California Department of Resources Recycling and Recovery (CalRecycle). Under the Integrated Waste Management Act, local governments develop and implement integrated waste management programs consisting of several types of plans and policies, including local construction and demolition ordinances. The act also set in place a comprehensive Statewide system of permitting, inspections, and maintenance for solid waste facilities, and authorized local jurisdictions to impose fees based on the types and amounts of waste generated.

In 2011, AB 341 amended AB 939 to declare the policy goal of the State that not less than 75 percent of solid waste generated would be source reduced, recycled, or composted by the year 2020, and annually thereafter.

Regional

National Pollutant Discharge Elimination System Waste Discharge Regulations

The Clean Water Act mandates controls on discharges from municipal separate storm sewer systems (MS4s). Acting under the Federal mandate and the California Water Code, California Water Boards require cities, towns, and counties to regulate activities that may result in pollutants entering storm drains. All municipalities prohibit non-stormwater discharges to storm drains and require residents and businesses to use BMPs to minimize the amount of pollutants in runoff. To enforce prohibitions and to promote the use of BMPs, the municipalities inspect businesses and construction sites, conduct public education and outreach, sweep streets, and clean storm drains. In addition, municipalities actively support projects to assess, monitor, and restore local creeks and wetlands.

Napa County, along with Town of Yountville, and cities of Napa, St. Helena, Calistoga and American Canyon are co-permittees to the Phase II Small MS4 General Permit (Water Quality Order No. 2013-0001- DWQ General Permit Number CAS000004). See Section 4.8, *Hydrology and Water Quality*, for more information.

Municipal Regional Permit Provision E.12

The Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual includes standards and requirements applicable to projects in Napa County. NPDES MS4 Permit Provision E.12 requires these agencies to regulate development projects to control pollutants in runoff from newly created or replaced impervious surfaces. The Post-Construction Manual is designed to ensure compliance with the requirements, facilitate review of applications, and promote integrated Low Impact Development (LID) design (BASMAA, 2019). See Section 4.8, *Hydrology and Water Quality*, for more information.

Regional Water Quality Control Board Order R2-1998-0064

The CWMS which currently processes combined domestic and winery wastewater from the project site is operated under a Waste Discharge Order (No. R2-1998-0064) approved by the San Francisco RWQCB. The Order stipulates waste discharge requirements for the CWMS including allowable flow rates and water quality standards for treatment, storage, and disposal facilities.

Local

Napa Valley Subbasin Groundwater Sustainability Plan

The Napa Valley Subbasin GSP was adopted by the Napa County GSA in January 2022, pursuant to the requirements of SGMA. Achieving the sustainability goal means avoiding significant and unreasonable effects occurring throughout the basin due to groundwater conditions, referred to as "undesirable results". The Napa Valley Subbasin Groundwater Sustainability Plan (Napa County GSA, 2022) contains the following sustainability goals:

- *To protect and enhance groundwater quantity and quality for all beneficial uses and users of groundwater and interconnected surface water in the Napa Valley Subbasin both now and in the future.*
- *The Napa County GSA will implement sustainable management criteria and an adaptive management approach supported by the best available information and best available science resulting in the absence of undesirable results within 20 years of GSP adoption.*

Napa County Code

- Title 13 "Water, Sewers and Public Services" of the Napa County Code regulates individual, private and public sewage systems within the County. Title 13 includes connection requirements, permits and applicable fees, system location, and design and operation requirements to ensure public safety and lessen related environmental impacts. The code specifically includes required site evaluations on soil conditions, percolation tests, depth to groundwater (sewage disposal areas must have a three-foot separation from the seasonal high groundwater levels, and distances from wells, creeks, slopes and reserve areas). In addition, the code includes required details regarding operation and maintenance of sewage facilities. Regulations for septic tanks and drain fields are provided in Title 13 Chapter 13.44 and Chapter 13.48, respectively.
- County Code Section 13.15 (The Napa County Groundwater Conservation Ordinance) describes activities requiring discretionary approval of use permits to develop groundwater as a source of water supply. The County requires that discretionary projects proposing to use groundwater provide a Water

Availability Analysis (WAA) as part of the required CEQA analysis of proposed discretionary projects. The WAA Guidance Document (last adopted in May 2015 and updated in January 2024) includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The WAA Guidance Document establishes groundwater use thresholds across residential, agricultural, commercial, and industrial sectors, based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply (Napa County, 2015). Section 13.15.020 stipulates that prior to the issuance of a building permit pursuant to Section 15.08.040, or any other permit or administrative approval facilitating the development or use of any parcel that may utilize a groundwater supply, a groundwater permit must be obtained unless specifically exempted by this chapter; and prior to the final approval of a subdivision, a groundwater permit must be obtained if required by this chapter and an existing, new or improved water system will provide groundwater to the subdivision.

The Project site is located within Napa Valley subbasin, and the Project would be subject to a 0.3 AF/acre allocation. Where existing groundwater use exceeds the 0.3 AF/acre, no net increase in groundwater use is required under WAA Tier 1 screening criteria for groundwater use (Napa County, 2024).

- Chapter 16.28 of the Napa County Municipal Code contains the Napa County Stormwater Management and Discharge Control Ordinance. The Ordinance enables Napa County to establish controls on the volume and rate of stormwater runoff from any developments or construction projects as may be appropriate to minimize peak flows or total runoff volume, and to mimic the pre-development site hydrology. These controls may include limits on impervious area dimensions, quantities or locations, and/or provisions for detention and retention of runoff on-site.

  The County may require, as a condition of project approval, permanent structural controls designed for the removal of sediment and other pollutants and for control on the volume and rate of stormwater runoff from the project's added or replaced impervious surfaces. The selection and design of such controls shall be in accordance with criteria established or recommended by federal, State, local agencies, and where required, the BASMAA Post Construction Manual or any other standards as adopted by resolution of the Napa County Board of Supervisors. Where physical and safety conditions allow, the preferred control measure is to retain drainageways above ground and in as natural a state as possible, or other biological methods such as bioretention areas.

Napa County Onsite Wastewater Treatment Systems Technical Standards

The Napa County Division of Environmental Health is responsible for regulating wastewater treatment and disposal systems in the unincorporated area of Napa County. The *Napa County Onsite Wastewater Treatment Systems Technical Standards* contain the requirements for on-site wastewater treatments systems in Napa County. The Technical Standards are comprised of four parts: Part I - Site Evaluation, Sewer Line and Wastewater Tank Requirements; Part II - Design, Construction and Installation of Conventional Sewage Treatment Systems; Part III - Design, Construction and Installation Of Alternative Sewage Treatment Systems; and Part IV - Design, Construction and Installation Of Winery Wastewater Treatment Systems.

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Conservation Element and Economic Development Element of the Napa County General Plan includes the following policies related to utilities and service systems (Napa County, 2008).

Goal CON-10: Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.

Goal CON-13: Promote the development of additional water resources to improve water supply reliability and sustainability in Napa County, including imported water supplies and recycled water projects.

Goal CON-18: Provide sufficient long-term solid waste disposal capacity for the County consistent with California Integrated Waste Management Act (Public Resources Code section 40000, et seq.) requirements.

***Policy CON-52*:** Groundwater is a valuable resource in Napa County. The County encourages responsible use and conservation of groundwater and regulates groundwater resources by way of its groundwater ordinances. [Implemented by Action Items CON WR-6 and WR-9]

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. [Implements Policy 52 and 55]

Action Item CON WR-9: The County shall adopt a Water-Efficient Landscape Ordinance for multifamily residential, industrial, and commercial developments regarding the use of water-efficient landscaping consistent with AB 325. [Implements Policy 52, 57, 58, 60, 63, and 64]

***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-60.5*:** All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

***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:

a. 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.

b. 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.

c. Require proposals for non-residential construction in the Airport Industrial Area and lower Milliken-Sarco/Tulucay Creeks Area to incorporate dual plumbing to allow for the use of non-potable/recycled water when such water becomes available.

d. 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.

***Policy CON-87*:** The County shall promote solid waste source reduction, reuse, recycling, composting and environmentally-safe transformation of waste. The County shall seek to comply with the requirements of AB 939 with regard to meeting State-mandated targets for reductions in the amount of solid waste generated in Napa County.

***Policy E-16*:** The County supports the expansion of energy and telecommunication services consistent with provisions of County Code Chapter 18.119 and other applicable State and federal regulations to all areas of the County where these services are needed to support the development of locally appropriate jobs and services, including home-based businesses.

4.15.4 Significance Criteria

The thresholds used to determine the significance of impacts related to utilities and service systems are based on Appendix G of the CEQA Guidelines. The Project could have a significant impact on the environment if it would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.
- Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- Conflict with federal, State, and local management and reduction statutes and regulations related to solid waste.

Approach to Analysis

Potential impacts to utilities are discussed based on the CEQA Significance Thresholds included in Appendix G of the *CEQA Guidelines* as listed above. The environmental impact analysis for utilities and service systems begins with an assessment of existing utility use and infrastructure services at the Project site. The projected demands for utilities and infrastructure services generated by the Project are then calculated. Typically, utility assessments focus on supply and treatment or generation capacity. Project-specific technical reports including a Water Availability Analysis (Appendix H), a Water Feasibility

Study (Appendix I) and a Wastewater System Feasibility Report (Appendix J) prepared by RSA+, were used to support the analysis.

After considering the implementation of the Project as described in Chapter 3, *Project Description*, and compliance with the required regulatory requirements, the environmental analysis below identifies if the defined significance thresholds would be exceeded and, therefore, a significant impact would occur.

Topics Considered and Effects Found Not to Be Significant

The Project would have less-than-significant impacts to the following topics based on the Initial Study prepared for the Project (see Appendix B). These topics are not addressed further in this document for the following reasons:

- ***Solid waste generation (criterion d)***. As discussed in Appendix B, Section XIX, *Utilities and Service Systems,* the Project would include construction waste associated with the demolition of three buildings on the Project site and operation waste associated with the proposed hotel and associated facilities. Waste from the Project site would ultimately be disposed of at the Clover Flat Landfill, which has a remaining capacity of more than 4.5 million cubic yards and is expected to remain in operation until 2047. Therefore, a less-than-significant impact was determined for the Project and this topic is not discussed further.
- ***Compliance with solid waste regulations (criterion e)***. As discussed in Appendix B, Section XIX, *Utilities and Service Systems*, the Project would implement a construction waste management plan for recycling and/or salvaging for reuse a minimum of 65 percent of construction and demolition debris generated during Project construction in accordance with Section 5.408 of the California Green Building Standards Code. Additionally, Project implementation would comply with all federal, State, and local regulations related to the disposal of waste. Therefore, a less-than-significant impact was determined for the Project and this topic is not discussed further.

4.15.5 Impacts of the Project

Impact UTL-1: The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. ***(Less than Significant with Mitigation)***

The Project would involve the construction of new water, wastewater, and stormwater infrastructure. Existing utility lines would be utilized by the Project for electric power and telecommunications services. Mitigation Measure GHG-1a (see Section 4.7, *Greenhouse Gas Emissions*) would require that the Project's new buildings be designed as all-electric facilities and would not include new natural gas connections. As such, there would be no natural gas infrastructure constructed as part of the Project. Proposed utility improvements that would be constructed as part of the Project are discussed below.

Water

The Project Applicant proposes to integrate the proposed hotel development on the South Parcel with the North Parcel public water system. The proposed consolidation would include connecting the existing Alumbaugh Well as a new water source for the North Parcel public water system, re-using the existing North Parcel treatment and blending system, and connecting the North and South parcel distribution

systems. No new wells would be required. A new approximately 2-inch pipeline would be constructed to connect the existing blending station on the North Parcel with the Alumbaugh Well water supply. Iron and manganese filters would be added to the North Parcel blending system, as needed. The existing South Parcel treatment system would be abandoned. New 4-inch drinking water, 8-inch fire water, and 4-inch irrigation water pipelines would be constructed to connect the new hotel buildings to the existing water supply system. A new 4-inch drinking water pipeline would also be constructed to connect the existing Lodi Lane residences to the new combined system. Proposed water system improvements are shown in **Figure 4.15-1**, Water Utility Plan. To avoid the transfer of City of St. Helena water to the South Parcel, the municipal City water service would be disconnected from the existing blending system and would instead serve the North Parcel buildings directly. The North Parcel buildings would maintain an auxiliary connection to the on-site public water system for backup use if the City water allotment is depleted. Reduced pressure backflow preventors would be installed as required to prevent cross-connection of on-site and City public water systems.

Water infrastructure improvements would occur mainly on the Project site, with connections and upgrades off-site within public rights-of-way, and would generate no further impacts beyond those identified in this Draft EIR for the Project.

Wastewater

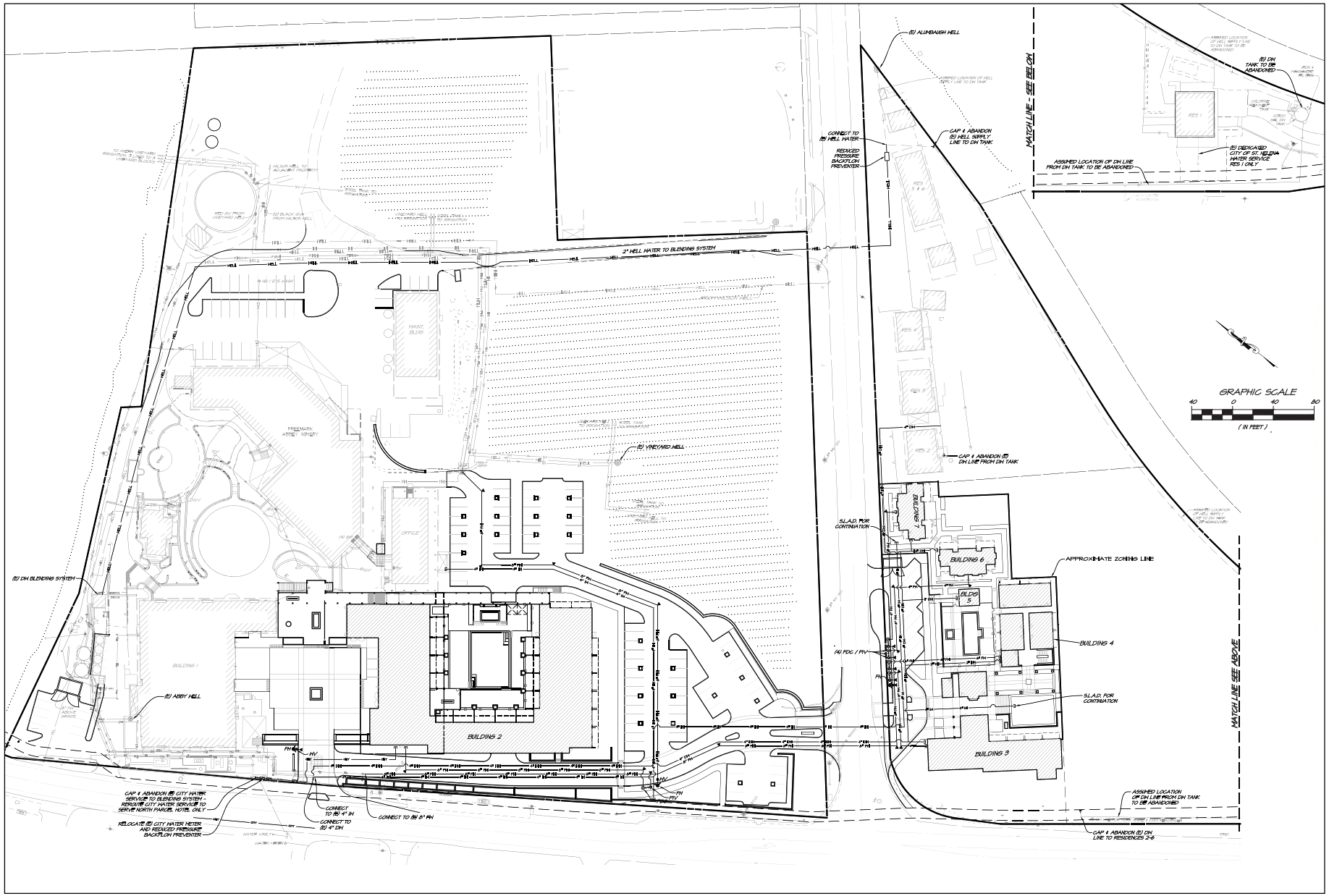
Domestic wastewater would be disposed of in two ways: domestic wastewater from the North parcel that is not treated and reused through a new on-site greywater or process wastewater treatment system would be disposed of through the CWMS, and wastewater from the South Parcel would be treated and disposed of on the Project site, distributed between the existing underground septic system and disposal to a new greywater treatment system.

The new hotel building on the North Parcel would connect to the existing wastewater system that is routed to the CWMS. As discussed under Impact UTL-3, the proposed hotel combined with the existing domestic wastewater flows would generate a total wastewater flow of 3.10 MGY. Freemark Abbey is permitted to send 4.0 MGY of wastewater to the CWMS, therefore the CWMS would have adequate capacity to serve the Project and no upgrades to the CWMS would be required.

The South Parcel greywater treatment system would include construction of a treatment train including a 3,000-gallon settling tank, a 6,000-gallon treatment tank with a High Strength Membrane Bio-Reactor (HSMBR) unit, ultraviolet (UV) disinfection, and five 10,000-gallon holding/pump tanks. The existing five-room motel septic system on the South Parcel would be removed. The existing septic system serving the existing commercial building and York Lane residence would be inspected by a qualified septic contractor and reused (may be repaired or replaced as necessary) to serve the existing York Lane residence,[6] blackwater, and a portion of the greywater from the proposed South Parcel hotel.[7] As discussed further under Impact UTL-3 below, the existing quantities of South Parcel commercial wastewater disposal on AW zoned lands would not increase under the Project.

[6] No changes in service or demand (360 gpd) is proposed for the existing York Lane residence as part of the Project.

[7] A blackwater utility system treats wastewater from toilets, showers, sinks, and other sources to make it reusable for non-drinking purposes.

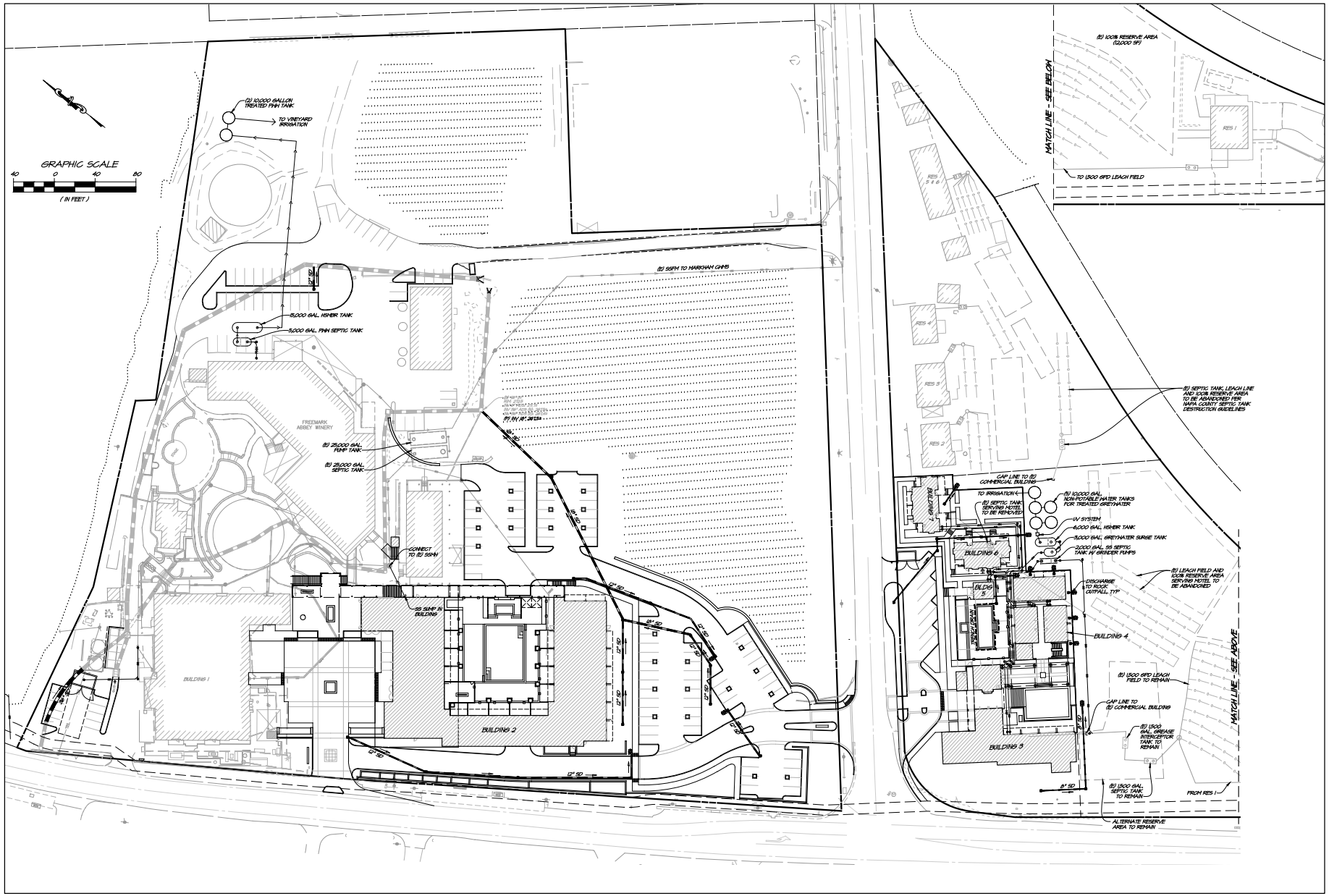


SOURCE: RSA+, 2022

Inn at the Abbey EIR

Figure 4.15-1
Water Utility Plan

ESA



SOURCE: RSA, 2019

Inn at the Abbey EIR

Figure 4.15-2
Wastewater Utility Plan

ESA

In lieu of discharging to an existing on-site septic system, some or all of the existing South Parcel septic systems may be consolidated into a new engineered on-site septic system. This optional consolidated system would include a treatment train consisting of a new 12,000-gallon septic tank, a 3,000-gallon recirculation tank connected to an Orenco AX-100 pod, or approved equal, and a 5,000-gallon dosing tank which would deliver metered flows of pre-treated effluent to a new Geoflow subsurface drip field on the South Parcel. Optional changes would not affect service or demand.

As part of the Project, improvements are also proposed to treat and reuse winery process wastewater from the existing winery for irrigation use. A new process wastewater treatment system with a treatment train including a 5,000-gallon septic tank/settling basin, 15,000-gallon treatment tank with HSMBR unit, and a 20,000-gallon storage/pump tank are proposed.

A similar greywater treatment system as the South Parcel system is proposed to serve the North Parcel hotel building. Treated greywater from the North Parcel greywater system would be stored and reused for non-potable water uses in the North Parcel hotel. Excess treated greywater may be made available for irrigation use on nearby properties. In lieu of separate greywater systems on the North and South Parcels, a single consolidated greywater system may be constructed.

Wastewater infrastructure improvements would occur mainly on the Project site, with connections and upgrades off-site within public rights-of-way, and would generate no further impacts beyond those identified in this Draft EIR for the Project.

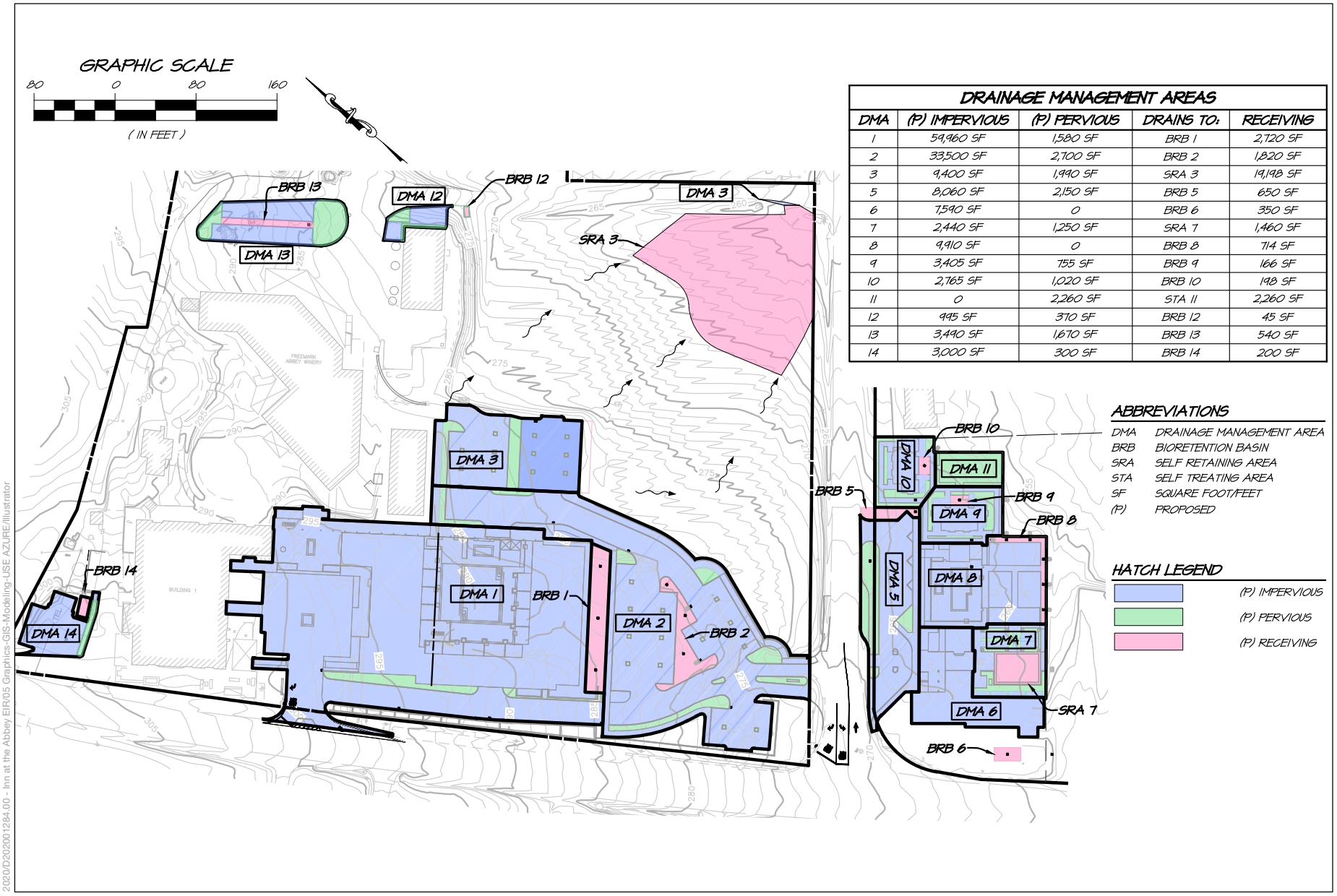
Stormwater

A preliminary Stormwater Control Plan has been prepared for the Project, which includes a description of the stormwater treatment facilities that have been integrated into the planning, design, construction, operation, and maintenance of the Project (Appendix G). As shown in **Figure 4.15-3**, the Project site would incorporate approximately ten bioretention facilities, three self-retaining areas, and one self-treating area. Treated stormwater from the North Parcel would discharge to on-site storm drains, and treated stormwater from the South Parcel would discharge to natural vegetated flow lines.

Stormwater infrastructure improvements would occur mainly on the Project site, with connections and upgrades off-site within public rights-of-way, and would generate no further impacts beyond those identified in this Draft EIR for the Project.

Other Utilities

Existing utility lines would be utilized by the Project for electric power and telecommunications services. Connecting to the existing energy and communications grid for proposed new buildings would require trenching on the Project site, which would not require substantial excavation and would result in minimal impacts. The Project would be required to detail the exact locations for all utility connections and utility plans would be subject to review by the County. The Project Applicant would coordinate with the appropriate electric power, and telecommunication providers, including PG&E, on providing service to the Project site.



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SOURCE: RSA+, 2020

Inn at the Abbey EIR

Figure 4.15-3
Preliminary Stormwater Control Plan

ESA

Electric and telecommunication utility improvements would occur mainly on the Project site, with connections off-site within public rights-of-way, and would generate no further impacts beyond those identified in this Draft EIR for the Project.

Summary

Construction activities associated with the utility improvements described above would have the potential to result in significant or potentially significant impacts. However, implementation of mitigation measures and compliance with other construction-related regulatory requirements discussed in other sections of this Draft EIR, including Section 4.3, *Air Quality*; Section 4.4, *Biological Resources*; Section 4.5, *Cultural Resources*; Section 4.7, *Greenhouse Gas Emissions*; Section 4.10, *Noise and Vibration*; Section 4.14, *Tribal Cultural Resources;* and Appendix B, Section VII, *Geology and Soils*, would reduce construction-related effects associated with the utility improvements to a less-than-significant level. As a result, the impacts associated with the construction of new utilities to serve the Project would be **less than significant**.

The following mitigation measures would apply to construction of the Project including infrastructure improvements:

Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization. Refer to Section 4.3, *Air Quality*.

Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants. Refer to Section 4.4, *Biological Resources*.

Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-Status Plants. Refer to Section 4.4, *Biological Resources*.

Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds. Refer to Section 4.4, *Biological Resources*.

Mitigation Measure BIO-3: Roosting Bat Surveys. Refer to Section 4.4, *Biological Resources*.

Mitigation Measure BIO-4: Mitigate for Oak Tree Removal. Refer to Section 4.4, *Biological Resources*.

Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program. Refer to Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-1b: Archaeological and Native American Monitoring. Refer to Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials. Refer to Section 4.5, *Cultural Resources*.

Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains. Refer to Section 4.5, *Cultural Resources*.

Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure. Refer to Section 4.7, *Greenhouse Gas Emissions*.

Mitigation Measure NOI-1: Construction Noise Control Measures. Refer to Section 4.10, *Noise and Vibration*.

Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources. Refer to Appendix B, Section VII, *Geology and Soils*, and Chapter 2, *Summary*.

Significance after Mitigation: Less than Significant. The Project as a whole would not result in significant and unavoidable construction-related impacts and construction work involving utilities

is included in the overall analysis of Project construction. The utility construction work would be responsible for a relatively small portion of these Project impacts. Therefore, for construction related to utilities, the impact would be less than significant with mitigation incorporated.

Impact UTL-2: The Project would have sufficient water supplies available to serve the Project along with reasonably foreseeable future development during normal, dry and multiple dry years. *(Less than Significant)*

As described in Section 4.15.2, *Environmental Setting,* the Project site is comprised of separate water supplies for the North and South Parcels. A public water system currently exists on the North Parcel, served by two on-site wells (Vineyard and Abbey Wells) and a connection to City of St. Helena water. A separate public water system exists on the South Parcel, served by one well (Alumbaugh Well) located east of the existing residences on Lodi Lane.

The Napa County Groundwater Conservation Ordinance (County Code Section 13.15) requires that a WAA be prepared for projects proposing to use groundwater. The County's WAA Guidance Document includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The County's WAA groundwater use thresholds are based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply. As discussed in Section 4.8, *Hydrology and Water Quality*, the Project site is located within Napa Valley subbasin and the Project would be subject to a 0.3 AF/acre per year allocation. The approximately 15.13-acre Project site would have a 4.54 acre-feet per year (AFY) water allocation under the County's interim guidance. The existing Project site groundwater use is estimated to be 10.77 AFY. Where existing groundwater use exceeds the 0.3 AF/acre, no net increase in groundwater use is required under WAA Tier 1 screening criteria.

RSA+ prepared a WAA (Appendix H) and a Water System Feasibility Study (Appendix I) for the Project, to identify the proposed water supply sources, source adequacy, water system technical capacity, and estimated Project water demand. The WAA determined that the total water supply for the Project site would be 19.98 AFY, based on water supply from groundwater (existing Abbey, Vineyard, and Alumbaugh Wells), proposed North Parcel winery process water, and an existing City of St. Helena water allotment (see **Table 4.15-1**). The Project's estimated water demand would be approximately 18.71 AFY, which would include 14.03 AFY for the North Parcel and 4.68 AFY for the South Parcel.

TABLE 4.15-1
PROJECT SITE WATER SUPPLY

Water Supply Reservoir	Quantity [AFY]
Groundwater	10.77
North Parcel Process Water	0.92
City of St. Helena Water Allotment	8.29
Total Water Supply	**19.98**

NOTES: AFY = acre-feet per year
SOURCES: RSA+, 2025a (Appendix H)

The North Parcel currently has an agreement to receive up to 2.7 MGY (8.29 AFY) from the City of St. Helena's public water system, under which no changes to supply are proposed for the Project. The

availability of existing City of St. Helena water allotment reduces water supply dependency on Project wells to approximately 4.04 MGY (8.62 AFY). The Water System Feasibility Study indicates that the daily average total well water demand would be approximately 12,055 gallons and peak daily well water demand is estimated to be 24,110 gallons per day (200 percent of average daily demand). It is estimated that the Vineyard Well alone can supply 40 gallons per minute or 57,600 gallons per day (GPD), which can support over twice the proposed peak daily well demand.[8] The Vineyard Well water would be supplemented by water from the Abbey Well and Alumbaugh Well, as well as the City of St. Helena water allotment, reducing dependency on a single supply source. However, as described in the WAA, the Alumbaugh Well would be limited to less than 10 gallons per minute pumping rate, and well production would not exceed the total existing South Parcel water use of 3.18 AFY. All proposed well sources for the proposed new consolidated water system are currently in use as approved wells for their individual public water systems. However, the City of St. Helena water allotment is only allowed for North Parcel uses. In order to avoid the transfer of City of St. Helena water to the South Parcel, the municipal City water service would be disconnected from the existing blending system and would instead serve the North Parcel buildings directly. The North Parcel buildings would maintain an auxiliary connection to the on-site public water system for backup use if the City water allotment is depleted. Reduced pressure backflow preventors would be installed as required to prevent cross-connection of on-site and City public water systems.

The WAA projected annual water demand for the Project including irrigation, winery process, and domestic water to be 18.71 AFY, as shown in **Table 4.15-2** below. Based on the Project's estimated water demand of 18.71 AFY and the water supply available for the Project of 19.98 AFY, the WAA found that sufficient water supply would be available to serve the Project. **Figure 4.15-4a and 4.15-4b** present a schematic diagram of proposed water supply and use on the Project site for the North and South Parcels with and without optional recycled water export.

TABLE 4.15-2
PROJECT WATER USE CALCULATIONS

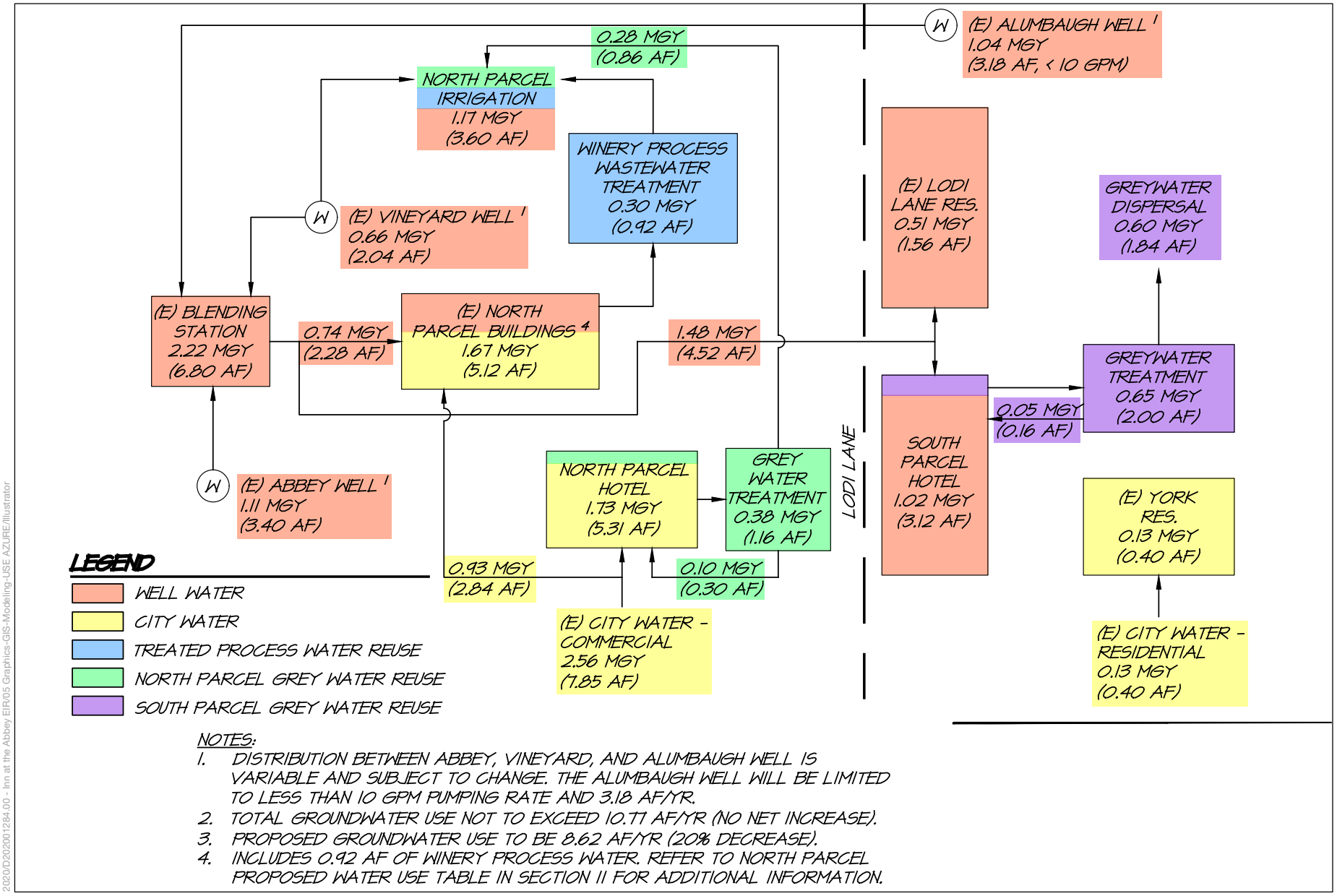
Use	Quantity [AFY]
North Parcel Water Use	
Hotel[a] and Existing Buildings	9.51
Winery Process Treatment	0.92
Irrigation (Vineyard + Landscape)	3.60
North Parcel Total	**14.03**
South Parcel Water Use[b,c]	
Hotel[a]	3.12
Existing Lodi Lane Residences	1.56
South Parcel Total	**4.68**
TOTAL WATER USE	**18.71**

NOTES: AFY = acre-feet per year

a. Assumes a 70 percent hotel occupancy factor
b. South Parcel Landscape Irrigation is supplied entirely by treated greywater, and not included in these calculations.
c. The existing York Lane Residence has a separate, City of St. Helena water supply, and is not included in these calculations.

SOURCES: RSA+, 2025a (Appendix H)

[8] (40 gallons/minute) * (1440 minutes/day) = 57,600 gallons/day



NOTES:

1. DISTRIBUTION BETWEEN ABBEY, VINEYARD, AND ALUMBAUGH WELL IS VARIABLE AND SUBJECT TO CHANGE. THE ALUMBAUGH WELL WILL BE LIMITED TO LESS THAN 10 GPM PUMPING RATE AND 3.18 AF/YR.
2. TOTAL GROUNDWATER USE NOT TO EXCEED 10.71 AF/YR (NO NET INCREASE).
3. PROPOSED GROUNDWATER USE TO BE 8.62 AF/YR (20% DECREASE).
4. INCLUDES 0.92 AF OF WINERY PROCESS WATER. REFER TO NORTH PARCEL PROPOSED WATER USE TABLE IN SECTION II FOR ADDITIONAL INFORMATION.

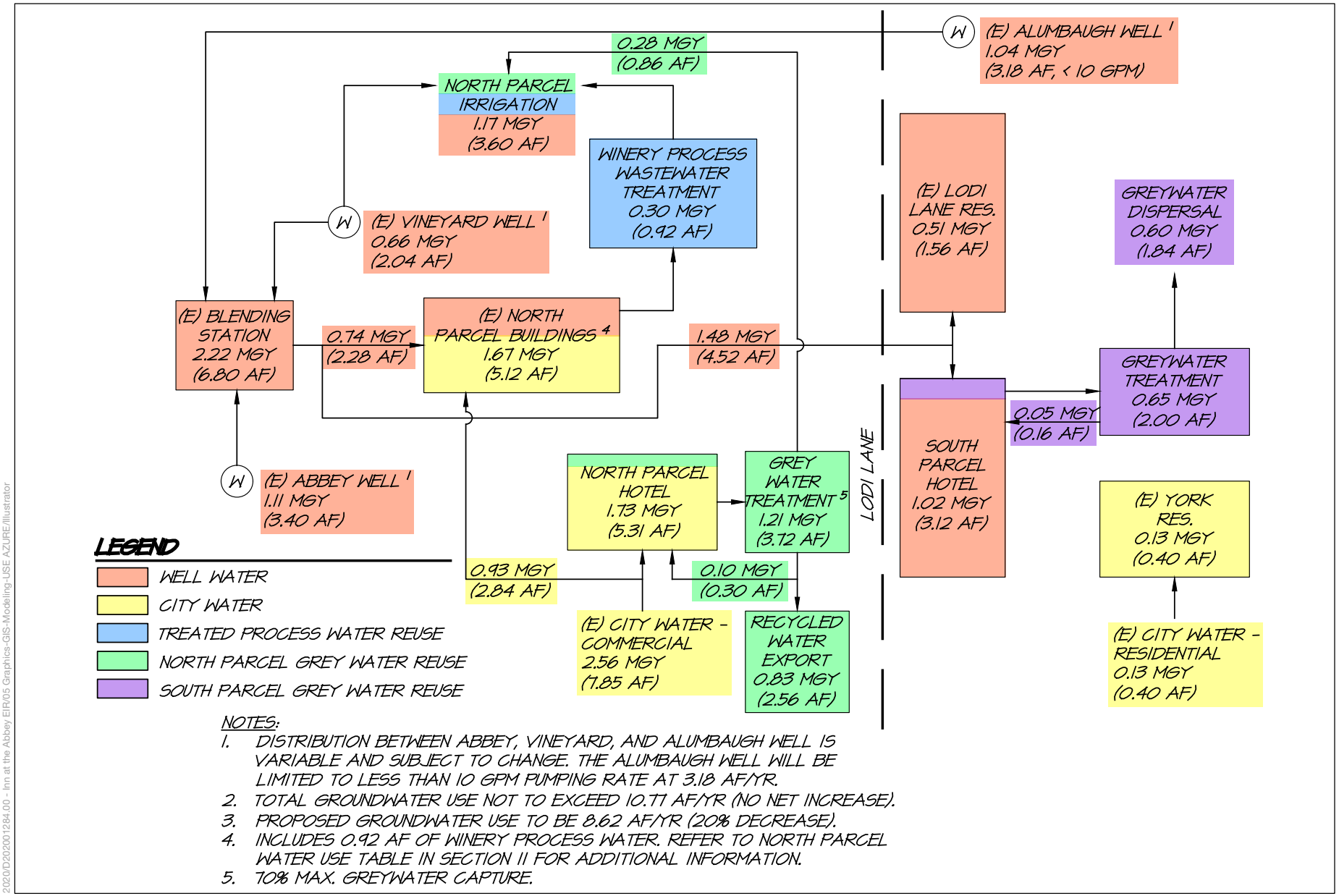
2020/D2020001284.00 - Inn at the Abbey EIR/05 Graphics-GIS-Modeling-USE AZURE/Illustrator

SOURCE: RSA+, 2025

Inn at the Abbey EIR

Figure 4.15-4a
Water Schematic Diagram

ESA



2020/D2020001284.00 - Inn at the Abbey EIR/05 Graphics-GIS-Modeling-USE AZURE/Illustrator

SOURCE: RSA+, 2024

Inn at the Abbey EIR

Figure 4.15-4b
Water Schematic Diagram with Optional Recycled Water Export

ESA

In order to reduce reliance on groundwater supply sources, the Project would also include on-site treatment systems for domestic and winery process wastewater. Proposed treatment and reuse of winery process wastewater would supply an additional 0.92 AFY for irrigation water for the Project's North Parcel. The proposed North Parcel on-site wastewater treatment system would supply 0.86 AFY of the North Parcel's irrigation demand through treated greywater as well as 0.30 AFY for non-potable hotel use (toilet flush). A similar greywater treatment system on the South Parcel would supply approximately 0.16 AFY for non-potable hotel use. South Parcel landscape irrigation would be supplied entirely by the proposed South Parcel on-site wastewater treatment system through treated greywater. Approximately 1.84 AFY of on-site treated greywater for the South Parcel would be used for South Parcel irrigation.[9]

Table 4.15-3 shows the total proposed groundwater use for the Project. Consistent with Napa County groundwater well permit procedures, the Project would result in no net increase in groundwater use with a water use below the existing use of 10.77 AFY, which will be achieved through the Project Applicant's proposed 20 percent reduction in groundwater use (8.62 AFY) when compared with existing use. These savings would be achieved through on-site water treatment and reuse systems for domestic and winery process wastewater and would be required as a term of the Development Agreement.

TABLE 4.15-3
TOTAL PROPOSED GROUNDWATER USE

Item	Quantity [AFY]
North Parcel Water Use	14.03
South Parcel Water Use	4.68
North Parcel City of St. Helena Water Allotment	-7.85
North Parcel Process Water	-0.92
North Parcel Greywater	-1.16
South Parcel Greywater	-0.16
Total Proposed Groundwater Use	**8.62**

NOTES: AFY = acre-feet per year
SOURCES: RSA+, 2025a (Appendix H)

Furthermore, the Project would be required to comply with CalGreen regulations that require the installation of water-efficient indoor infrastructure and water efficient landscaping requirements, which would conserve water during Project operations.

Both the WAA and the Water Feasibility Study prepared for the Project indicate that there would be sufficient water supplies available to serve the Project's demand. Therefore, sufficient water supplies would be available to serve the Project and the impact would be **less than significant.**

Mitigation: None required.

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[9] Greywater would supply 100% of the South Parcel landscape water demand. Therefore, the South Parcel landscape water demand is not included in the calculations.

Impact UTL-3: The Project would not result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. ***(Less than Significant)***

As described in Section 4.15.2, *Environmental Setting,* the North Parcel buildings currently collect and convey wastewater to a CWMS which currently serves Markham Vineyards, Freemark Abbey, the Culinary Institute, and Wine Country Inn. The South Parcel commercial and residential buildings are served by on-site wastewater treatment systems. The existing Lodi Lane residential buildings are each served by separate, individual septic systems. In February 2020, RSA+ prepared a Wastewater Feasibility Report for the Project (Appendix J), which evaluated the disposal of wastewater from the Project both on-site and via the CWMS.

Domestic wastewater from the North Parcel would be disposed of through the CWMS, which has a total permitted capacity of 16.07 MGY. The Freemark Abbey is permitted to send 4.0 MGY of wastewater to the CWMS. As shown in **Table 4.15-4**, the Wastewater Feasibility Report estimated that the proposed North Parcel hotel combined with the existing domestic wastewater flows would generate a total wastewater flow of 3.1 MGY. A greywater reuse system is also proposed for the North Parcel which would be expected to offset flows to the CWMS by a minimum of 0.38 MGY, reducing the total wastewater flow to the CWMS to approximately 2.72 MGY. Therefore, the CWMS would have adequate capacity to serve the Project's projected demand.

TABLE 4.15-4
NORTH PARCEL DOMESTIC WASTEWATER FLOWS

Use	Peak Daily Flows (GPD)	Annual (MGY)
North Parcel Use		
Hotel	6,750	1.73
Existing Buildings[a]	7,887	1.37
North Parcel Total	**16,217**	**3.10**
North Parcel Greywater Recycling (minimum)		0.38
North Parcel Annual Flow to CWMS		**2.72**

NOTES: GPD = gallons per day; MGY = million gallons per year
a. Includes the Stone Building, Winery, and Office Uses.
SOURCES: RSA+, 2025b (Appendix J)

Wastewater from the South Parcel would be treated and disposed of on-site. **Table 4.15-5** includes existing and proposed South Parcel wastewater disposal volumes as calculated by the Wastewater Feasibility Report. Historically, uses in the CL-zoned areas of the South Parcel have disposed of 2,485 GPD of wastewater in systems on the Agricultural Watershed- (AW-) zoned areas of the site. Wastewater from the new South Parcel hotel would be distributed between the existing underground septic system and disposal to a new greywater treatment system. The existing motel septic system on the South Parcel would be removed. The existing 1,500 GPD septic system would be inspected by a qualified septic contractor and reused (may be repaired or replaced as necessary) and would serve the existing York

Lane residence (360 GPD),[10] hotel blackwater, and a portion of the greywater from the proposed South Parcel hotel (1,040 GPD). Greywater from the proposed South Parcel hotel would be collected, treated, and reused for landscape irrigation (3,319 GPD). Dispersal would be divided between land zoned Commercial Limited (CL) and AW-zoned areas, such that the total CL wastewater to AW land (septic system + irrigation) would not exceed 2,485 GPD. Therefore, the total proposed area of CL-related infrastructure on AW land (inclusive of greywater landscape irrigation) would not exceed the total existing area of CL infrastructure on AW land. Additionally, the existing Lodi Lane residences are each served by separate, individual septic systems that may be combined into a single system with no proposed changes affecting service or demand. As such, the existing septic system and proposed greywater treatment system would have adequate capacity to serve the Project's projected demand.

TABLE 4.15-5
SOUTH PARCEL WASTEWATER DISPOSAL

Use	Total Wastewater (GPD)	Irrigation CL[a] (GPD)	Dispersal Field – AW[b] (GPD)	Irrigation AW[b] (GPD)	Total AW [b] (GPD)
Existing South Parcel Wastewater Disposal					
Motel	625	-	625	-	625
Commercial Building	1,500	-	1,500	-	1,500
Existing York Lane Residence	360	-	360	-	360
Existing South Parcel Total	**2,485**	**-**	**2,485**	**-**	**2,485**
Proposed South Parcel Wastewater Disposal[c]					
Hotel	3,975				
Hotel Greywater	3,319	1,490	484	1,345	1,829
Hotel Blackwater	656	-	656	-	656
Existing York Lane Residence	360	-	**	-	**
Proposed South Parcel Total	**4,335**	**1,490**	**1,140**	**1,345**	**2,485**

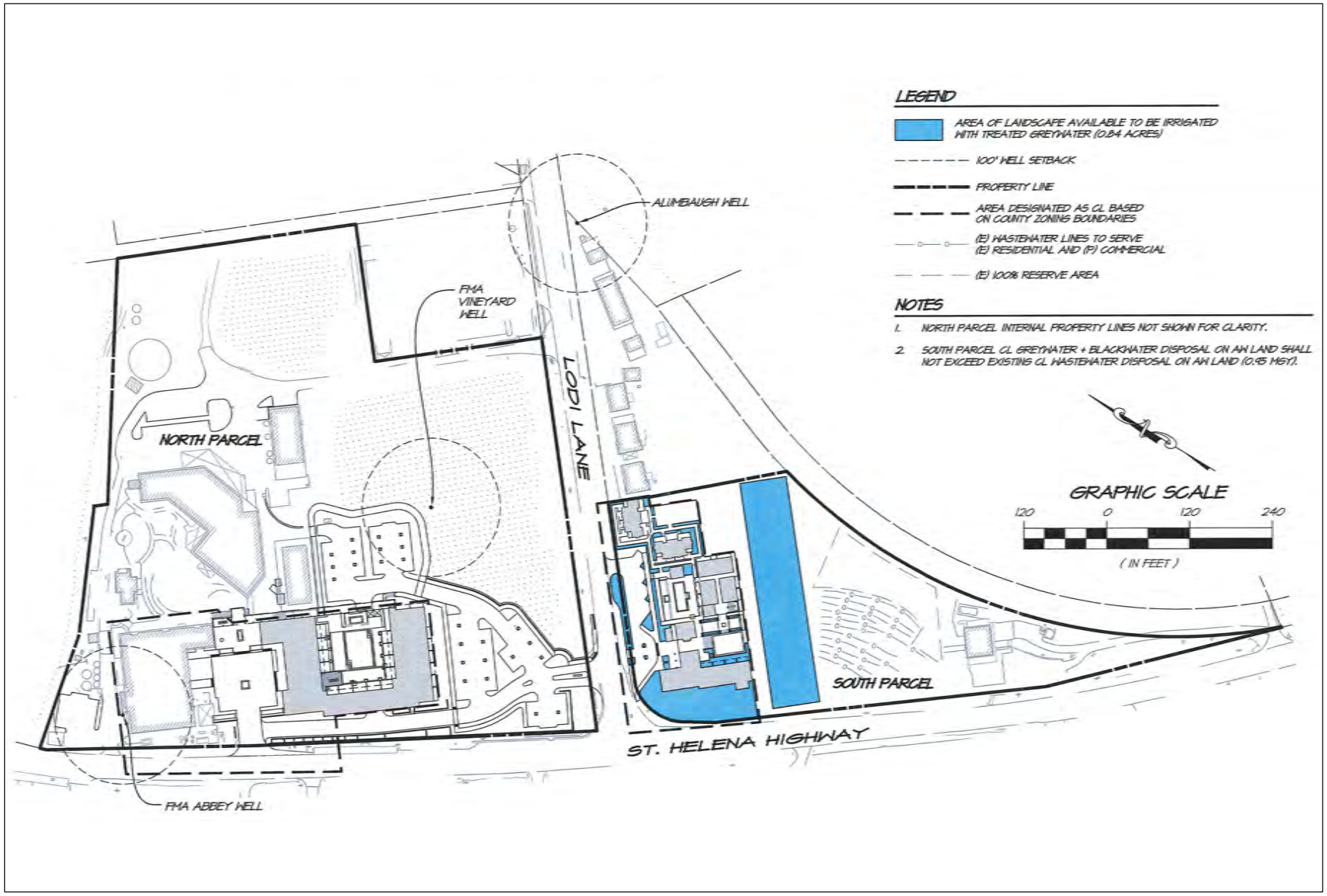
NOTES: GPD = gallons per day

a. Includes land zoned CL.
b. Includes land zoned AW.
c. The existing Lodi Lane Residences are each served by separate, individual septic systems with no proposed changes, and are not included in these calculations.

SOURCES: RSA+, 2025b (Appendix J)

As part of the Project, improvements are also proposed to treat and reuse winery process wastewater from the existing winery for irrigation use. The Wastewater Feasibility Report estimates that the winery produces 60,000 gallons of wine per year and generates five gallons of wastewater per gallon of wine. Therefore, the winery process would generate 300,000 GPY at an average daily flow of 822 GPD. Monthly wastewater production is based on a percentage of the total annual wastewater production. The amount of water allowed to be applied was estimated in the Wastewater Feasibility Report by the typical vine water demand. Irrigation would be applied to areas of vineyards outside well setback requirements. An area of 1.84 acres of vineyard and 1.84 acres of cover crop was used to calculate the storage capacity required for treated water. Based on monthly analysis no storage would be required; however, storage

[10] No changes in service or demand is proposed for the existing York Lane residence as part of the Project.

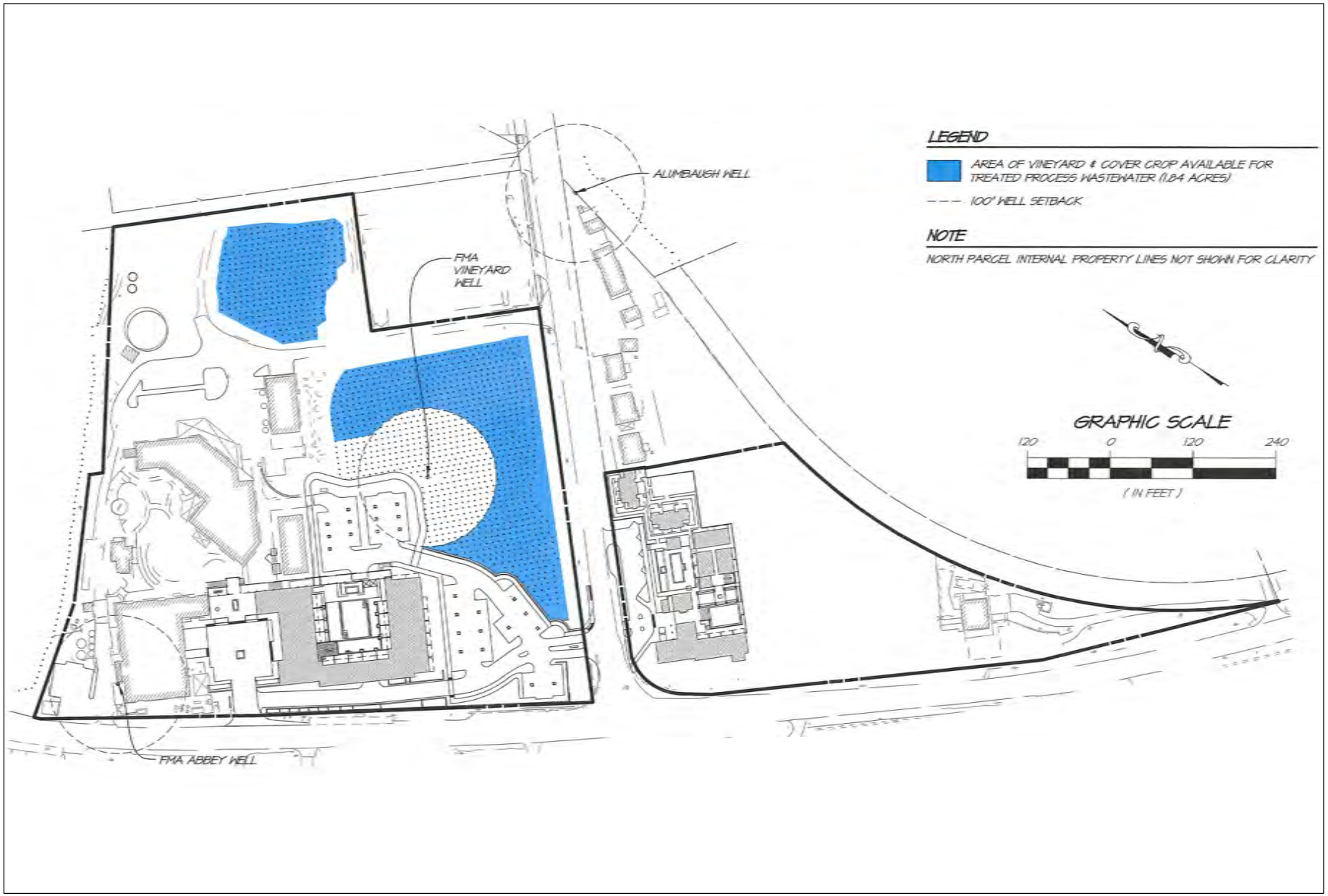


SOURCE: RSA+, 2020

Inn at the Abbey EIR

Figure 4.15-5
South Parcel Greywater Landscape Irrigation Area

ESA



SOURCE: RSA+, 2020

Inn at the Abbey EIR

Figure 4.15-6
Winery Process Wastewater Vineyard Irrigation Area

ESA

capacity of 20,000 gallons would be provided for treated process wastewater generated during wet weather periods. During the summer months, all of the treated wastewater would be used for irrigation. Therefore, the proposed winery process wastewater treatment system would have adequate capacity to serve the Project's projected demand.

Given the above discussion, there would be sufficient capacity within the CWMS and on-site drain fields to dispose of domestic wastewater from the Project, with the addition of the proposed on-site treatment systems for greywater and winery process water. Therefore, this impact would be **less than significant**.

Mitigation: None required.

4.15.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to utilities and service systems could occur if the incremental impacts of the Project combine with the incremental impacts of one or more cumulative projects.

As previously discussed, the Project would have a less-than-significant impact related to solid waste generation and compliance with solid waste regulations. Accordingly, the Project could not contribute to cumulative impacts related to these topics and are not discussed further.

The geographic scope for cumulative effects on utilities and service systems is the Napa Valley groundwater subbasin for water infrastructure and supply, and the service area of the CWMS for wastewater treatment infrastructure and capacity.

Impact UTL-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on utilities and service systems. ***(Less than Significant)***

Utility Infrastructure

Regarding water infrastructure, the Project would integrate and consolidate the two existing public water systems on the Project site, to serve both the North and South Parcels. As discussed under Impact UTL-1, no new wells are proposed and no off-site water infrastructure would be required. As Project water infrastructure would be specific to the Project site, construction of Project water infrastructure would not combine with cumulative projects.

Regarding wastewater infrastructure, domestic wastewater from the North parcel would be disposed of through the CWMS, and wastewater from the South Parcel would be treated and disposed of on the Project site, distributed between the existing underground septic system and disposal to a new greywater treatment system. As part of the Project, improvements are also proposed to treat and reuse winery process wastewater from the existing winery for irrigation use. As discussed under Impact UTL-1, no upgrades to the CWMS would be required. Additionally, none of the cumulative projects listed in Table 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, would be served by the CWMS.

As Project wastewater infrastructure improvements would be specific to the Project site, construction of Project wastewater infrastructure would not combine with cumulative projects.

Similarly, regarding stormwater and other utility infrastructure, Project stormwater and other infrastructure improvements would be specific to the Project site, construction of Project stormwater and other infrastructure would not combine with cumulative projects.

For the reasons discussed above, cumulative impacts related to the construction of new or relocated water, wastewater, stormwater, and other infrastructure would be **less than significant**.

Water Supply

The Project would source a portion of its water supply from groundwater sources. The Project and cumulative projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, all overlie the Napa Valley groundwater subbasin. All the winery projects listed in Table 4.0-1 are assumed to also obtain their water supply from groundwater. As described in Section 4.15.2, *Environmental Setting,* groundwater level trends in the Napa Valley groundwater subbasin are stable in the majority of wells with long-term groundwater level records. Currently the only designated groundwater deficient area in Napa County is the MST subarea; neither the Project site nor cumulative projects would be located within this area. Therefore, groundwater demand from the Project combined with cumulative projects would not contribute to an existing deficiency.

The Project and cumulative projects would be subject to the Napa County Groundwater Conservation Ordinance (County Code Section 13.15) which requires that a WAA be prepared for projects proposing to use groundwater. As discussed under Impact UTL-2, the County's WAA Guidance Document includes components for evaluating potential adverse impacts on the groundwater basin as a whole, on groundwater levels in neighboring non-project wells, and on surface waters. The County's WAA groundwater use thresholds are based on the premise that projects must operate so as not to create a net deficit in the local groundwater supply. Compliance with County requirements would ensure that sufficient water supplies are available to serve the Project and reasonably foreseeable future development. Therefore, the cumulative impact with regard to water supply would be **less than significant**.

Wastewater Treatment Capacity

The Project would dispose of wastewater through the CWMS, existing on-site underground septic systems, an on-site new greywater treatment system, and a winery process wastewater treatment system. On-site wastewater disposal and treatment systems would only serve Project demand. Therefore, Project demand for on-site disposal and wastewater treatment systems would not combine with cumulative projects. There are no cumulative projects within the service area of the CWMS. As discussed under Impact UTL-3, the Freemark Abbey is permitted to send 4.0 MGY of wastewater to the CWMS. The Wastewater Feasibility Report estimated that the proposed North Parcel hotel combined with the existing domestic wastewater flows would generate a total wastewater flow of 3.1 MGY at the CWMS. As such, the CWMS would have adequate capacity to serve the Project's projected demand. Therefore, the Project would not result in cumulative impacts on wastewater treatment capacity and the cumulative impact would be **less than significant**.

Mitigation: None required.

4.15.7 References

Bay Area Stormwater Management Agencies Association (BASMAA) Phase II Committee, 2019. *BASMAA Post Construction Manual Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties*. Available: https://www.countyofnapa.org/DocumentCenter/View/3014/BASMAA-Post-Construction-Manual-PDF?msclkid=d355c7d7af9411eca7755cc93fce285a. Accessed May 4, 2023.

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Napa County, 2015. *Water Availability Analysis (WAA) – Guidance Document*, adopted May 12, 2015. Available: https://www.countyofnapa.org/DocumentCenter/View/25903/Water-Availability-Analysis-Adopted-Policy---12-May-2015. Accessed October 31, 2023.

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Pacific Gas and Electric Company (PG&E), 2024. Gas Systems. Available at: https://www.pge.com/en/about/pge-systems/gas-systems.html#tabs-fc6b80548f-item-727cbee02b-tab. Accessed February 29, 2024.

RSA+, 2020a. Water Feasibility Study for The Inn at the Abbey, 3022 St. Helena Highway, St. Helena, CA 94574, February 2020. Accessed July 20, 2023. (Appendix I)

RSA+, 2020b. Stormwater Control Plan for a Regulated Project for The Inn at the Abbey, 3022 St. Helena Highway, St. Helena, CA 94574, February 2020. Accessed July 20, 2023. (Appendix G)

RSA+, 2025a. Water Availability Analysis for The Inn at the Abbey, 3022 St. Helena Highway, St. Helena, CA 94574, August 26, 2022, revised February 28, 2025. (Appendix H)

RSA+, 2025b. Wastewater Feasibility Report for The Inn at the Abbey, 3022 St. Helena Highway, St. Helena, CA 94574, February 2020, revised January 7, 2025. (Appendix J)

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4.16 Wildfire

4.16.1 Introduction

This section assesses the potential for the Project to result in significant adverse impacts related to wildfire. This section first includes a description of the existing environmental setting as it relates to wildfire, and provides a regulatory framework that discusses applicable federal, State, and local regulations. This section also includes an evaluation of potential significant impacts of the Project on wildfire.

The Notice of Preparation (NOP) for the EIR was circulated on July 23, 2020, and a scoping meeting was held on August 5, 2020. The NOP and the comments received during the public comment period can be found in Appendix A of this Draft EIR. No comments relating to wildfire were received during the NOP comment period.

4.16.2 Environmental Setting

The Project site is in a rural residential area of the unincorporated County located outside the City of St. Helena and therefore has access to water utilities. As discussed in Section 4.15, *Utilities and Service Systems*, the Project site is serviced by an existing water system on the North Parcel which includes two on-site wells and a connection to City of St. Helena water. A separate public water system exists on the South Parcel, served by one well on the residential property. An existing off-site well on an adjacent parcel is plumbed to supplement a 300,000-gallon fire water tank on the North Parcel (RSA+, 2025). The Project site slopes generally to the southeast with slopes ranging from 1-15 percent (RSA+, 2020). The North Parcel currently slopes gently to the east, and South Parcel also slopes to the southeast with a break in slope south of the existing buildings (Miller Pacific Engineering, 2019).

Fire Protection Responsibility

The Project site is located in an unincorporated area of Napa County that is designated as a Local Responsibility Area (LRA) by the California Department of Forestry and Fire Protection (CAL FIRE). The County contracts with the cities of St. Helena, Calistoga, and Schell-Vista Fire Protection District for the provision of fire protection services to specified unincorporated areas adjoining these areas. The Napa County Fire Department (NCFD) provides fire and emergency service dispatching for the City of St. Helena and Calistoga Fire Departments (Napa County, 2022).

The remaining unincorporated areas of Napa County, including lands directly west of the Project site across State Route 29 (SR 29), are State Responsibility Areas (SRA) with CAL FIRE serving as the designated agency for fire protection services. The County of Napa contracts with CAL FIRE for fire protection services as the NCFD. CAL FIRE and the NCFD provide fire protection services to nearly 30,000 residents covering 728 miles of unincorporated Napa County except for 83 parcels that are served by the American Canyon Fire District (ACFD). The NCFD also provides fire protection and related services to smaller communities and various agencies in the unincorporated portion of the County (Napa County, 2007). CAL FIRE provides administrative support and coordination with five full-time paid stations and nine volunteer fire companies operating under a County Fire Plan. The NCFD Station 26

Saint Helena, located at 3535 Saint Helena Highway N, is approximately 1.5 miles northwest of the Project site.

Fire Hazard Severity and Wildfire Risk

As part of its Fire Resources Assessment Program (FRAP), CAL FIRE has mapped areas of significant fire hazards throughout the State. CAL FIRE has recently updated its fire hazard maps during a multi-year process. The maps classify lands into fire hazard severity zones (FHSZs), based on a hazards scoring system that takes into account localized factors such as fuel loading, slope, fire weather, and other relevant considerations, including areas where winds have been identified as a major cause of wildfire spread. CAL FIRE maps fire hazards within SRAs using FHSZs which can be classified as Moderate, High, or Very High. CAL FIRE also makes recommendations on Very High FHSZs (VHFHSZs) within LRAs and has done so for portions of Napa County, but has not done so for the LRA in the St. Helena area.

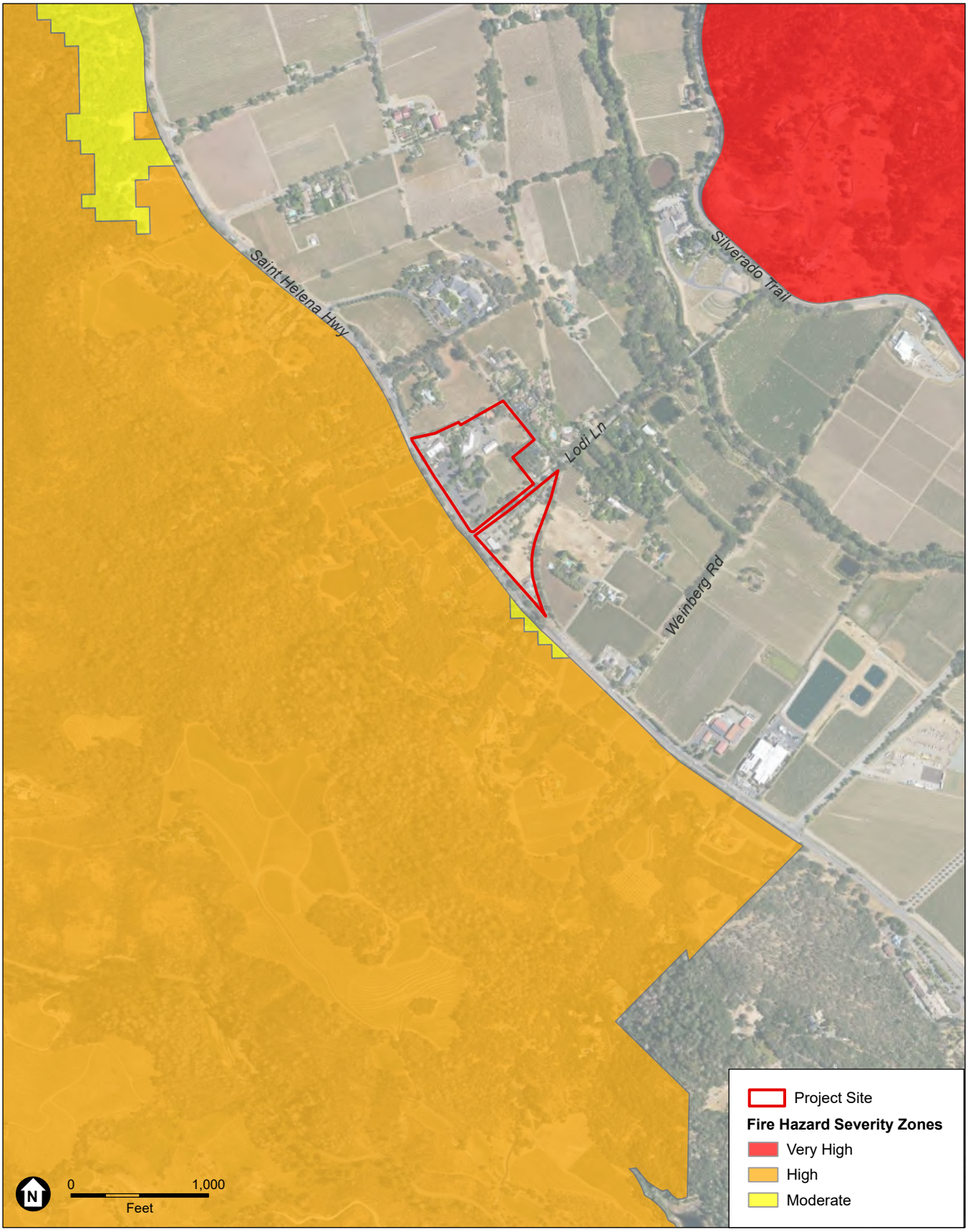
The Project is entirely located within a LRA as shown in **Figure 4.16-1** (CAL FIRE, 2023) for which fire hazard severity maps have not been produced by CALFIRE. Local responsibility area fire protection typically is provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government. However, lands directly to the west of the Project site across SR 29 are designated as High FHSZ in an SRA as shown in Figure 4.16-1.

Regional Wildfire Context

Wildfire is an ongoing concern in substantial portions of Napa County, particularly in areas with high quantities of wildfire fuel (i.e., natural vegetation), terrain that is favorable to wildfire, and areas of the County that are affected by wind events during times of high fire risk. The County is characterized by narrow valleys surrounded by steep, hilly terrain. With its long, dry summers and rugged topography, Napa County has a high wildland fire potential. In the last several decades the combination of firefighting technology, fire suppression policy, environmental regulations and developmental trends has led to increasing fuel loads, greater occupancy of remote wildlands, and greater potential for catastrophic wildfire. Climate and landscape characteristics are among the most important factors influencing hazard levels. Weather characteristics such as wind, temperature, humidity and fuel moisture content affect the potential for fire. Of these four, wind is the dominant factor in spreading fire since burning embers can easily be carried with the wind to adjacent exposed areas, starting additional fires. While the County has a characteristic southerly wind that originates from the San Francisco Bay (which becomes a factor in fire suppression), during the dry season, the County experiences an occasional strong north wind that is recognized as a significant factor in the spread of wildland fires (Napa County, 2007; Napa Firewise, 2021).

Wildfire Context of the Project Site

The Project site is located in the Napa Valley in a relatively flat area that was once occupied by the historic floodplain of the Napa River. Areas adjacent to the Napa River, including the Project site, have limited topography and are generally flat. Much of the area is typically occupied by agricultural operations, primarily vineyards, with barns, tasting rooms, outbuildings, and residential structures scattered amongst the vineyards. The Project site is comprised of two parcels of vineyards, parking areas, and buildings associated with winery operations. Clumps of trees are interspersed amongst these uses. The parcels surrounding the



SOURCE: Esri, 2024; CalFire, 2024; ESA, 2024

Inn at the Abbey EIR

Figure 4.16-1
Fire Hazard Severity Zones

ESA

Project site are similarly arranged. SR-29 lies along the western boundary of the site, and in this vicinity is configured as a two-lane road with shoulders. Across SR 29 to the west, the terrain becomes more varied and is occupied by vineyard and residential uses, and eventually transitions into hilly and heavily wooded terrain about one-quarter mile west of the Project site.

Generally, agricultural operations of the types on and around the Project site do not present a substantial fire hazard. Vineyards, in particular, do not contain the types of dense and flammable vegetative fuels needed to carry fire, and can act as a fuel break between areas where fire-prone fuels are present. As such, the wildfire hazards on the Project site itself and for the surrounding parcels are quite low. Areas of higher risk are generally be limited to the more heavily vegetated areas across SR-29, particularly those located northwest of the site. The higher risks associated with these areas are reflected in the High FHSZ designation of those areas across SR 29.

Emergency Response and Evacuation Plans

The Napa County Office of Emergency Services (OES) adopted an Emergency Operations Plan (EOP) in 2020 (Napa County, 2020a). The plan aligns with the National Incident Management System (NIMS) and the California Standardized Emergency Management System (SEMS). The plan provides Emergency Operations Center (EOC) responders with procedures, documentation, and user-friendly checklists to effectively manage emergencies, and it also provides detailed information of supplemental requirements such as Public Information, Damage Assessment, and Recovery Operations. Relevant emergency response or evacuation plans for the Project site include the Napa County EOP and the Napa County Multi-Jurisdictional Hazard Management Plan (HMP; Napa County 2020b). The EOP and HMP do not identify specific emergency response or evacuation routes; the routes depend on the location and nature of the emergency.

4.16.3 Regulatory Setting

Federal

There are no federal regulations pertaining to wildfire that are applicable to the Project.

State

California Department of Forestry and Fire Protection

Title 14 of the California Code of Regulations (CCR), Division 1.5, establishes regulations for CAL FIRE in SRAs where CAL FIRE is responsible for wildfire protection. These regulations constitute the basic wildland fire protection standards of the California Board of Forestry and Fire Protection. They have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction, and development in SRAs. Additionally, Title 14, Division 1.5, Chapter 7, Subchapter 2 sets forth the minimum standards for emergency access and egress (Article 2), signage (Article 3), water supply (Article 4), and fuel modification standards (Article 5) for lands within SRAs.

While the Project site is located within an LRA, areas directly west across SR 29, are within a SRA.

2019 Strategic Fire Plan for California

Developed by the Board of Forestry and Fire Protection, the Strategic Fire Plan outlines goals and objectives to implement CAL FIRE's overall policy direction and vision. The 2019 Strategic Fire Plan aims to meet the following goals: 1) improve core capabilities; 2) enhance internal operations; 3) ensure health and safety; and 4) build an engaged, motivated, innovative workforce. The plan also discusses implementation and measures of success.

Emergency Services Act

Under the Emergency Services Act, Government Code Section 8550, et seq., the State developed an emergency response plan to coordinate emergency services provided by federal, State, and local agencies. Rapid response to incidents involving wildfire and other natural and/or human-caused incidents is an important part of the plan, which is administered by the Governor's Office of Emergency Services (OES). The office coordinates the responses of other agencies, including the California Environmental Protection Agency (CalEPA), the California Highway Patrol (CHP), regional water quality control boards, air quality management districts, and county disaster response office.

California Public Resources Code

Fire Hazards Severity Zones – Public Resources Code Section 4201-4204

California Public Resources Code Sections 4201 through 4204 require CAL FIRE to prepare fire hazard severity zone maps for all lands within State Responsibility Areas, and to make recommendations for such zones in Local Responsibility Areas. Each zone is to embrace relatively homogeneous lands and is to be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified as a major cause of wildfire spread. CAL FIRE adopted an updated Fire Hazard Severity Zone map for Napa County in 2024, which become effective as of April 1, 2024, and a recommend LRA Fire Hazard Severity Zone map for Napa County in 2008.

California Building Code

In January of 2008, California officially switched from the Uniform Building Code to the International Building Code. The International Building Code specifies construction standards to be used in urban interface and wildland areas where there is an elevated threat of fire.

Regional

CAL FIRE Strategic Plan, Sonoma – Lake Napa Unit

The CAL FIRE Sonoma-Lake-Napa Unit (LNU) serves the counties of Sonoma, Lake, Napa, Solano, Yolo, and Colusa. The LNU Strategic Fire Plan is a living document (last updated in 2023) and outlines a comprehensive program designed to reduce total government costs and citizen losses from wildland fire in the Unit, including unit preparedness and firefighting capabilities, as well as pre fire management strategies and tactics. The LNU Strategic Fire Plan also strives to assist the public with assistance and education to create fire adapted communities that can more safely withstand a wildland fire.

Local

Napa County Multi-Jurisdictional Hazard Mitigation Plan

The Napa County Multi-Jurisdictional Hazard Mitigation Plan (HMP) is a multi-jurisdictional plan that geographically covers the entire area within Napa County's jurisdictional boundaries that must be updated every five years. During the 2020 HMP update process, each of the 2013 Countywide mitigation actions were examined for relevancy and the potential for future implementation and then evaluated for potential follow up. The HMMP development process included County representatives, representatives of each incorporated city, representatives of other interested agencies, community groups, and community members. Through the process of preparing the Plan, the County's hazards were identified, their likelihood and frequency were ranked, and a set of near-term, mid-term, and long-term mitigation measures were created to address these risks.

The HMP includes a set of goals and objectives that serve as building blocks to mitigate potential natural and human-caused hazards, and build on the community's existing capabilities in dealing with hazards. These goals and objectives generated a hazards mitigation strategy in the HMP. The hazards mitigation strategy development process identified specific mitigation objectives and action items for Napa County. The list of action items identifies mitigation projects and includes a project ranking based upon time horizon, cost, risk, benefit, and input from local stakeholders. The action items were developed to provide public policy makers with a list for potential implementation, as mitigation resources, time, equipment, and funding become available for selected projects.

Goal 1: Reduce deaths, injuries and structural damage through the use of planning, regulations and preventative measures.

Goal 2: Reduce deaths, injuries and structural damage through the use of public education and awareness programs.

Goal 3: Reduce deaths, injuries and structural damage through the use of natural resource/ systems protection.

Goal 4: Reduce deaths, injuries and structural damage through the use of structural/ infrastructure projects.

Goal 5: Reduce deaths, injuries and structural damage through the use of emergency services in relation to natural hazards.

Mitigation Strategies: Wildfire

Mitigation No. NC-03-2020 Wildfire: Continue technical and financial assistance to private property owners to implement fuel reduction projects.

Mitigation No. NC-04-2013 Wildfire: Develop & conduct a Defensible Space community education program.

Mitigation No. NC-05-2013 Wildfire: Draft & promulgate Defensible Space Ordinance.

Mitigation No. NC-19-2020 Wildfire: Conduct prescribed burns as part of wildfire mitigation strategy.

Mitigation No. NC-45-2020 Wildfire: Complete vegetation management projects as prescribed in CWPPs.

Mitigation No. NC-53-2020 Wildfire: Install proper addressing in rural areas to assist in wildfire emergencies.

Mitigation No. NC-55-2020 Wildfire: Work with utility providers to move above ground lines underground.

Mitigation No. NC-58-2020 Wildfire: Construct or improve egress for wildfire emergencies in wildland urban interface (WUI) areas.

Napa Firewise

The "Napa Firewise" program, cited in the Napa County General Plan, is a county-wide program operated by the Napa Communities Firewise Foundation (NCFF), a County-wide nonprofit organization (NCFF, 2022). NCFF's mission is to reduce the risk and impacts of wildfires through fire fuel reduction and community education in Napa County, achieved this through Fire Safe Councils, through local, State and federal grants and by educating communities on defensible space, home hardening, and fire preparedness. In 2005, with a grant from the U.S. Forest Service and the Napa County Fire Department, Napa Firewise launched an aggressive identity-building program using free chipping services and defensible space inspections, plus community workshops and public relations media as the all-important links to the community. To allow more direct access to grant funding and tax incentives for supporters, Napa Firewise was incorporated in 2007 under section 501(c)(3) as the non-profit NCFF.

Objectives

Raise Awareness - Make people aware of their environment and the natural and man-made risks that wildland fire poses to them, their family, their property, and/or their business.

Create Action - Provide the citizens of Napa County with specific steps they can take to protect their families, property, and/or business in the event of a wildland fire. Educate citizens on the key aspects of fire behavior and how "fire-hardened" homes and buildings can survive, through defensible space planning and proper mitigation techniques.

Sustain Action - Encourage defensible space practices as part of an ongoing fire prevention program. Including an annual chipping program as an important community collaboration activity.

Napa Firewise created a Community Wildfire Protection Plan (CWPP) which is a community driven plan to coordinate fire preparedness at the local, regional, and State level. The plan evaluates fire risk in the County and identifies community wildfire projects including fire prevention education components for residents, and identifies and prioritizes community preparedness projects such as defensible space projects, fuels treatments, protecting evacuation corridors, hazardous fuel reduction projects etc.

Napa County Operational Area Emergency Operations Plan

The County maintains an Emergency Operation Plan (EOP) that provides a framework for performing emergency functions before, during, and after an emergency event, natural disaster, or technological incident, and it supports the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) (Napa County Office of Emergency Services 2020b). The County works together with State, Federal, and local agencies to prevent, prepare for, respond to, and recover from incidents regardless of cause, size, or complexity effectively and efficiently. The EOP supports the overall mission of Napa County Office of Emergency Services (Napa County OES).

Napa County Fire Department Guidelines and Strategic Plan

Residential Development Guidelines includes guidelines for the development of residential and commercial buildings with regard to fire protection water supply, sprinkler systems, fire department access to residential properties, defensible space requirements. The NCFD also conducts inspections to ensure properties are in compliance with State and local code requirements and local standards.

The NCFD has a Strategic Plan which establishes a mission and set of values for the Fire Department as well as a set of strategic initiatives related to developing the NCFD workforce, establishing a Capital Improvement Plan, establishing an up to do date Emergency Operations Plan and developing a communication process and system (NCFD, 2016).

Napa County General Plan

The Napa County General Plan serves as a broad framework for planning and future development within Napa County. The Safety Element of the Napa County General Plan includes the following policies related to wildfire (Napa County, 2009; Napa County, 2023).

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

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

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

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

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

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

Policy SAF-14: The County will prepare a fire management plan and will continue, enhance, and implement programs seeking to reduce losses and costs associated with catastrophic fires.

Policy SAF-15: The County shall coordinate with CAL FIRE and fire agencies in neighboring counties to plan for future fire prevention and suppression needs.

Policy SAF-20: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

1) Adequacy of water supply.
2) Site design for fire department access in and around structures.

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

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

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

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

Napa County Code of Ordinances

The Napa County Code includes the Napa County Fire Code (Chapter 15.32). The Napa County Fire Code adopts and amends the California Fire Code. The Fire Code includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. The Napa County Code also includes requirements for encroachment permits and traffic control for sites with encroachment permits (Chapter 12.04).

The Napa County Fire Hazard Abatement Ordinance (Chapter 8.36) includes defensible space requirements and is intended to reduce fire hazard conditions related to the uncontrolled growth and/or accumulation of prohibited materials on parcels to protect the health, safety, and general welfare of the public and first responders.

Napa County Defensible Space Guidelines

The *Napa County Defensible Space Guidelines*, adopted in May 2021 by the County Board of Supervisors (Resolution No. 2021-49), are intended to provide minimum requirements for fuel modification measures for property owners to create defensible space around structures and are to be used in conjunction with Napa County Code Chapter 8.36. A defensible space perimeter provides firefighters with a safer working environment that allows them to protect structures from encroaching wildfires and minimizes the chance that a structure fire will escape to the surrounding area. In order to comply with the Napa County Fire

Hazard Abatement Ordinance, all property owners proposing new construction shall implement Fuel Treatment Requirements 7, as described below (Napa County, 2021):

> **7. New Construction**. For all new construction where construction commences on or after the effective date of these Guidelines both of the following shall be required:
>
> 7.a. The establishment and maintenance of an Ember Resistant Zone within 5 feet of a structure is required. This is the area closest to the structure, including the structure itself, decks, outdoor furniture, and the outside walls and coverings. This area is most vulnerable and should be maintained most aggressively for fire resistance.
>
> 7.b. All fire water supply infrastructure appurtenances shall be protected from wildfire radiant heat, convective heat, and embers by either: (1) underground burial in accordance with industry standards, (2) the use of non-combustible materials, such as concrete or metal, and/or (3) installation of a defensible space, extending out to a 100-foot slope-adjusted perimeter from the furthest extent of the structure. Distances may be increased by the enforcement officer based on site-specific analysis of local conditions.

Napa County Road and Street Standards

Updated in April 2023, the *Napa County Road and Street Standards* provides regulations to govern the design and development of public and private roads, driveways and parking areas in the unincorporated County, in compliance with changes in accepted health and safety practices and with changes in county ordinances and State and federal law. Objectives of the *Road and Street Standards* are to (a) provide reasonable standards that relates to terrain and parcel size; (b) preserve the natural landscape and desirable aesthetic features while balancing the needs of property owners; (c) encourage the location of roads to minimize disturbance or impacts on wetlands, critical native plant communities, or other environmentally sensitive areas; (d) minimize diversion and concentration of storm runoff; (e) encourage use of native grasses and other native plant materials for erosion control and habitat enhancement; (f) minimize alteration of streams and ephemeral drainage at discharge outfalls; (g) identify "impacted" runoff basins where special design considerations may be necessary to minimize downstream flooding and other impacts to neighboring properties; (h) provide adequate safety and service; (i) provide low maintenance cost road facilities; (j) produce Standards compatible with city requirements within areas of influence; and (k) produce Standards which equal or exceed the State Minimum Fire Safe Regulations. The County's roadway standards are developed in consultation with the County Fire Marshal, County Public Works, County Planning, Building and Environmental Services, and other agencies to ensure adequate widths for emergency access and evacuation.

4.16.4 Significance Criteria

The thresholds used to determine the significance of impacts related to wildfire are based on Appendix G of the CEQA Guidelines. The Project could have a significant impact on the environment if it would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Approach to Analysis

Impacts associated with wildfire are evaluated within the context of the effectiveness of standard wildfire risk abatement methods as they relate to the Project. The general rule employed in this analysis is that if wildfire risk can be effectively lessened through implementation of standard regulatory requirements (e.g., compliance with the Napa County Fire Code, other adopted plans, etc.), then the impact would be less than significant.

4.16.5 Impacts of the Project

Impact WLF-1: The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. ***(Less than Significant)***

The potential for the Project to impair implementation of an emergency response plan or emergency evacuation plan was addressed in Appendix B, *Initial Study*, of this EIR. As evaluated in Appendix B, construction and operation of the Project would result in a less-than-significant impact to emergency access and the implementation of an emergency response or emergency evacuation plan. The following analysis focuses on the potential for the Project to impact emergency response plans or emergency evacuation plans due to wildfire specific hazards during construction and operation of the Project.

Construction

Project construction would include the transportation and movement of equipment, materials, and construction workers. If located along designated evacuation routes or in areas subjected to limited or constrained access, these construction activities could impair or interfere with adopted emergency response plans or emergency evacuation plans and could be potentially significant. However, the County maintains the roadway network that would provide access to the Project in accordance with industry design standards, which ensures that the physical network would be free of obstructions to emergency responders. The County also requires the preparation of construction traffic management plans that minimize temporary obstruction of traffic during site construction. Specifically, Napa County Section 12.04.100, *Traffic Control*, would require that the encroachment permit for any work that would encroach on any public street include traffic control measures to manage the movement of vehicles, including ensuring that emergency vehicles (e.g., police, fire, ambulances, and other vehicles traveling under emergency conditions) are able to pass through or by construction sites.

For these reasons, construction of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The impact would therefore be **less than significant**.

Operation

The Project would result in new employees and visitors accessing the Project site during operation. The additional employees and visitors could add to the number of people evacuating in the event of a wildfire and could thus increase traffic volumes along the roadways serving as evacuation routes. However, as discussed in Section 4.11, *Population and Housing*, the population growth associated with the Project would be consistent with adopted regional and local projections. Additionally, the increase in population growth and traffic volumes would be small within the context of the surrounding area. As noted in Section 4.13, *Transportation*, the average daily traffic (ADT) along the Project frontage on SR 29 is approximately 15,600 on weekdays and 13,600 on weekend days. The approximately 645 daily trips associated with the Project would represent less than 0.05 percent of the traffic along this route.

As required by State law and the County's policies, the County's emergency response and evacuation plan(s) will be updated periodically to reflect changes in the County. These updates would reflect changes associated with additional development in the County made possible by the Project and other cumulative development in the area. As with the County's current plans, these updated plans would identify specific evacuation routes, procedures, and regulatory requirements that would need to be taken into consideration when determining whether or not future projects would impair implementation of the adopted emergency response and evacuation plan(s).

Once constructed, the Project would not physically alter or encroach onto roads that provide for emergency access or evacuation, nor would they alter overall land uses in a way that could conflict with emergency response plans. Roadway improvements would include site access improvements on Lodi Lane. The Project would not modify access points to the Project site from SR-29; however, as discussed in Section 4.13, *Transportation*, left turns from SR 29 to the North Parcel SR 29 driveway would be prohibited, and drivers would be required to use the existing left-turn lane to Lodi Lane to access the Project site. This would reduce the number of cars blocking traffic on SR 29 turning into the Project site. As such, the Project would not cut off or otherwise modify any of the County's evacuation routes. As stated previously, the County has established procedures concerning encroachments into public rights-of-way during construction, particularly for roadways that have been designated as evacuation routes. Nothing in the Projects itself would prevent or interfere with the County's emergency response and evacuation plan(s) such that an evacuation would be substantially impaired or be unable to occur.

Based upon these considerations, it is the County's determination that the effects of the Project would be less than significant, as weighed against CEQA's question of whether the Project would impair or substantially interfere with an adopted emergency response or emergency evacuation plan. While any increase in evacuation times is potentially a concern, the Project's incremental addition to traffic volumes would not impair implementation of Napa County's EOP, which provides procedures and checklists to effectively manage emergencies in alignment with the NIMS and the SEMS, or the Napa County MJHMP, which provides guidance for the County's response to emergency situations, including wildfire and emergency evacuation.

The increases in population and traffic volumes would be small within the context of the surrounding area, and the operation of the Project would therefore result in a **less than significant** impact on emergency evacuation.

Mitigation: None required.

Impact WLF-2: The Project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. ***(Less than Significant)***

Conditions on the Project site and on surrounding parcels include relatively flat topography with vineyards and agricultural operations. As discussed in Section 4.16.2, the Project site and surrounding parcels do not represent a substantial fire hazard risk. The Project site is located in an LRA that has not been assigned a fire hazard severity zone level, but is adjacent to land west of the Project site located in an SRA that is designated as a High FHSZ. This fact has little bearing on the Project site itself since this area of heightened risk is not contiguous to the Project site and the Project site itself presents as a low-hazard area.

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

The code requirements outlined above have been developed over many decades to reduce the risks associated with wildfire. The implementation of these standard requirements would reduce impacts associated with accidental ignitions emanating from the Project and would also reduce impacts associated with wildfires encroaching onto the Project site from adjacent areas. The impact would therefore be **less than significant**.

Mitigation: None required.

Impact WLF-3: The Project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. ***(Less than Significant)***

The Project would not involve infrastructure extensions into unserved areas. Utility infrastructure improvements would occur mainly on the Project site, with connections and off-site upgrades within

public rights-of-way. Roadway improvements would include site access improvements on Lodi Lane. The Project would not modify access points to the Project site from SR-29. Utility infrastructure and roadway improvements would conform with the Building Code and other County requirements, thus limiting the fire risk associated with construction and operation. Fire flow and water supply infrastructure would be installed per Napa County Fire Code and Napa County Fire Department Development Guidelines requirements. The Project would also be required to comply with defensible space requirements consistent with the County's Fire Hazard Abatement Ordinance. Impacts associated with these types of fire abatement activities are a part of the Project and have therefore been analyzed in other topical sections of this EIR. In all cases, those impacts have been found to be less than significant. Construction of infrastructure and roadway improvements in existing rights-of-way would be required to follow Napa County Code Chapter 12.04 requirements for encroachment permits during construction. Furthermore, construction would be temporary, within the existing right-of-way, and no unusual or significant environmental impacts would be anticipated due to construction activity or maintenance. Accordingly, the impact related to the exacerbation of wildfire risk due to the installation or maintenance of infrastructure would also be **less than significant**.

Mitigation: None required.

Impact WLF-4: The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. ***(Less than Significant)***

Post-fire impacts such as slope instability and downstream flooding are typically associated with steep wildland areas that burn and then erode or slide onto downslope area. The North Parcel currently slopes gently to the east, and South Parcel also slopes to the southeast with a break in slope south of the existing buildings. With the exception of excavation required for the proposed North Parcel hotel underground parking garage, relatively minor grading consisting of cuts and fills to a few feet thick is anticipated for the Project site (Miller Pacific Engineering, 2019). As such, the Project site does not contain or propose the steep slopes associated with these post-fire risks.

As discussed in Section 4.8, *Hydrology and Water Quality*, under Impact HYD-3, the County has established requirements, as a condition of project approval, for permanent structural controls designed for the removal of sediment and other pollutants, and for control on the volume and rate of stormwater runoff from the project's added or replaced impervious surfaces. An Erosion and Sediment Control Plan would be required for the Project which would effectively decrease the level of runoff and ensure that stormwater capacity exceedances associated with the Project would not occur during construction. Additionally, during operation, implementation and maintenance of low impact development (LID) design measures including bioretention facilities and self-retaining areas identified in the preliminary Stormwater Control Plan (Appendix G), consistent with guidance provided in the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual, would continue to prevent silt, sediment, runoff and other stormwater contaminants from flowing off-site. Therefore, the Project would not result in changes to runoff or drainage patterns that could exacerbate downslope or downstream flooding and thereby expose people or structures to associated risks.

As mentioned above, the Project would have low potential to exacerbate wildfire risk and is not located on slopes that could contribute to the occurrence of landslides or flooding. Therefore, the impact would be **less than significant**.

Mitigation: None required.

4.16.6 Cumulative Impacts

This section presents an analysis of the cumulative effects of the Project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to wildfire could occur if the incremental impacts of the Project combine with the incremental impacts of one or more cumulative projects.

The geographic scope for cumulative effects on wildfire encompasses Napa County as a whole.

Impact WLF-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not result in cumulative impacts on wildfire. ***(Less than Significant)***

Emergency Response and Evacuation

The Project and all development projects in Napa County are subject to a number of emergency response plans, most notably the County EOP and the Napa County MJHMP, which provides guidance for the County's response to emergency situations, including wildfire and emergency evacuation. In addition, the Project and all development projects in Napa are subject to compliance with the numerous County polices and development standards adopted to ensure new adequate access for emergency response and evacuation. Required adherence to County requirements would ensure that the Project would not combine with potential cumulative projects and result in a significant cumulative impact related to impairment of an adopted emergency response plan or emergency evacuation plan. The cumulative impact with respect to the impairment of adopted emergency response plans or emergency evacuation plans would be **less than significant**.

Very High Fire Hazard Severity Zones

The development projects listed in Table 4.0-1 and shown on Figure 4.0-1 in Section 4.0, *Introduction to the Environmental Analysis*, are located within a SRA designated as Moderate, High, or Very High FHSZ, with the exception of the Duckhorn Winery project, which is located in an LRA designated as non-VHFHSZ, similar to the Project. The Ivanovic Vineyard Conversion is located within a Very High FHSZ. The Vineyard 29 Winery and William Cole Winery projects are located within a High FHSZ. The AXR Napa Valley is located within a Moderate and High FHSZ.

Development in the County, particularly in or near very high fire hazard severity zones, could increase the risk of wildfire by introducing new sources of ignition (i.e., vehicles, employees, and visitors) into those areas. However, as a condition of approval, and pursuant to the California Building Code, California Fire Code, and the Napa Fire Code, Napa County Fire Hazard Abatement Ordinance (see Section 4.16.3, above), all development projects would be required to comply with requirements relating to emergency

planning and preparedness, fire service features, building services and systems, access requirements, water supply, fire and smoke protection features, building materials, construction requirements, defensible space and vegetation management, and specific requirements for specialized uses involving flammable and hazardous materials.

Each of the code requirements outlined above has been developed over many decades to reduce the risks associated with wildfire. Cumulative development that may occur would be subject to these or similar requirements, as would the Project, and the implementation of these standard requirements would reduce impacts associated with accidental ignitions and would also reduce impacts associated with wildfires encroaching onto the Project site from adjacent areas. There would therefore be no cumulatively significant effect, and the cumulative impact would be **less than significant**.

Wildfire-Related Infrastructure

As described in Section 4.16.2, the environmental conditions in Napa County create relatively high levels of wildfire risk across the County. As the development outlined in Section 4.0.3, Cumulative Impacts are constructed, the construction of roads, fuel breaks, emergency water sources, power lines, or other utilities could be required for future development in order to reduce wildfire impacts.

Regardless, the environmental effects of installing such facilities, if required, would be evaluated at the time of project application, and would follow established regulations and development protocols as defined in County regulation and General Plan policy. Based on these considerations, the combined effect of the Project and the other cumulative projects would be **less than significant**.

Post-Fire Effects

As described above under Impact WLF-4, the Project site is located in relatively flat terrain where there is not a high risk of post-fire flooding or landslides. Cumulative projects west of SR 29 are located in areas that are located on or near hilly terrain where post-fire impacts such as slope instability and downstream flooding could occur in the event of a wildfire. If the hilly areas behind these cumulative projects were to burn, those sloped areas could potentially erode onto the developed areas and create adverse effects. However, any development proposed in these areas would be subject to engineering and permit review as part of the County approval process, and potential constraints associated with upslope areas or other factors would be evaluated at the time of application and appropriate design standards implemented prior to issuance of building permits. Based on these considerations, the effect of the cumulative projects and the Project's implementation would be **less than significant**.

Mitigation: None required.

4.16.7 References

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CHAPTER 5
Alternatives

5.1 Introduction

CEQA Guidelines Section 15126.6(a) requires an analysis of project alternatives, stating: "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

The County's goal in defining the range of alternatives is to select those alternatives that would avoid or substantially lessen the significant impacts of the Project and feasibly attain most of the basic Project objectives. Accordingly, this chapter describes the legal requirements and methodology used to select alternatives to the Project, which includes consideration of the Project objectives identified in Chapter 3, *Project Description*, and the significant impacts of the Project identified in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*. The subsequent sections discuss potential alternatives that were considered but were not selected for consideration, the basis for selecting specific alternatives over others and, finally, a comparative analysis of these selected alternatives.

After the analysis of three selected alternatives—which compares the impacts of those alternatives to the impacts of the Project—this chapter concludes with a matrix comparing the Project to all three alternatives analyzed in this chapter and a discussion of the "environmentally superior" alternative.

5.1.1 Requirements for Alternatives Analysis

As stated above, CEQA, the CEQA Guidelines, and the case law on the subject have established a comprehensive framework for the identification and analysis of alternatives to a project in an EIR. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. The EIR must evaluate the comparative merits of the alternatives and include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project.

CEQA Guidelines Section 15126.6(b) provides guidance regarding the topics that the alternatives analysis should consider, stating that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."

The term "feasibility" is relevant to the selection of alternatives because of the requirement that the alternatives "feasibly attain most of the basic objectives of the project," and because the range of alternatives must be "potentially feasible" (CEQA Guidelines Section 15126.6(a)). CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." CEQA Guidelines Section 15126.6(f)(1) lists the following factors that may be taken into account when addressing the feasibility of alternatives:

- Site suitability
- Economic viability
- Availability of infrastructure
- General plan consistency
- Other plans or regulatory limitations
- Jurisdictional boundaries (projects with a regionally significant impact should consider the regional context)
- Whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent)

The CEQA Guidelines set forth the following additional criteria for selecting and evaluating alternatives:

- The range of alternatives is to be governed by the "rule of reason." CEQA requires that only those alternatives necessary to "permit a reasoned choice" be included, and that the range shall be limited to alternatives that would avoid or substantially lessen any of the significant effects a project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of a project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making (see CEQA Guidelines Section 15126.6(f)).
- The specific alternative of 'no project' shall also be evaluated along with its impact. When a proposed project is "a development project on identifiable property, the 'no project' alternative is the circumstance under which the project does not proceed." This is the case for the Project addressed in this Draft EIR (see CEQA Guidelines Section 15126.6(e)).
- Alternative locations for a project are to be considered where any of the significant effects of a project could be avoided or substantially lessened by putting a project in another location (see CEQA Guidelines Section 15126.6(f)(2)(A)).
- The EIR should also identify any alternatives that were considered by the lead agency, but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the determination (see CEQA Guidelines Section 15126.6(c)).
- Finally, an EIR need not consider alternatives for which the environmental effects cannot be reasonably ascertained and for which implementation is remote and speculative (see CEQA Guidelines Section 15126.6(f)(3)).

5.2 Project Objectives

Pursuant to CEQA Guidelines Section 15124, an EIR must include a statement of objectives, including the underlying purpose of the proposed project. As listed in Chapter 3, Section 3.4, *Project Objectives*, the Project Applicant seeks to achieve the following objectives by undertaking the Project:

1. Develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45;
2. Generate positive fiscal impacts for Napa County through redevelopment and use of the Project site;
3. Develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements;
4. Provide on-site affordable housing in existing residences;
5. Develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled; and
6. Implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand.

The County seeks to achieve the following objectives for the Project:

1. Ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and supporting industries to ensure the preservation of agricultural lands and envision additional commercial uses only within the portions of parcels zoned commercial.
2. Demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains a minimum Leadership in Energy and Environmental Design (LEED) Gold Certification with the goal of achieving LEED Platinum Certification, and that maintains LEED certification through the life of the project.
3. Help create a wildfire resilient community by facilitating firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood.
4. Ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County.

5.3 Significant Impacts of the Project

The analysis and findings in Chapter 4 of this Draft EIR and the Initial Study (Appendix B) conclude that the Project would not result in any significant and unavoidable impacts. The Project would result in impacts that would not require measures to mitigate the impact – i.e., that would be "less than significant" – for several resources, including aesthetics; agriculture and forestry resources; energy; hydrology and water quality; land use and planning; population and housing; public services and recreation; and wildfire. The Project would result in less than significant impacts that would require mitigation measures – i.e., that would be "less than significant with mitigation" – related to air quality; biological resources; cultural resources; greenhouse gas emissions; noise and vibration; transportation; tribal cultural resources; and utilities and service systems. Mitigation measures that would reduce the significance of potentially significant impacts to less-than-significant levels are summarized below.

5.3.1 Significant Impacts that Can Be Mitigated to Less than Significant

5.3.1.1 Air Quality

Impact AIR-1: The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable federal or State ambient air quality standard.

- Implementing Mitigation Measure AIR 1: Construction-Related Fugitive Dust Minimization, would reduce this impact to a less-than-significant level.

5.3.1.2 Biological Resources

Impact BIO-1: Impact BIO-1: The Project would not have an adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.

- Implementing Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants; Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants; Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds; and Mitigation Measure BIO-3: Roosting Bat Surveys, would reduce this impact to a less-than-significant level.

Impact BIO-2: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Implementing Mitigation Measure BIO-4: Mitigate for Oak Tree Removal, would reduce this impact to a less-than-significant level.

5.3.1.3 Cultural Resources

Impact CUL-2: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

- Implementing Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program; Mitigation Measure CUL-1b: Archaeological and Native American Monitoring; and Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials, would reduce this impact to a less-than-significant level.

Impact CUL-3: The Project would not disturb any human remains, including those interred outside of dedicated cemeteries.

- Implementing Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains, would reduce this impact to a less-than-significant level.

Impact CUL-2.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute to the cumulative loss or alteration of archaeological resources and/or human remains.

- Implementing Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program; Mitigation Measure CUL-1b: Archaeological and Native American Monitoring; Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials; and Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains, would reduce this impact to a less-than-significant level.

5.3.1.4 Greenhouse Gas Emissions

Impact GHG-1: The Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- Implementing Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure; Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2; and Mitigation Measure TRA-1: Transportation Demand Management Program, would reduce this impact to a less-than-significant level.

Impact GHG-2: The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

- Implementing Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure; Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2; and Mitigation Measure TRA-1: Transportation Demand Management Program, would reduce this impact to a less-than-significant level.

Impact GHG-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on greenhouse gas emissions.

- Implementing Mitigation Measure GHG-1a: All-Electric Development with No Natural Gas Infrastructure; Mitigation Measure GHG-1b: Electric Vehicle Charging Infrastructure Consistent with CALGreen Tier 2; and Mitigation Measure TRA-1: Transportation Demand Management Program, would reduce this impact to a less-than-significant level.

5.3.1.5 Noise and Vibration

Impact NOI-1: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

- Implementing Mitigation Measure NOI-1: Construction Noise Control Measures; Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment; Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace; and Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Lawn, would reduce this impact to a less-than-significant level.

Impact NOI-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on noise and vibration.

- Implementing Mitigation Measure NOI-1: Construction Noise Control Measures; Mitigation Measure NOI-2: Operational Noise Performance Standards for Building Stationary Equipment; Mitigation Measure NOI-3: Operational Noise Performance Standards for the Rooftop Terrace; and Mitigation Measure NOI-4: Operational Noise Performance Standards for the South Lawn, would reduce this impact to a less-than-significant level.

5.3.1.6 Transportation

Impact TRA-1: The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

- Implementing Mitigation Measure TRA-1: Transportation Demand Management Program, would reduce this impact to a less-than-significant level.

Impact TRA-3: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

- Implementing Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements, would reduce this impact to a less-than-significant level.

Impact TRA-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on transportation.

- Implementing Mitigation Measure TRA-1: Transportation Demand Management Program; and Mitigation Measure TRA-2: Lodi Lane Crossing Improvement and Safety Improvements, would reduce this impact to a less-than-significant level.

5.3.1.7 Tribal Cultural Resources

Impact TCR-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074.

- Implementing Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program; Mitigation Measure CUL-1b: Archaeological and Native American Monitoring; Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials; and Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains, would reduce this impact to a less-than-significant level.

Impact TCR-1.CU: The Project, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts on tribal cultural resources.

- Implementing Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program; Mitigation Measure CUL-1b: Archaeological and Native American Monitoring; Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials; and Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains, would reduce this impact to a less-than-significant level.

5.3.1.8 Utilities and Service Systems

Impact UTL-1: The Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- Implementing Mitigation Measure AIR-1: Construction-Related Fugitive Dust Minimization; Mitigation Measure BIO-1a: Protocol Level Surveys for Special-Status Plants; Mitigation Measure BIO-1b: Avoidance, Minimization, and Compensation for Impacts to Special-status Plants; Mitigation Measure BIO-2: Pre-construction Survey for Breeding Birds; Mitigation Measure BIO-3: Roosting Bat Surveys; Mitigation Measure BIO-4: Mitigate for Oak Tree Removal; Mitigation Measure CUL-1a: Cultural Resources Sensitivity Training Program; Mitigation Measure CUL-1b: Archaeological and Native American Monitoring; Mitigation Measure CUL-1c: Protocols for Inadvertent Discovery of Cultural Materials; Mitigation Measure CUL-2: Inadvertent Discovery of Human Remains; GHG-1a: All-Electric Development with No Natural Gas Infrastructure; Mitigation Measure NOI-1: Construction Noise Control Measures; and Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources, would reduce this impact to a less-than-significant level.

5.4 Alternatives Considered but Rejected

As required pursuant to CEQA Guidelines Section 15126.6(c), consideration was given to alternatives that could avoid or substantially lessen potentially significant impacts resulting from the Project. The following alternative was considered but was not analyzed in detail because it would not fulfill most of the basic objectives of the Project, would not avoid or substantially lessen significant environmental impacts, and/or would not be feasible.

5.4.1 Off-Site Alternative

A potential off-site location relative to the Project was considered, with the goal of comparing the impacts of development of the same or a similar nature at a different location within the County. The Project Applicant owns various properties throughout the County, including vineyards and wineries. However, because the Project is distinctly located on a site that contains lands within the County's Commercial Limited zoning district, has existing residences, and is located adjacent to the Vine Trail, an alternative location would not contain the unique mix of land uses that would enable the Project Applicant to fulfill most of the basic objectives of the Project. An off-site alternative location is proposed to be rejected because there are no known Project Applicant-controlled sites that would accommodate the Project and reduce any impacts. For these reasons, an off-site alternative location was rejected.

5.5 Selection and Analysis of Project Alternatives

The focus of the alternatives analysis under CEQA is the avoidance or substantial lessening of a project's significant environmental effects. Chapter 4 of this Draft EIR assesses the direct and indirect environmental impacts that could potentially result from implementation of the Project. The alternatives analysis set forth in this chapter is provided to foster informed decision-making and public participation in the decision-making process.

In considering the alternatives analysis provided in this chapter, CEQA's substantive mandate is as follows: "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects" of the project (CEQA Statute, Public Resources Code, Section 21002). For the Project, mitigation measures have been identified to reduce all potentially significant environmental impacts to less-than-significant levels. Since these identified mitigation measures would be incorporated into the Project and the mitigation measures would be imposed, the availability of feasible alternatives becomes somewhat of a less important consideration, as they would not substantially lessen or avoid significant environmental effects of the Project.

In selecting alternatives for analysis in this chapter, Napa County considered: the Project objectives and significant impacts identified above; the potential feasibility of alternatives based on factors in CEQA Guidelines Section 15126.6(f)(1); and whether the alternative would substantially reduce or eliminate environmental impacts of the Project. Consistent with these requirements, and CEQA's requirement for a No Project Alternative, this chapter describes the following alternatives:

- Alternative A: No Project Alternative
- Alternative B: Reduced Development Alternative
- Alternative C: North Parcel Alternative

Table 5-1 compares the development program of the Project and the alternatives, each of which is described further below.

TABLE 5-1
DESCRIPTION OF PROJECT AND ALTERNATIVES SELECTED FOR EVALUATION

Land Use	Project	Alternative A: No Project Alternative	Alternative B: Reduced Development Alternative	Alternative C: North Parcel Alternative
Hotel[a]	79 rooms	-	63 rooms	50 rooms
North Parcel	*50 rooms*	-	*40 rooms*	*50 rooms*
South Parcel	*29 rooms*	-	*23 rooms*	-
Restaurant/Cafe	-	5,100 sf	-	-
Motel	-	5 rooms	-	5 rooms
Retail	-	7,000 sf	-	7,000 sf

NOTES:

a. The Project includes retail, café, spa, and other amenity space which is considered auxiliary to the hotel. These uses are assumed to be included in the hotel land use category for the purpose of the analysis of alternatives.

The following discussion provides a comparative evaluation of the environmental consequences of the alternatives selected for further consideration in this Draft EIR. Consistent with the requirements of CEQA Guidelines Section 15126.6(d), the discussion includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with" the Project. To assist comparison of the impacts of the Project and the alternatives, **Table 5-2**, *Project Alternatives Impact Summary and Comparison*, in Section 5.6 at the end of this chapter, indicates for each significant impact,

whether the impacts of the Project alternatives are equal to, less, or more severe than those of the Project. Additionally, **Table 5-3**, *Ability of Project Alternatives to Satisfy Basic Objectives of the Project*, summarizes the ability of each alternative to meet the basic objectives for the Project.

5.5.1 Alternative A: No Project Alternative

The No Project Alternative (Alternative A) is the circumstance under which the Project does not proceed. This alternative is analyzed consistent with Section 15126.6(e) of the CEQA Guidelines, which states that the No Project Alternative must include the assumption that conditions at the time the Notice of Preparation (NOP) of an EIR was circulated for public review would not be changed because the Project would not be constructed, as well as the events or actions that would reasonably be expected to occur in the foreseeable future if the Project were not approved. The existing vacant commercial, restaurant, and motel buildings would either remain vacant or could be leased for a zoning consistent use. If the vacant space is leased it is assumed that it would reestablish vehicular, bike, and pedestrian activity to what it was when the buildings were previously occupied. Note, due to the condition of the restaurant building, the feasibility of this building being leased is unclear.

5.5.1.1 Comparison of Environmental Impacts

Because Alternative A poses no change in development on the Project site compared to existing baseline conditions, no impacts would result. As such, this alternative would avoid all of the Project's impacts that would be less than significant and less than significant with mitigation. However, it is noted that under Alternative A, there would be no reduction in groundwater use, no trip reduction over entitled use, and no affordable housing created.

5.5.1.2 Ability to Meet Project Objectives

This alternative would not meet any of the basic objectives of the Project: Alternative A would not develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45 (objective 1); it would not generate positive fiscal impacts for Napa County through redevelopment and use of the Project site (objective 2); it would not develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements (objective 3); it would not provide on-site affordable housing in existing residences (objective 4); it would not develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled (objective 5); it would not implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand (objective 6); it would not ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and envision additional commercial uses only within the portions of parcels zoned commercial (objective 7); it would not demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains LEED minimum Gold Certification with the goal of achieving LEED Platinum Certification (objective 8); it would not help create a wildfire resilient community through facilitation of firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood (objective 9); and it would not ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with

State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County (objective 10).

5.5.2 Alternative B: Reduced Development Alternative

The Reduced Development Alternative (Alternative B) is intended to reduce the scale of the Project (proposed hotel use) by approximately 20 percent, which would reduce less than significant VMT-related GHG and transportation impacts. It is assumed that Alternative B would reduce the hotel use on each parcel by approximately 20 percent, resulting in a 40-room hotel on the North Parcel and a 23-room hotel on the South Parcel. This analysis assumes Alternative B would be developed on the same building footprint as the Project. However, slightly less overall construction, shorter construction time periods, and less development intensity would occur with the smaller scale of the buildings. Construction of the same transportation/circulation and utility improvements as with the Project are also assumed. It is also assumed that the on-site employee housing would be deed-restricted and current groundwater use would be reduced by 20 percent as with the Project.

5.5.2.1 Comparison of Environmental Impacts

Aesthetics

Aesthetics impacts associated with Alternative B could be slightly reduced as compared with the Project because the new buildings would be reduced in scale due to the fewer number of hotel rooms, which could reduce building heights in places. Alternative B would be anticipated to have similar lighting impacts, as the development footprint would remain the same as with the Project. The same condition of approval to prepare a lighting plan described in Chapter 4, Section 4.1, *Aesthetics,* would apply to Alternative B and impacts would be less than significant, the same as the Project.

Agriculture and Forestry Resources

The impacts of Alternative B on agriculture and forestry resources would be similar to those of the Project. Alternative B would involve similar ground-disturbing impacts, as the development footprint would remain the same as with the Project. Therefore, Alternative B would result in less-than-significant agriculture and forestry impacts, similar to the Project.

Air Quality

Alternative B would develop the Project site with a less intensive land use development program and fewer hotel rooms. This alternative may result in slightly less overall construction due to the reduced scale of buildings with fewer hotel rooms. As such, Alternative B would slightly reduce construction air quality impacts by reducing the amount of criteria air pollutants and toxic air contaminant (TAC) emissions emitted during the lower intensity construction periods. However, the development footprint would remain the same and sensitive receptors would be at the same distance and the same dust control mitigation measure (Mitigation Measure AIR-1) identified for the Project would be required. Alternative B would reduce the scale of the Project, which would reduce the number of vehicle trips being generated during operation and associated transportation-related operational air quality emissions. The same mitigation measure described in Chapter 4, Section 4.3, *Air Quality,* would apply to Alternative B and impacts would be less than significant with mitigation, the same as the Project.

Biological Resources

The impacts of the Alternative B related to biological resources would be similar to those of the Project. Alternative B would involve similar ground-disturbing impacts, as the development footprint would remain the same as with the Project. Since construction would still potentially affect rare plants, nesting birds, roosting bats, and protected trees, the same mitigation measures described in Chapter 4, Section 4.4, *Biological Resources,* would be incorporated into Alternative B, and the impacts would be less than significant with mitigation, the same as the Project.

Cultural and Tribal Cultural Resources

Alternative B would involve similar ground-disturbing impacts, as the development footprint would remain the same as with the Project. Therefore, impacts related to the potential to encounter undiscovered archaeological resources and tribal cultural resources would be the same as they would be under the Project. The same mitigation measures described in Chapter 4, Section 4.5, *Cultural Resources,* and Section 4.14, *Tribal Cultural Resources,* would be incorporated into Alternative B, and impacts would be less than significant with mitigation, the same as the Project.

Energy

Under Alternative B, energy use would be less than with the Project because there would be less overall development. Similar to the Project, Alternative B would be required to implement regulatory requirements described in Chapter 4, Section 4.6, *Energy,* and would not result in the inefficient, wasteful, or unnecessary consumption of energy. As such, Alternative B would result in less-than-significant energy impacts, similar to the Project.

Geology, Soils, and Paleontological Resources

Alternative B would involve similar ground-disturbing impacts, as the development footprint would remain the same as with the Project. Therefore, impacts related to the potential to encounter undiscovered paleontological resources would be the same as they would be under the Project. The same mitigation measure described in the Initial Study, Section VII, *Geology and Soils* (Appendix B), would be incorporated into Alternative B, and impacts would be less than significant with mitigation, the same as the Project.

Greenhouse Gas Emissions

Alternative B would reduce the scale of the Project, which would reduce the number of vehicle trips being generated during operation and associated transportation-related GHG emissions. The same vehicle trip reduction measures would apply to Alternative B. As a result, GHG emissions would be less under Alternative B than with the Project and would be less than significant with compliance with the mitigation measures as described in Chapter 4, Section 4.7, *Greenhouse Gas Emissions*, the same as the Project.

Hazards and Hazardous Materials

Alternative B would involve similar ground-disturbing impacts, as the development footprint would remain the same as with the Project. Alternative B would also involve similar routine transport, use, or disposal of hazardous materials to the Project, though likely in reduced quantities due to the reduced scale of the Project. Similar to the Project, hazards and hazardous materials related impacts associated with Alternative B would be reduced to less than significant via compliance with regulatory requirements described in Initial Study Section IX, *Hazards and Hazardous Materials* (Appendix B).

Hydrology and Water Quality

The impacts of the Alternative B on hydrology and water quality would be similar to but reduced compared with the Project because development under the Alternative B would reduce the number of hotel rooms. Specifically, impacts related to hydrology and water quality would be reduced due to the reduced demand for groundwater due to fewer hotel rooms. The same regulations described in Chapter 4, Section 4.8, *Hydrology and Water Quality,* would apply to Alternative B and impacts would be less than significant, the same as the Project.

Land Use and Planning

Alternative B would include the same types of development as the Project, but with fewer hotel rooms. As with the Project, Alternative B would expand existing uses and would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect described in Chapter 4, Section 4.9, *Land Use and Planning*. As such, potential impacts of Alternative B related to land use and planning would be less than significant, the same as the Project.

Noise and Vibration

Alternative B would be constructed on the same footprint on the same Project site and therefore sensitive receptors would be at the same distance. Construction noise impacts associated with Alternative B would therefore be similar to those of the Project. Operational noise impacts associated with Alternative B could be slightly less because smaller HVAC equipment would be required if the new buildings are reduced in scale. The same mitigation measures described in Chapter 4, Section 4.10, *Noise and Vibration,* would be incorporated into Alternative B, and impacts would be less than significant with mitigation, the same as the Project.

Population and Housing

Under Alternative B, the number of on-site employees and visitors would be less due to the reduced scale. Resulting impacts related to population growth would be less than significant, the same as the Project.

Public Services and Recreation

With a smaller population, demand for public services and recreation would be less than with the Project, and resulting impacts under Alternative B would be less than significant, the same as the Project.

Transportation

Alternative B would reduce the scale of development, which would reduce the overall VMT from the hotel use due to fewer trips being generated (approximately 515 Alternative B trips vs. 645 Project trips). Construction of the same transportation and circulation improvements are assumed. The same mitigation measures described in Chapter 4, Section 4.13, *Transportation,* would be incorporated into Alternative B, and impacts would be less than significant with mitigation, the same as the Project.

Utilities and Service Systems

The impacts of the Alternative B on utilities and service systems would be similar to those of the Project but reduced. Specifically, impacts related to water supply would be reduced due to the reduced demand for groundwater associated with the reduced number of hotel rooms. Construction of the same utility improvements as with the Project are also assumed, and as such, Alternative B would involve similar ground-disturbing impacts associated with utility improvements. The same mitigation measures described in Chapter 3, Section 3.14, *Utilities and Service Systems,* would be incorporated into Alternative B, and impacts would be less than significant with mitigation, the same as the Project.

5.5.2.2 Ability to Meet Project Objectives

Alternative B would meet all of the basic objectives of the Project, with some being met to a lesser extent. This alternative would meet some of the basic objectives of the Project: it would develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45 (objective 1); it would provide on-site affordable housing in existing residences (objective 4); it would develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled (objective 5); it would ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and envision additional commercial uses only within the portions of parcels zoned commercial (objective 7); it would demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains LEED minimum Gold Certification with the goal of achieving LEED Platinum Certification (objective 8); it would help create a wildfire resilient community through facilitation of firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood (objective 9); and it would ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County (objective 10). Alternative B would also achieve objective 3 to a greater extent than the Project because it would develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements with less trip generation than the Project. However, conservatively assuming that this alternative would be economically feasible, with fewer hotel rooms, Alternative B would achieve the following objectives to a lesser extent than the Project: generate positive fiscal impacts for Napa County through redevelopment and use of the Project site (objective 2); and implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand (objective 6).

5.5.3 Alternative C: North Parcel Alternative

The North Parcel Alternative (Alternative C) would demolish the existing restaurant and construct a new hotel on the North Parcel only. This alternative would not demolish the existing commercial or motel buildings on the South Parcel and it is assumed that these vacant uses could be leased for a zoning consistent use. Alternative C is assumed to have reduced ground-disturbing impacts, as the demolition of the existing commercial and motel buildings on the South Parcel would not occur. With less ground disturbance, Alternative C is intended to reduce less-than-significant impacts to biological resources, cultural and tribal cultural resources, and paleontological resources. Alternative C is also intended to reduce less-than-significant air quality and noise impacts, as it would result in less overall construction, shorter construction time periods, and less construction intensity. It is also assumed that the on-site employee housing on the South Parcel would be deed-restricted as with the Project to meet affordable housing obligations and current groundwater use would be reduced by 20 percent. Under Alternative C, it is assumed that the Lodi Lane crossing improvement would not be constructed to facilitate connection between the North and South Parcels, as no hotel would be constructed on the South Parcel. Construction of similar utility improvements is assumed.

5.5.3.1 Comparison of Environmental Impacts

Aesthetics

Alternative C would result in a smaller development footprint because the South Parcel would not be redeveloped. Aesthetics impacts associated with Alternative C could be reduced as compared with the Project because the South Parcel would not be redeveloped with taller buildings. However, the visual quality of the South Parcel would also not be improved through the development of new buildings and landscaping. Alternative C would be anticipated to have reduced lighting impacts, as new lighting sources would only be added to the North Parcel. However, the same condition of approval to prepare a lighting plan described in Chapter 4, Section 4.1, *Aesthetics,* would apply to Alternative C and impacts would be less than significant, the same as the Project.

Agriculture and Forestry Resources

The impacts of Alternative C on agriculture and forestry resources would be similar to those of the Project. While Alternative C would involve reduced ground-disturbing impacts, the existing agricultural use is on the North Parcel. Therefore, Alternative C would result in less-than-significant agriculture and forestry impacts, similar to the Project.

Air Quality

Alternative C would require less ground disturbance and a smaller development footprint than the Project because the South Parcel would not be redeveloped. This alternative would result in less overall construction, shorter construction time periods, and less construction intensity. As such, Alternative C would reduce construction air quality impacts by reducing the amount of criteria air pollutants and TAC emissions emitted during the lower intensity construction periods. Construction-related health risk impacts would be reduced as construction on the North Parcel only would move construction activities further away from sensitive receptors. However, Mitigation Measure AIR-1 identified for the Project described in Chapter 4, Section 4.3, *Air Quality,* would be required. Alternative C would also result in an

increase in the number of vehicle trips being generated during operation (see *Transportation* below) because the higher trip generating commercial and motel uses would be retained and associated transportation-related operational air quality emissions as compared with the Project. However, the magnitude of the trip increase is not likely to result in a significant impact. Overall, the same mitigation measure would apply to Alternative C and impacts would be less than significant with mitigation, the same as the Project.

Biological Resources

Alternative C would require less ground disturbance and a smaller development footprint compared with the Project because the South Parcel would not be redeveloped. As such, potential impacts to biological impacts would be reduced. Alterative C would involve less tree removal (approximately 74 trees removed under Alternative C vs. 97 trees removed under the Project), as approximately 23 additional trees on the South Parcel would be retained. Since construction would still potentially affect rare plants, nesting birds, roosting bats, and protected trees on the North Parcel, the same mitigation measures described in Chapter 4, Section 4.4, *Biological Resources,* would be incorporated into Alternative C, and the impacts would be less than significant with mitigation, the same as the Project.

Cultural and Tribal Cultural Resources

Alternative C would require less ground disturbance and a smaller development footprint compared with the Project because the South Parcel would not be redeveloped. Therefore, impacts related to the potential to encounter undiscovered archaeological resources and tribal cultural resources would be reduced. However, ground disturbance would still occur, and the same mitigation measures described in Chapter 4, Section 4.5, *Cultural Resources,* and Section 4.14, *Tribal Cultural Resources,* would be incorporated into Alternative C, and impacts would be less than significant with mitigation, the same as the Project.

Energy

Under Alternative C, energy use during construction would be less than with the Project because of less overall construction, shorter construction time periods, and less construction intensity. However, during operation, the existing commercial and motel buildings would not be as energy efficient compared to a new hotel building under the Project. Similar to the Project, Alternative C would be required to implement regulatory requirements described in Chapter 4, Section 4.6, *Energy,* and would not result in the inefficient, wasteful, or unnecessary consumption of energy. As such, Alternative C would result in less-than-significant energy impacts, similar to the Project.

Geology, Soils, and Paleontological Resources

Alternative C would result in less overall construction, shorter construction time periods, and reduced construction intensity. Specifically, the reduced construction intensity and duration would reduce the potential for construction-related erosion. Regarding seismic-related or other ground failure and paleontological resources, Alternative C would also involve reduced ground-disturbing impacts, as redevelopment of the South Parcel would not occur. The same mitigation measure described in the Initial Study, Section VII, *Geology and Soils* (Appendix B), would be incorporated into Alternative C, and impacts would be less than significant with mitigation, the same as the Project.

Greenhouse Gas Emissions

Alternative C would include less overall construction, resulting in fewer GHG emissions during construction. However, Alternative C would also result in an increase in the number of vehicle trips being generated during operation and associated transportation-related GHG emissions as a result of the retention of the commercial and motel uses on the South Parcel. The commercial uses in particular would lead to the generation of more trips than if a hotel were located on the South Parcel. The same vehicle trip reduction measures would apply to Alternative C. As a result, Alternative C GHG emissions would be less-than-significant with compliance with the mitigation measures as described in Chapter 4, Section 4.7, *Greenhouse Gas Emissions*, the same as the Project.

Hazards and Hazardous Materials

Alternative C would involve reduced ground-disturbing impacts, as the redevelopment of the South Parcel would not occur. Alternative C would develop the North Parcel with the same land uses and involve similar routine transport, use, or disposal of hazardous materials to the Project. Similar to the Project, hazards and hazardous materials related impacts associated with Alternative C would be reduced to less-than-significant via compliance with regulatory requirements described in Initial Study Section IX, *Hazards and Hazardous Materials* (Appendix B).

Hydrology and Water Quality

Alternative C impacts on hydrology and water quality would be reduced compared with those of the Project. Specifically, the reduced construction intensity and duration would lessen the potential for pollutant discharges into the stormwater system and stormwater that could affect receiving waters. Alternative C would also reduce groundwater demand associated with the South Parcel. Existing South Parcel groundwater use is approximately 3.18 AFY, compared to the approximately 4.68 AFY of demand under the Project. However, it is noted that a greywater reuse system would not be developed under Alternative C. The same regulations described in Chapter 4, Section 4.8, *Hydrology and Water Quality,* would apply to Alternative C and impacts would be-less-than significant, the same as the Project.

Land Use and Planning

Alternative C would include the same types of development as the Project, but with fewer hotel rooms. It would retain the existing motel and commercial uses on the South Parcel. As with the Project, Alternative C would expand existing uses and would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect described in Chapter 4, Section 4.9, *Land Use and Planning*. As such, potential impacts of Alternative C related to land use and planning would be less than significant, the same as the Project.

Noise and Vibration

Alternative C would involve reduced ground-disturbing impacts, as the redevelopment of the South Parcel would not occur. This alternative would result in less overall construction, shorter construction time periods, and less construction intensity. Construction noise impacts would be reduced as the construction work area would be further away from sensitive receptors. However, the same mitigation measures described in

Chapter 4, Section 4.10, *Noise and Vibration,* would be incorporated into Alternative C, and impacts would be less than significant with mitigation, the same as the Project.

Population and Housing

Under Alternative C, the number of on-site employees would be anticipated to be the same as with the Project. While the hotel would not be developed on the South Parcel, the employees associated with the entitled commercial and motel uses on the South Parcel would be roughly the same. While fewer hotel employees would be needed because the new hotel would only be located on the North Parcel, the commercial and hotel uses on the South Parcel would need additional employees. Resulting impacts related to population growth would remain less than significant for Alternative C, the same as the Project.

Public Services and Recreation

Under Alternative C, with a similar population, the demand for public services and recreation would be the same as with the Project. Resulting impacts related to public services and recreation would remain less than significant, the same as the Project.

Transportation

Alternative C would result in a higher trip generation than the Project (approximately 747 Alternative C trips vs. 645 Project trips) because the entitled, non-operational uses on the South Parcel (commercial and motel uses) would generate more trips than the proposed hotel use on the South Parcel under the Project. The 50 hotel rooms on the North Parcel in addition to the entitled, non-operational uses on the South Parcel (commercial and motel uses) would generate more trips overall than with the Project. However, Alternative C trips would still generate fewer trips than the existing entitled uses on the site (the No Project Alternative). Trip reduction measures and Mitigation Measure TRA-1 described in Chapter 4, Section 4.13, *Transportation,* would still apply to Alternative C, that would likely reduce impacts to a less than significant level. Although Alterative C would generate more trips, the resulting impacts would remain less than significant, the same as the Project.

Under Alternative C, it is assumed that the Lodi Lane crossing improvement would not be constructed to facilitate connection between the North and South Parcels, as no hotel would be constructed on the South Parcel. However, other safety improvements identified in Mitigation Measure TRA-2 would still be required. Therefore, impacts would be less than significant with mitigation, the same as the Project.

Utilities and Service Systems

The impacts of the Alternative C on utilities and service systems would be similar to those of the Project. Construction of the same utility improvements and associated ground-disturbing impacts are also assumed. The same mitigation measures described in Chapter 3, Section 3.14, *Utilities and Service Systems,* would be incorporated into Alternative C, and impacts would be less than significant with mitigation, the same as the Project.

5.5.3.2 Ability to Meet Project Objectives

Alternative C would meet all of the basic objectives of the Project, with most being met to a lesser extent. This alternative would meet objective 4 as it would provide on-site affordable housing in existing residential dwelling units and objective 10 as it would ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County. Assuming similar Development Agreement terms are reached, Alternative C would also meet objective 7 by ensuring development of the Project site is consistent with policies in the General Plan that support the economic viability of agriculture and envision additional commercial uses only within the portions of parcels zoned commercial and objective 9 by helping create a wildfire resilient community by facilitating firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood. However, conservatively presuming that this alternative would be economically feasible, it would achieve the following objectives to a lesser extent than the Project because the South Parcel would not be redeveloped: develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45 (objective 1); generate positive fiscal impacts for Napa County through redevelopment and use of the Project site (objective 2); develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements (objective 3); develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled (objective 5); implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand (objective 6); and demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains a minimum LEED Gold Certification with the goal of achieving LEED Platinum Certification (objective 8).

5.6 Comparison of Alternatives

CEQA requires a comparison of the alternatives to the Project (presented above) and suggests that a matrix may be used to summarize the comparison. **Tables 5-2** and **5-3**, below, provide a ready means for the reader to review and compare the alternatives with each other, and with the Project. Table 5-2 includes an overview of each alternative analyzed above and shows how the results of the analyses compare to the results of the analysis of the Project in Chapter 4 and the Initial Study (Appendix B). Overall, this table shows that none of the alternatives considered would result in a significant and unavoidable impact, and all of the “build” alternatives would result in a similar degree of impact as the Project.

Table 5-3 summarizes the ability of each alternative to meet the basic objectives for the Project and indicates that Alternative A would not have the ability to meet the basic objectives of the Project. Alternative B would meet all of the basic objectives of the Project, with some objectives being met to a lesser degree and one being met to a greater degree. Alternative C would have the ability to meet all of the basic objectives of the Project, although some to a lesser degree.

TABLE 5-2
PROJECT ALTERNATIVES IMPACT SUMMARY AND COMPARISON

Impact	Alternative A: No Project Alternative	Alternative B: Reduced Development Alternative	Alternative C: North Parcel Alternative	Project
Aesthetics	No Impact	Less than Significant	Less than Significant	Less than Significant
Agriculture and Forestry Resources	No Impact	Less than Significant	Less than Significant	Less than Significant
Air Quality	No Impact	LTS with Mitigation ⇩	LTS with Mitigation ⇩	LTS with Mitigation
Biological Resources	No Impact	LTS with Mitigation	LTS with Mitigation ⇩	LTS with Mitigation
Cultural and Tribal Cultural Resources	No Impact	LTS with Mitigation	LTS with Mitigation ⇩	LTS with Mitigation
Energy	No Impact	Less than Significant ⇩	Less than Significant	Less than Significant
Geology, Soils, and Paleontological Resources	No Impact	LTS with Mitigation	LTS with Mitigation ⇩	LTS with Mitigation
Greenhouse Gas Emissions	No Impact	LTS with Mitigation ⇩	LTS with Mitigation ⇧	LTS with Mitigation
Hazards and Hazardous Materials	No Impact	Less than Significant	Less than Significant	Less than Significant
Hydrology and Water Quality	No Impact	Less than Significant	Less than Significant	Less than Significant
Land Use and Planning	No Impact	Less than Significant	Less than Significant	Less than Significant
Noise and Vibration	No Impact	LTS with Mitigation ⇩	LTS with Mitigation	LTS with Mitigation
Population and Housing	No Impact	Less than Significant ⇩	Less than Significant	Less than Significant
Public Services and Recreation	No Impact	Less than Significant ⇩	Less than Significant	Less than Significant
Transportation	No Impact	LTS with Mitigation ⇩	LTS with Mitigation ⇧	LTS with Mitigation
Utilities and Service Systems	No Impact	LTS with Mitigation	LTS with Mitigation	LTS with Mitigation

NOTES: LTS = Less than Significant ⇧/⇩ - The impact is more/less severe than compared to the Project.

The color gradients in the table are a visual representation of the significance findings with the lightest or absence of color representing the least amount of impact, and the darkest shade representing an impact that would be significant without mitigation.

TABLE 5-3
ABILITY OF PROJECT ALTERNATIVES TO SATISFY BASIC OBJECTIVES OF THE PROJECT

Project Objective	Alternative A: No Project Alternative	Alternative B: Reduced Development Alternative	Alternative C: North Parcel Alternative
1. Develop hotel, retail, and restaurant uses on an infill project site consistent with the Commercial Limited zoning and General Plan Policy AG/LU-45.	Does not meet objective	**Meets objective**	**Meets objective** ⇩
2. Generate positive fiscal impacts for Napa County through redevelopment and use of the Project site.	Does not meet objective	**Meets objective** ⇩	**Meets objective**⇩
3. Develop land uses that do not exceed the intensities permitted by the historical/existing site entitlements.	Does not meet objective	**Meets objective**⇧	**Meets objective** ⇩
4. Provide on-site affordable housing in existing residences.	Does not meet objective	**Meets objective**	**Meets objective**
5. Develop a project that integrates the Vine Trail to allow project patrons alternative transportation and reduce vehicle miles travelled.	Does not meet objective	**Meets objective**	**Meets objective**⇩
6. Implement a sustainable project that meets or exceeds CalGreen energy standards and maximizes reuse of water supply and minimizes water demand.	Does not meet objective	**Meets objective** ⇩	**Meets objective** ⇩
7. Ensure development of the Project site consistent with policies in the General Plan that support the economic viability of agriculture and supporting industries to ensure the preservation of agricultural lands and envision additional commercial uses only within the portions of parcels zoned commercial.	Does not meet objective	**Meets objective**	**Meets objective**
8. Demonstrate leadership in sustainable development by constructing a project intended to reduce the consumption of energy and groundwater that obtains LEED minimum Gold Certification with the goal of achieving LEED Platinum Certification and maintain certification through the life of the project.	Does not meet objective	**Meets objective**	**Meets objective** ⇩
9. Help create a wildfire resilient community through facilitation of firefighting resources on Project site and supporting the establishment of a local Fire Wise Council for the Lodi Lane neighborhood.	Does not meet objective	**Meets objective**	**Meets objective**
10. Ensure development of the Project site supports the maintenance, preservation, improvement, and development of housing in the unincorporated County consistent with State-mandated housing requirements, and balances job creation and the availability of affordable housing in the County.	Does not meet objective	**Meets objective**	**Meets objective**

NOTES: ⇧/⇩ - The alternative is more (⇧) / less (⇩) aligned with the objective, compared to the Project.

5.7 Environmentally Superior Alternative

Table 5-2 contains comparisons of the impacts of the Project and the alternatives selected for analysis, demonstrating that each of the alternatives would have different and somewhat lesser or greater impacts than the Project, although none would have significant and unavoidable impacts.

The CEQA Guidelines specify that an EIR must identify the environmentally superior alternative among those discussed. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. (CEQA Guidelines Section 15126.6(e)(2)).

The No Project Alternative (Alternative A) would be the most environmentally superior alternative with the fewest environmental impacts. However, Alternative A does not meet any of the basic objectives of the Project.

Since the environmentally superior alternative is Alternative A (No Project Alternative), the EIR also must identify an environmentally superior alternative from among the other alternatives. Determining an environmentally superior alternative can be difficult because of the many factors that must be balanced. For example, Alternative B (Reduced Development Alternative) could be preferred because, relative to the Project, it would reduce operational impacts due to the reduced scale of the Project, even though the impact conclusions would be the same as the Project. Alternative C (North Parcel Alternative) could be preferred because, relative to the Project, it would reduce ground disturbance during construction, even though the impact conclusions would be the same as the Project. The County has identified Alternative B (Reduced Development Alternative) as the environmentally superior alternative because it would reduce operational impacts related to VMT and vehicle trips and would result in the greatest potential for energy efficiency and incorporation of green building design features of the built alternatives through new construction, even though the impact conclusions would be the same as the Project. However, note that although the alternatives identified reduce impacts, they would not substantially lessen or avoid significant environmental effects of the Project because the Project itself would not result in significant impacts.

Nonetheless, County decision-makers may weigh the relative benefits of the alternatives differently and with additional information received in or developed during the Project approval process.

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CHAPTER 6
Other CEQA Considerations

Consistent with the CEQA Guidelines Section 15126.2, this section discusses significant environmental effects, significant irreversible environmental changes, and growth-inducing impacts associated with development of the Project. Project effects that were found to be less than significant are also discussed. Cumulative impacts are separately discussed in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures.*

6.1 Significant Environmental Effects

In accordance with CEQA Guidelines sections 15064 and 15065, an EIR must identify impacts that would not be eliminated or reduced to an insignificant level by mitigation measures included as part of the Project, or by other mitigation measures that would be implemented.

As discussed throughout Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, and the Initial Study (Appendix B), development of the Project would not result in significant and unavoidable impacts that cannot be mitigated to a less-than-significant level with mitigation.

6.2 Significant Irreversible Environmental Changes

Pursuant to Section 15126.2(c) of the CEQA Guidelines, an EIR must consider any significant irreversible environmental changes that would be caused by a project should it be implemented. Section 15126.2(c) states:

> *"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Resources that would be permanently and continually consumed by the Project include water, electricity, and fossil fuels; however, the amount and rate of consumption of these resources would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of resources. Construction activities related to the Project, though analyzed in the applicable technical section of this Draft EIR, would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels and gasoline for automobiles and construction equipment. With respect to the operational activities associated with the Project, compliance with all applicable building codes, as well as

Draft EIR mitigation measures, would ensure that all natural resources are conserved to the maximum extent practicable. It is also possible that new technologies or systems would emerge, or would become more cost-effective or user-friendly, and would further reduce reliance upon nonrenewable water or energy resources.

The CEQA Guidelines also require a discussion of the potential for irreversible environmental damage caused by an accident associated with the Project. During the construction phase of the Project, construction equipment and materials would include fuels, oils and lubricants, solvents and cleaners, cements and adhesives, paints and thinners, degreasers, cement and concrete, and asphalt mixtures, which are all commonly used in construction. Once constructed, the completed structures would use and store small quantities of chemicals typical in residences, such as household cleaning solutions, paints and thinners, and motor fuel (e.g., motor vehicles and lawn mowers). As stated in Section IX, *Hazards and Hazardous Materials*, of the Initial Study (Appendix B), these materials are regulated through a series of federal, State, and local laws and regulations. Compliance with these existing requirements would ensure that the potential to cause significant irreversible environmental damage from an accident or upset of hazardous materials would be less than significant.

6.3 Growth-Inducing Impacts

The CEQA Guidelines require that an EIR evaluate the growth-inducing impacts of a proposed action (Section 15126.2[d]). A growth-inducing impact is defined by the CEQA Guidelines as:

> *[T]he ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth.... It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.*

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement could result if a project involved construction of new housing. A project can have indirect growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a substantial construction effort with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, under CEQA, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. Increases in population could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require analysis of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The timing, magnitude, and location of land development and population growth is based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and non-residential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Because general plans define the location, type, and

intensity of growth within a given jurisdiction, they are the primary means of regulating development and growth in California.

The growth inducing impacts analysis addresses the potential of the Project for unplanned growth inducement in Napa County. Under CEQA, a project is generally considered to be growth-inducing if it results in any one of the following:

1. Extension of urban services or infrastructure into a previously unserved area;
2. Extension of a transportation corridor into an area that may be subsequently developed; or
3. Removal of obstacles to population growth (such as provision of major new public services to an area where those services are not currently available).

6.3.1 Extension of Urban Services or Infrastructure

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

6.3.2 Extension of a Transportation Corridor

As stated in the discussion above, the County is already served by existing transportation facilities and roadways that lie immediately adjacent to the Project site. The established transportation network in the County and adjoining areas offers local and regional access to and from the Project site. Primary regional auto access to the Project site is available from State Route (SR) 29, which is adjacent and to the west. The Project site is in a developed area that is served by existing regional and local transportation. The Project site is served by the Napa Valley Transportation Authority (NVTA) Route 10 which has a bus stop located adjacent to the Project site on SR 29. The Vine Trail bike path runs parallel to SR 29 and is located along the Project site frontage on SR 29.

The Project does not include any changes to existing road, bicycle, or pedestrian infrastructure, except for the proposed at-grade street crossing enhancement to the existing Vine Trail crossing at Lodi Lane and SR 29. This improvement proposed by the Project Applicant is intended to increase pedestrian, bicycle, and on-site operational safety and traffic calming, specifically at that intersection. Any on-site circulation that would be required within the Project site would connect to existing and adjacent roadways. Additionally, the Project Applicant would contribute a Vine Trail rest shelter adjacent to the Project site, intended to increase pedestrian and bicycle comfort for the existing Vine Trail that would not constitute an extension of a transportation corridor.[1] Consequently, the Project would not induce unplanned growth

[1] As of publication of this Draft EIR, the Vine Trail rest shelter has been constructed.

in the County or broader area due to extension of transportation corridors. Therefore, the Project would not extend transportation corridors into undeveloped areas resulting in growth-inducing impacts.

6.3.3 Removal of Obstacles to Population Growth

Section 15126.2(d) of the CEQA Guidelines states that an EIR should discuss "the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth can be induced in a number of ways, including through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through precedent-setting action. CEQA requires a discussion of how a project could increase population, employment, or housing in the areas surrounding the project site as well as an analysis of the infrastructure and planning changes that would be necessary to implement the project.

Projects that are characterized as having significant impacts associated with the inducement of growth are frequently those that would remove obstacles to additional growth, such as the expansion of sewer or water facilities that would permit construction of more development in the service area covered by the new facilities. Similarly, if a project would overburden existing infrastructure so as to require construction of new facilities that could result in significant impacts, then the project may be deemed to have a significant growth-inducing impact. The Project would use existing infrastructure for utilities and services which would be installed primarily in existing roadways and utility rights-of-way. However, as discussed in the Section 4.15, *Utilities and Service Systems*, although infrastructure improvements would occur as part of the Project, most of the required infrastructure improvements would be limited in extent such that they would only support Project development (e.g., on-site greywater reuse and wastewater treatment systems), and would not facilitate the development or redevelopment of other properties within the vicinity of the Project site. Aside from short-term construction disturbance, no unusual or further environmental impacts would be generated beyond those identified elsewhere in this Draft EIR for overall construction activity for the Project. Additionally, the Project would not result in any utility-related service exceedances that would result in the need for construction of new facilities.

Section 4.11, *Population and Housing*, analyzes the Project's overall effect on population and housing, including growth-inducing considerations. In terms of housing, the Project would deed restrict six existing on-site residential units to be used for employee housing during Project operation and, as part of the Development Agreement for the Project, the Project Applicant would commit to provide five new off-site residential units for employee housing in the County. Due to the small number of units proposed, they would represent an extremely small percent of planned regional growth, and the off-site housing units would not represent substantial unplanned population growth. The Project would also result in construction employment. The employment growth associated with construction work, however, would be limited and temporary, and the majority of construction workers are anticipated to originate from the local and regional labor pool, and would not relocate within the County, further reducing the potential for secondary effects. The Project would be expected to add 48 net new full-time equivalent (FTE) employees for new hotel use, which would total 103 FTE employees at the Project site. However, as discussed in Section 4.11.5, the Project's employment increase represents a small increment of growth within the County, and would not constitute substantial unplanned employment growth within the County. Accordingly, the employment opportunities provided during operation are not anticipated to induce substantial population growth in the region.

6.3.4 Summary

No extensions or expansions of infrastructure systems or roads would be required beyond what is needed to serve Project-specific demand. Consequently, the Project would not induce unplanned growth in the County due to extension of urban services or infrastructure. For the above-described reasons, the Project would not cause a new impact related to a substantial increase in population growth and would be in line with the projected growth planned for the County as defined in the County's General Plan and applicable regional planning directives. The Project is not likely to encourage (or induce) other development in the surrounding area; regardless, the collective impacts of any such growth have been considered in the County's General Plan growth projections, and/or have been assessed in this Draft EIR's consideration of cumulative impacts.

6.4 Cumulative Impacts

CEQA defines cumulative impacts as two or more individual impacts which, when considered together, are substantial or which compound or increase other environmental impacts. The cumulative analysis is intended to describe the "incremental impact of the project when added to other, closely related past, present, or reasonably foreseeable future projects" that can result from "individually minor but collectively significant projects taking place over a period of time." (CEQA Guidelines Section 15355) The analysis of cumulative impacts is a two-phase process that first involves the determination of whether a project, together with existing and reasonably foreseeable projects, would result in a significant impact. If there would be a significant cumulative impact of all such projects, the EIR must determine whether the project's incremental "contribution" is cumulatively considerable, in which case, the cumulative impact would be significant (CEQA Guidelines Section 15130).

The analysis of each environmental topic included in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of this Draft EIR considers possible cumulative impacts and identifies circumstances in which the Project would contribute to significant cumulative impacts. As noted above, under Section 6.1, *Significant and Unavoidable Environmental Impacts*, construction and operation of the Project in combination with development in the surrounding area would not result in significant and unavoidable impacts under cumulative conditions.

6.5 Effects Found Not To Be Significant

As required by CEQA, this Draft EIR focuses on expected significant environmental effects (CEQA Guidelines Section 15143). In accordance with Section 15128 of the CEQA Guidelines, an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Effects found not to be significant are specifically discussed under each applicable environmental topic section in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of this EIR, under the "Topics Considered and Effects Found Not to Be Significant" heading.

Additionally, effects found not to be significant are specifically discussed under each applicable environmental topic section in the Initial Study (see Appendix B). Effects found not to be significant in the Initial Study that were not analyzed in Draft EIR Chapter 4 include:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; or iv) Landslides (see Initial Study Section VII, *Geology and Soils*).
- Result in substantial soil erosion or the loss of topsoil (see Initial Study Section VII, *Geology and Soils*).
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse (see Initial Study Section VII, *Geology and Soils*).
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property (see Initial Study Section VII, *Geology and Soils*).
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water (see Initial Study Section VII, *Geology and Soils*).
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (see Initial Study Section VII, *Geology and Soils*).
- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment (see Initial Study Section IX, *Hazards and Hazardous Materials*).[2]
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires (see Initial Study Section IX, *Hazards and Hazardous Materials*).
- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State (see Initial Study Section XII, *Mineral Resources*).
- Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan (see Initial Study Section XII, *Mineral Resources*).

[2] As requested through the Draft EIR scoping process, a Phase I Environmental Site Assessment Report is included as **Appendix M**.

CHAPTER 7
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