

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

Initial Study Checklist
(form updated January 2019)

State Clearinghouse # 2024070222

1. **Project Title:** Hillwalker Vineyards Winery Use Permit #P23-00101-UP, Exception to the Napa County Road & Street Standards, and Use Permit Exception to the Conservation Regulations #P23-00239-UP
2. **Property Owner:** Kevin Morrison, 405 Alexander Avenue, Larkspur, CA 94939. Phone: (415) 509-4739 or email: kmo@hillwalkervineyards.com
3. **County Contact Person, Phone Number and email:** Wendy Atkins, Planner II, Planning, Building & Environmental Services, 1195 Third Street, Second Floor, CA 94559. Phone: (707) 259-8757 or email: wendy.atkins@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APNs):** The project is located on approximately 20.46 acres within the AW (Agricultural Watershed) zoning district at 1871 Mt. Veeder Road, Napa. APN 034-110-047. Access to the property is through APNs 034-100-020, 034-110-059, and 034-100-043.
5. **Project sponsor's name and address:** Kevin Morrison, 405 Alexander Avenue, Larkspur, CA 94939. (415) 509-4739 or email: kmo@hillwalkervineyards.com
6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** AW (Agricultural Watershed)
8. **Background/Project History:** The Project parcel has contained 4.5 acres of vineyards for many decades, five (5) wells, as well as several stands of mature native trees. Additional site improvements include a 3,100 sq. ft. residence, septic leach field and septic reserve area, a spring fed cistern, detached garage, pool house, pool, residence septic pretreatment area 3,000 gallon septic/recirculation tank and 1,500 gallon dosing tank, and a 1,500 sq. ft. residential cave. On August 20, 2019, a Home Occupation Permit (P19-00341) was approved to allow an ±100 sq. ft. portion of the existing ±3,100 sq. ft. residence, with limited storage as an office, for order taking and record keeping in association with wine brokerage sales as a home occupation in compliance with Section 18.08.310 and 18.104.090 of the Napa County Code.
9. **Description of Project:** Approval of a Use Permit to allow a new 7,000-gallon winery with the following characteristics:
 - a. Convert a 1,500 sq. ft. residential cave to a commercial cave for wine production and storage only.
 - b. Conduct visitation activities within a 298 sq. ft. patio area and allow on-site consumption in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB2004-Evans Bill).
 - c. Tours and tastings by appointment only as follows, with a weekly maximum of 113 visitors:
 - 47 days of tours and tastings with up to 35 visitors.
 - 306 days of tours and tastings with up to 19 visitors.
 - 25 or more people will be allowed at the winery for a maximum of 59 days per year.
 - d. A marketing program of 12 marketing events per year with up to 45 guests at each event.
 - e. Two (2) fulltime and three (3) part-time employees during harvest and non-harvest seasons.
 - f. Production and visitation hours between 10 a.m. and 6 p.m. Monday through Sunday.
 - g. Convert the existing pool house restroom (80 sq. ft.) to an accessible restroom.
 - h. Construction of a parking area with seven (7) parking stalls, including an accessible parking stall and an electric vehicle charging

station.

- i. Installation of a 2,500-gallon hold and haul tank for winery process wastewater.

The request also includes an exception to the Napa County Road & Street Standards (RSS) from the commercial driveway width standard of 22-feet for two stretches totaling approximately 2,100-feet of the 4,400-foot-long access road where the roadway width is 14-feet and is located within a stream setback and abuts steep slopes.

An Exception to the Conservation Regulations in the form of a Use Permit is also being requested to allow road improvements within the required 105-foot setback from a blue line stream.

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

The 20.46-acre project site is located approximately 1,740 feet from the south side of Mt. Veeder Road, and zoned Agricultural Watershed. Approximately 4.5 of the 20.46 acres are planted in vineyards and are producing and currently being sold. Native vegetation in the area consists of canyon live oak (*Quercus chrysolepis*), California black oak (*Quercus kelloggii*), coast live oak (*Quercus agrifolia*), California buckeye (*Aesculus californicum*), bigleaf maple (*Acer macrophyllum*), California madrone (*Arbutus menziesii*), tanoak (*Litocarpus densiflorus*), California bay (*Umbellularia californica*), and scattered small Douglas fir (*Pseudotsuga menziesii*). The soils on site are Bressa-Dibble Complex (15 to 30-percent slope). An unnamed tributary of Pickle Creek crosses under the driveway through culverts at two locations and drains to a detention basin. In addition to the vineyards, the parcel is developed with a single-family residence, five (5) wells, a septic leach field and septic reserve area, a spring fed cistern, detached garage, pool house, pool, carport, residence septic pretreatment area including a 3,000 gallon septic/recirculation tank and 1,500 gallon dosing tank, and a residential cave. The surrounding land uses include vineyards, wineries (Mt. Veeder Winery, Chateaneuf Du Pott Winery, and Lagier Meredith Winery), and residential development on large parcels, the nearest of which is approximately 800 feet from the proposed winery.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).

The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife

Other Agencies Contacted

Federal Trade and Taxation Bureau

Department of Alcoholic Beverage Control

California Department of Fish and Wildlife

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

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on August 25, 2023. The Yocha Dehe, Middletown Rancheria, and Mishewal Wappo Tribe of Alexander Valley did not request consultation with the 30-day notification period, and because no response to the consultation invitation was received, the consultation time period elapsed.

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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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



7/5/24

Signature

Date

Name: Wendy Atkins

Wendy Atkins, Planner II
Napa County Planning, Building and Environmental Services Department

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

Discussion:

- a. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the Environmental Setting and Surrounding Land Uses section, above, this area is defined by a mix of vineyard, winery, and residential uses. The project would not result in substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently developed with vineyards, five (5) wells, as well as several stands of mature native trees. Additional site improvements include a single-family residence, septic leach field and septic reserve area, a spring fed cistern, detached garage, pool house, pool, carport, residence septic pretreatment area including a 3,000 gallon septic/recirculation tank and 1,500 gallon dosing tank, and a residential cave. There is no potential to damage historic buildings, as no external building modifications are proposed. The proposal includes improvements to the wine cave to meet code and increase wine production, accessible improvements to the pool house restroom, and reconfigured winery access road and parking space.
- b. The project does not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway. There are no rock outcroppings visible from the road or other designated scenic resources on the property.
- c. Mt. Veeder and Redwood Roads are Viewshed designated roads per County Code Chapter 18.106 Viewshed Protection Program. The Viewshed Program applies to development on slopes greater than 15 percent to review and apply design criteria to minimize effects on the natural terrain and views from designated roads. The existing development is located on slopes less than 15 percent; therefore, the project is not subject to the Viewshed ordinance. Neither road are state scenic highways. Changes to the site would be limited and potential impacts to scenic vistas, scenic resources, and the existing views of the site would be less than significant.
- d. The proposed interior modifications to the pool house and the cave will not result in the installation of additional lighting that may have the potential to impact nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As designed, and as subject to the standard condition of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. Lighting utilized during harvest activities is not subject to this requirement. Prior to issuance of any building permit for construction of the winery, 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 California Building Code.

Mitigation Measures: None are required.

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

Discussion:

- a. As shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, a portion of the 20.46-acre project site includes approximately 12 acres as "Other Land". This area includes slope of 0 to over 50% and is densely covered in trees. An approximate 8.46-acre portion in the center of the parcel is designated "Unique Farmland", which includes the single-family residence, detached garage, pool house, pool, carport, residential cave, and 4.5 acres planted with vineyards. With project approval a portion of the area would include the hammerhead turnaround and seven (7) additional parking spaces. Although portions of the Unique Farmland would be developed with winery infrastructure, in total approximately 4.5 acres of the property would continue to be planted in vineyards. Land on the property would continue to be used for an agriculture use.
- b. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. The proposed project would not conflict with existing zoning for agricultural uses. There are no Williamson Act contracts recorded for the parcel. Therefore, there will be no conflicts with existing zoning, or a Williamson Act contract and no impacts will occur.
- c/d. The project site is zoned Agricultural Watershed (AW), which allows wineries upon grant of a use permit. According to the Napa County

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

Environmental resource maps (based on the following layers – Sensitive Biotic Oak Woodlands, Agriculture, and Riparian Woodland Forest) the project site contains Oak woodlands, specifically Coast live oak woodland and trees. The proposed project would result in a loss of up to ten (10) trees, including the removal of eight (8) Live Oak, one (1) California Buckeye, and one (1) California Black Oak. The removal of the scattered ten trees is consistent with the definition of Vegetation Canopy Cover pursuant to NCC Section 18.108.030; therefore, their removal would need to be mitigated pursuant to NCC Section 18.108.020.D. Removal of the ten scattered trees is required to install the upgrades to the existing shared driveway required by the Napa County Road and Street Standards. The approximate vegetation canopy cover area was developed by presuming the tree canopy of one mature Oak tree encompasses approximately 60-100 square feet² (this area was corroborated by aerial imagery interpretation, to not exceed 100 square feet per tree removed) equating to approximately 0.062 acres, which would yield a total vegetation canopy cover preservation ratio of 0.07 acres (100 feet multiplied by 9 trees multiplied by 3 equals 2,700 square feet and converts to 0.062 acres). The implementation of Mitigation Measure **AG-1**, requiring a vegetation canopy cover preservation easement or other similar mechanism, requiring the long term preservation of existing oak vegetation at a ratio of 3:1 would result in a less than significant impact to oak resources.

- e. The project does 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. No impacts will occur.

Mitigation Measures:

Mitigation Measure AG-1 – Vegetation Canopy Cover Preservation Ratio: The owner/permittee shall implement the following measure to comply with NCC Section 18.108.020 (D) 3:1 vegetation canopy cover preservation ratio. Prior to building permit issuance, a vegetation canopy cover area shall be identified on the subject property and shall permanently preserve a minimum of 0.07 acres of developable oak woodland (i.e., on land with slopes less than 30% and located outside of aquatic resource setbacks pursuant to NCC Sections 18.108.025 and 18.108.026), this area shall be identified as Vegetation Canopy Cover Preservation Area on the site plan prepared for the building permit. The vegetation canopy cover preservation area shall also be recorded with an easement or other similar mechanism prepared by Napa County.

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

Discussion:

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

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific

² Gilman, E.F. and Waston, D.G (1993). *Quercus virginiana*: Southern Live Oak. University of Florida. <http://edis.ifas.ufl.edu/st564>

circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

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

The Air District published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's 2015 opinion in *Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Ca 4th 369.

a./b. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM_{2.5}, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM_{2.5} levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Other criteria pollutants, such as lead and sulfur dioxide (SO₂), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

The thresholds of significance for use in determining whether a proposed project will have a significant impact on GHG's and climate change (BAAQMD, April 2022) did not affect the Air Quality CEQA Thresholds of Significance for the above mentioned air pollutants (i.e., ROG, NO_x, PM₁₀ and PM_{2.5}) identified in Table 3-1 of the BAAQMD 2022 Guidelines. As such, those thresholds will be used to determine the significance of potential air quality impacts associated with air pollutant emissions.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through April 2022. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

Table 4-1 Single Land Use Construction and Operational Criteria Air Pollutant and Precursor Screening Levels was used as the screening criteria. Given the size of the entire project, which is approximately 1,500 square feet of enclosed floor area (cave) for wine production with 400 square feet of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 105,000 square feet (high quality restaurant) and 998,000 square feet (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates

emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- c-d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to the conversion of the pool house to a commercial restroom and the infrastructure improvements. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings, if applicable. The proposed grading plan has been designed to minimize cut and fill. Road widening will require digging down twelve (12) inches and replacing the same soil with compaction, and eight (8) inches of compacted gravel will be added. These potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts will not expose sensitive receptors to substantial pollutant concentrations and are considered less than significant:

7.1 SITE IMPROVEMENT

c. AIR QUALITY

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

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.
8. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>

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

7.1. SITE IMPROVEMENT

b. DUST CONTROL

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

Mitigation Measures: None are required.

| IV. | BIOLOGICAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| | a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

A Biological Habitat Assessment for Hillwalker Winery Use Permit 1871 Mount Veeder Road, Napa, Napa County was prepared by LSA on October 12, 2023, and an addendum was prepared on February 3, 2024. The assessments included site inspections on September 25, 2023, and January 10, 2024. The study area is comprised of a driveway on a northeast-facing slope along an elevation gradient from about 800 feet in the north to 1,000 feet by the vineyards, dwellings, and outbuildings. An unnamed tributary of Pickle Creek crosses under the driveway through culverts at two locations and drains to a detention basin; no other wetland features were observed on the propped site.

- a. The project consists of converting a 1,500 sq. ft. residential cave to a commercial cave for production and storage only, converting the existing poolroom restroom to a commercial restroom, and improvements to the existing gravel driveway. According to County of Napa Environmental Mapping (GIS Vegetation layer) half of the parcel is identified as Agriculture, while the other half of the parcel is identified as Oak woodlands. Soil types are limited to Felton gravely loam and Bressa-Dibble complex. The proposed project proposes the removal of ten (10) trees. As discussed in subsection (e) and (f) of this section, Oak woodland preservation and retention has been incorporated to comply with County code. Riparian habitat or other sensitive natural communities were not identified on site. According to County of Napa Environmental Mapping (CNDDDB layer) there are no Special Species plants on the parcel. The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to County of Napa Environmental

Mapping (GIS CNDDDB layer) there are no wildlife corridors on the parcel. ~~Less than significant impacts would occur. While there may be a lack of documented occurrences on the Project site, CNDDDB is a positive sighting database; information on negative sightings is only included when it pertains to previously documented occurrences. It is important to emphasize that absence of data is not proof of absence. There are areas of the state that have not been surveyed or where data have not been submitted to the CNDDDB program. Just because a species has not been documented in the CNDDDB at a given location does not necessarily mean the species does not occur there. The absence of data in the CNDDDB is NOT proof of absence and does not constitute an adequate basis for determining lack of presence (CDFW 2020). CNDDDB shows 11 special-status plant species occurring within 5 miles of the Project area. In order to address impacts to special-status plant species resulting from Project activities including driveway modifications, tree removal, and special-status plant assessment an assessment shall be performed. Specific impacts and why they may occur and be significant: If survey protocols and results for special-status plants are not fully reported, impacts may go undetected, and state listed plants or other plants considered rare per CEQA guidelines section 15380 could be taken. Therefore, the presence of Special Status plants in the project area cannot be completely ruled out. Mitigation Measure BIO-5 would reduce impacts to Special Status plants to less than significant.~~

- b. The Project includes installing turnouts and widening sections on a driveway which runs adjacent to and crosses over an unnamed tributary of Pickle Creek at two culverted sections. A total of 10 trees have been identified for complete or partial removal as part of the driveway modification project. The stream and adjoining riparian habitat is subject to CDFW jurisdiction and Fish and Game Code 1602 et. seq, notwithstanding seasonality of flows. Specific impacts and why they may occur and be significant: Construction activities and tree removal pose numerous threats to streams and the habitats they support. Impacts include inputs of deleterious materials, removal of riparian vegetation, obstructions and diversions, equipment staging and operation, and disturbances to riparian corridors, special-status wildlife and their habitats, and nesting birds. In order for the Project to consider impacts to the stream and riparian habitat resulting from the driveway modifications and tree removal, the implementation of Mitigation Measure BIO-6, considering impacts to the stream and placement, construction, and operation of the driveway modifications and tree removal would result in a less than significant impact to biological resources.

According to the GIS layer – CNDDDB Owl Habitat, potential for owl habitat occurs on the subject parcel. As part of this application a Northern Spotted Owl Habitat Assessment for Hillwalker Winery Use Permit 1871 Mount Veeder Road, Napa, Napa County was prepared on October 12, 2023, and revised on June 10, 2024, was prepared by LSA(Assessment). The assessment found, based on the most recent data, there are no known Northern Spotted Owls (NSO) nesting sites or activity centers that have been previously identified within or adjacent to the project site; however, there are four activity centers within a 2-mile radius of the project site. The last definitive observation within 2 miles of the project site was an owl heard by a retired CDFW Biologist in 2009, approximately 0.5 miles west of the project site. Based on the above discussion and field assessment, the oak woodland within 330 feet of the project site does not appear to provide suitable nesting and/or diurnal roosting habitat for NSO due to its generally low stature and lack of large multi-canopied trees; however, this woodland could provide nocturnal foraging and dispersal habitat for NSO. The 10 trees proposed for removal average between 6 and 12 inches in diameter at breast height and are adjacent to an existing active driveway. Therefore, the removal of these trees would not likely adversely affect the nesting and/or diurnal roosting NSO. However, the presence of NSO in the project area cannot be completely ruled out. **Mitigation Measure BIO-1 and Mitigation Measure BIO-3** would reduce impacts to NSO to less than significant. In addition, an addendum to the Biological Habitat Assessment for Hillwalker Vineyards Winery, 1871 Mount Veeder Road, Napa, Napa County, dated February 3, 2024, prepared by LSA, found that although the California giant salamander, Foothill yellow-legged frog, and Western pond turtle are not expected to be within the compacted gravel driveway improvement areas or ephemeral drainage, **Mitigation Measure BIO-2 and Mitigation Measure BIO-4** would reduce impacts to less than significant.

- c. According to the Napa County Environmental resource maps based on the following GIS layer – Wetlands and vernal pools and National Wetlands Inventory) there are no wetlands on the site. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- d. The project involves driveway improvements adjacent to a detention basin. As indicated in subsection (b.) of this section, **Mitigation Measure BIO-2** has been included to require a temporary wildlife exclusion fence to be installed between the edge of the detention basin and the driveway improvement locations to prevent animals from entering the work area. Construction activities could temporarily preclude the movement of some wildlife including small mammals, reptiles, and amphibians. However, after the driveway improvements are constructed, wildlife that may move across the site would be able to continue to do so. The movement of birds and bats would not be impeded. Any impact restricting wildlife movement would be less than significant after implementation **Mitigation Measure BIO-2**.
- e. Chapter 18.108 of the Napa County Zoning Code (Conservation Regulations) in part, encourages the preservation of natural resources through project design that minimizes grading operations (cut, fill, earthmoving) and other such man-made effects in the natural terrain,

preserves natural habitat, minimizes impacts on existing land forms, avoids steep slopes, and preserves existing vegetation.

As stated in Section II Agriculture and Forest Resources, the implementation of **Mitigation Measure AG-1**, requiring a vegetation canopy cover preservation easement or other similar mechanism, requiring the long term preservation of existing oak vegetation at a ratio of 3:1 would result in a less than significant impact to agricultural resources.

- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures:

Mitigation Measure BIO-1 – Northern Spotted Owl: Prior to the start of construction, a biologist would provide a training session for all work personnel to identify any sensitive species, including northern spotted owl, that may be in the area, their basic habits, how they may be encountered in their work area, and procedures to follow when they are encountered. Any personnel joining the work crew later would receive the same training before beginning work. Upon completion of the education program, employees would sign a form stating they attended the program and understand all protection measures. A pamphlet that contains images of sensitive species that may occur within the project area, environmentally sensitive areas within the project area, key avoidance measures, and employee guidance would be given to each person who completes the training program. These forms would be made available to the resource agencies upon request.

Even though the presence of NSO within 330 feet of the project site is unlikely, the presence of this species in this area cannot be completely discounted. Therefore, to ensure that potential adverse noise or visual impacts on NSO are avoided and/or minimized, a preconstruction survey will be conducted in areas of potential NSO habitat within the 330-foot visual line of disturbance contour of the project site. The focus of the survey should be on the detection of the species and potential active nest sites that could be affected by proposed project work. If an active nest is found within the 330-foot contour visual line of disturbance, the start of construction will be delayed until the young have fledged. Young NSO generally leave the nest (that is, fledge) in late May or June. If an active nest is found within the 330- foot visual line of disturbance contour, it will be monitored by a qualified biologist to document when the young have left the nest and construction can start.

If project activities take place between February 1 and September 30, then a qualified biologist shall conduct a preconstruction survey for other nesting birds no more than 3-days before tree removal. If active nests are found, then an appropriate buffer would be established, and the nest would be monitored for compliance with the federal Migratory Bird Treaty Act and California Fish Game Code Section 3503.

No project work shall be conducted at night.

To minimize noise generated from the proposed action to the degree possible, all construction equipment, fixed or mobile, will be fitted with properly operating and maintained mufflers consistent with manufacturer's standards.

Mitigation Measure BIO-2 – California Giant Salamander, Foothill Yellow-Legged Frog and Western Pond Turtle: Prior to the start of construction, a biologist would provide a training session for all work personnel to identify any sensitive species, including California giant salamander, foothill yellow legged frog, western pond turtle, and northern spotted owl that may be in the area, their basic habits, how they may be encountered in their work area, and procedures to follow when they are encountered. Any personnel joining the work crew later would receive the same training before beginning work. Upon completion of the education program, employees would sign a form stating they attended the program and understand all protection measures. A pamphlet that contains images of sensitive species that may occur within the project area, environmentally sensitive areas within the project area, key avoidance measures, and employee guidance would be given to each person who completes the training program. These forms would be made available to the resource agencies upon request.

- No project work shall be conducted at night.
- If logs, bark, or rocks are in the driveway improvement areas, a biological monitor shall be present during clearing and grubbing activities.
- Install a temporary wildlife exclusion fence between the edge of the pond and driveway improvement locations to prevent animals from entering the work area.

Mitigation Measure BIO-3 – Northern Spotted Owl Surveys: A qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25 mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the USFWS Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, a 0.25- mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance

of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year. Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW. If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

MM BIO-4 – Special-Status Herpetofauna: For all Project activities that occur within 500 feet of stream or wetland habitat, prior to ground-disturbing activities, a qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of CGS, FYLF, and WPT and their nests. If any of these special-status species are discovered during the survey, Project activities shall not begin until CDFW has been consulted and approved in writing measures to avoid and minimize impacts to special-status species, and the measures have been implemented.

Mitigation Measure BIO-5 – Pre-Project Special-Status Plant Surveys: Prior to the start of Project activities, a Qualified Biologist shall conduct a habitat assessment for special-status plants. If potential habitat for special-status plants is present, botanical surveys shall be conducted during the appropriate blooming period and conditions for all special-status plants that have the potential to occur within or near the Project where they may be directly or indirectly impacted by for example, modifications to hydrological conditions. More than one year of surveys during appropriate conditions may be necessary. Surveys and associated reporting shall be conducted according to CDFW's 2018 Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (See <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>), including visiting reference sites. The habitat assessment and survey reports shall be submitted to CDFW prior to the start of construction. Project activities shall not proceed until CDFW has provided written approval of the habitat assessment and survey reports. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If impacts to special status plants cannot be avoided, the Project shall provide habitat compensation at a 3:1 mitigation to impact ratio including permanent protection of habitat through a conservation easement and funding and implementing a long-term management plan, prior to Project activities, unless otherwise approved in writing by CDFW.

Mitigation Measure BIO-6 – Impacts to the Stream and placement, construction, and operation of the driveway modifications and tree removal: If impacts to the bed, bank, channel, and riparian area of the stream cannot be avoided, the Project shall notify CDFW for potential Project impacts to the ephemeral stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the LSA, if issued, and shall not commence activities with potential to impact the stream until the LSA process has been completed. Please be advised that a LSA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources Riparian Areas: Prior to the commencement of Project Activities, the Project shall conduct a thorough assessment for potential impacts to the stream including, but not limited to, the placement, construction, and operation of the driveway modifications and tree removal. If impacts to the bed, bank, channel, and riparian area of the stream cannot be avoided, the Project shall notify CDFW for potential Project impacts to the ephemeral stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the LSA, if issued, and shall not commence activities with potential to impact the stream until the LSA process has been completed. Please be advised that a LSA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

| V. | CULTURAL RESOURCES. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|----|---|--------------------------------|---|------------------------------|-------------------------------------|
| | a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Discussion:

a./b. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historical or archaeological sites or unique geological features have been identified on the property. Based on the proposed project plans, there would be no impact to cultural resources. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval:

7.2 ARCHEOLOGICAL FINDING

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

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of *Native American origin*. *If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.*

- c. No human remains have been previously encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard condition of approval noted above.

Mitigation Measures: None are required.

| VI. | ENERGY. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) | Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

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

Mitigation Measures: None are required.

| VII. | GEOLOGY AND SOILS. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|------|--|--------------------------------|---|-------------------------------------|--------------------------|
| | a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| | i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

a.

- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
- ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
- iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Although the project site is identified as having a VL Very Low (br) liquefaction potential according to the Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.
- iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no

landslide deposits in the proposed development area.

- b. The proposed development is minimal and will occur on slopes ranging from 0% to 5%. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the soils on site are comprised of Bressa-Dibble Complex (15 to 30-percent slope). The project will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable.
- c/d. According to preliminary geologic mapping of the St. Helena Quadrangle, performed by the California Geologic Survey (CGS-2004), the property is underlain by Early Tertiary Assemblages and Great Valley Complex (Cretaceous – Jurassic). Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the project site has a very low susceptibility for liquefaction. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to the maximum extent possible.
- e. A Wastewater Feasibility Study, dated February 9, 2024, was prepared by Stillwater Civil Design. A hold and hall tank is proposed for winery production wastewater. The system will be designed by a licensed engineer and will be reviewed and approved by the Division of Environmental Health. There does not appear to be any limitation on this parcel's ability to support a hold and hall tank, which will be able to support the proposed project. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health.
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing development was constructed or when the vines were planted. The project as proposed would require minimal earth disturbing activities and construction is unlikely to uncover paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022).³ The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in Center for Biological Diversity v. Department of Fish & Wildlife (2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended

³ <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

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

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

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

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

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

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

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

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

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

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

Specifically for buildings, the project must not:

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

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

Specifically for transportation, the project must:

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

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

As discussed above and in section XVII. Transportation, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study and VMT analysis. See section XVII. Transportation for additional detail.

The applicant proposes implementing a GHG reduction strategy through installation of an electrical vehicle charging station. The project

will also utilize solar hot water heating, energy conserving lighting, water efficient fixtures, water efficient landscaping, recycle 75% of all waste, site design that is oriented and designed to optimize conditions for natural heating and cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave, limit the amount of grading and tree removal, and retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building Code, and the County's conditions of project approval, impacts are considered less than significant.

As stated in Section IV, Biological Resources, Chapter 18.108 of the Napa County Zoning Code (Conservation Regulations) in part, encourages the preservation of natural resources through project design that minimizes grading operations (cut, fill, earthmoving) and other such man-made effects in the natural terrain, preserves natural habitat, minimizes impacts on existing land forms, avoids steep slopes, and preserves existing vegetation. Removal of the ten trees is required to install the upgrades to the existing shared driveway required by the Napa County Road and Street Standards. As stated in Section II Agriculture and Forest Resources, the vegetation canopy cover ratio was calculated by presuming the tree canopy of one Oak tree is 100 feet, which would yield a vegetation canopy cover preservation ratio of 0.07 acres (100 feet multiplied by 9 trees multiplied by 3 equals 2,700 square feet and converts to 0.062 acres). The implementation of **Mitigation Measure AG-1**, requiring a vegetation canopy cover preservation easement or other similar mechanism, requiring the long term preservation of existing oak vegetation at a ratio of 3:1 would result in a less than significant impact to agricultural resources.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less-than- significant impact.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the operations of a new winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed winery. According to Google Earth, the nearest school to the project site is Justin-Siena High school, located approximately 2.7 miles to the east. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The proposed access road improvements and on-site circulation configuration meet Napa County Road and Street Standards. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed road improvements would provide adequate access to Spring Mountain Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None are required.

| X. | HYDROLOGY AND WATER QUALITY. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|---|-------------------------------------|--------------------------|
| a) | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would: | | | | |
| i) | result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | | | | | |
|------|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) | impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

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

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

On March 28, 2022, August 9, 2022, and November 8, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3-acre ft. 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. Although the Governor, through Executive Order No. N-5-23, rolled back some of the drought emergency provisions in late March 2023, due to current water conditions, the Governor's Emergency Order N-7-22 remains in place and the remaining criteria for the County's interim actions and procedures also remain. On May 30, 2023, the Napa County Board of Supervisors terminated the Local Emergency due to the 2021-2022 drought but acknowledged that there are still adverse conditions that will continue to affect the Napa Valley groundwater subbasin and the need to continue groundwater management efforts including the interim actions and procedures still exists. The project is not located in the GSA Subbasin and therefore a parcel specific WAA was prepared.

- a. As discussed in Section VII. Geology and Soils a Wastewater Feasibility Study, dated February 9, 2024, was prepared by Stillwater Civil Design. A hold and haul tank is proposed for winery production wastewater. The system will be designed by a licensed engineer and will be reviewed and approved by the Department of Environmental Health. There does not appear to be any limitation on this parcel's ability to support a hold and hall tank, which will be able to support the proposed project. The existing engineered domestic septic system for the residential use has a capacity of up to 900 gallons per day. Adequate septic reserve area was previously permitted by the County. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health.
- b. A Water Availability Analysis was prepared by Stillwater Civil Design, dated February 9, 2024. As directed by the County Water Availability Guidelines (May 2015), the report includes Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis. The project site includes (5) existing wells which will be used to serve the property and proposed project. Current water use for the property is 2.78 af/yr, which includes 2.25 af/yr for the vineyard, 0.5 af/yr for the residence, and 0.025 af/yr for residential landscaping.

The projected water use for the project is 1.63 af/yr, which includes 0.9 af/yr for the vineyards, 0.064 af/yr for the winery, 0.5 af/yr for the residence, and 0.025 af/yr for residential landscaping which represents a decrease of approximately 1.15 af/yr.

| | Existing Condition (af/yr) | Proposed Condition (af/yr) |
|--|----------------------------|----------------------------|
| Total Usage on the Project Parcel | 2.78 af/yr | 1.63 af/yr |
| Residential Use – Primary & Secondary, Pool and Landscaping | 0.525 af/yr | 0.525 |
| Winery Use | | 0.064 af/yr |
| Employee (Full & Part-Time)/Guest Use (Visitation & Marketing) | | 0.14 |
| Vineyard Use | 2.25 af/yr | 0.9 af/yr |

Due to the parcel location outside of the GSA boundary, a parcel specific recharge calculation was prepared. In calculating the recharge for the 20.46-acre project site, the analysis concluded approximately 8.5 acres is estimated to be on slopes less than 30%. Slopes over 30% are not considered to contribute to groundwater recharge. The average rainfall 10-year PRISM data is shown to be 31.76 inches annually for the property. The percent of rainfall that contributes to groundwater recharge is found in the Napa County document titled, Updated Hydrogeologic Conceptualization and Characterization of Conditions, completed by Luhdorff & Scalmanini Consulting Engineers and MK Engineers, dated January 2013. Approximately 10% of rainfall may contribute to groundwater recharge. Therefore, the average annual recharge can be estimated as 31.56 inches X 1 ft/12 in X 8.5 X 0.10 = 2.23 acre-feet of groundwater recharge per year.

Tier II and Tier III analyses are required if the project wells are within 500-feet of any off-site wells and if the project wells are within 1,500-feet of a significant stream, respectively. There is an off-site well approximately 300-feet from one of the project wells, however estimated water demand will decrease as a result of the project and the projects wells are more than 1,500-feet from a significant stream, therefore a Tier II and Tier III analysis are not required for this project.

Staff has considered impacts to public trust resources in the event the project wells may be connected to a navigable waterway. The ground water/surface water criteria are presumptively met if the distance standards and well construction assumptions are met per Tables 3, 4, and 5 of the County's WAA Guidance document when a well is within 1,500-feet of a significant stream. Staff determined that because the project engineer has demonstrated that the project well is not within 1,500-feet of a significant steam, there is not a hydraulic connection to a navigable waterway and therefore no impacts to public trust resources. County has satisfied its duty to consider impacts to trust resources and no further analysis is required. The winery, as part of its entitlement would include the County's standard condition of approval, below, requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use. The proposed project would result in a slight decrease on the demand of ground water supplies and therefore would not interfere with groundwater recharge or lowering of the local groundwater level.

4.9 GROUND WATER MANAGEMENT – WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence⁴ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence⁴ that the groundwater system

⁴ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

- c. The project proposal will not alter any drainage patterns on site or cause an increase in erosion on or off site. Improvement plans prepared prior to the issuance of a grading or building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The project would be required to incorporate an erosion control plan to manage onsite surface drainage and erosion of onsite soils during construction and winter months (October to April). By incorporating a Standard Measures erosion control plan, this project would have a less than significant impact on drainage and siltation. There are no existing or planned stormwater systems that would be affected by this project.
- d. The project location is not in a flood hazard, tsunami, or seiche zones, and does not risk the release of pollutants due to project inundation. No impacts would occur.
- e. As discussed above, the parcel specific groundwater recharge analysis estimated a recharge potential of 2.23 af/yr which is greater than the estimated use of 1.63 af/yr. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur.

Mitigation Measures: None are required.

| XI. | LAND USE AND PLANNING. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|--|--------------------------------|---|------------------------------|-------------------------------------|
| | a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a./b. The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/

open space...” and General Plan Economic Development Policy E-1 (The County’s economic development will focus on ensuring the continued viability of agriculture...). The General Plan includes two complimentary policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures: None are required.

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

Discussion:

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

Mitigation Measures: None are required.

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

Discussion:

a./b. The project will result in a temporary increase in noise levels during the brief construction of the project. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The project

would not result in potentially significant temporary construction noise impacts or operational impacts. Given the proximity to the neighbors, the closest of whom is located over 800 feet away from the winery building, there is a relatively low potential for impacts related to construction noise to result in a significant impact. Furthermore, construction activities would generally occur during the period of 7:00 a.m. 7:00 p.m. on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project will not result in long-term significant construction noise impacts. The winery, as part of its entitlement would include the County's standard condition of approval, below, requiring construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels.

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

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed parcel are predominantly large lot residential properties and vineyards; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.). Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes.

The nearest off-site residence to the proposed winery is approximately 800 ft. to the north. Winery operations would occur between 10:00 a.m. and 6:00 p.m., Monday through Sunday (production, excluding harvest) and 10:00 am to 6:00 pm (hospitality). The potential for the creation of significant noise from visitation is significantly reduced since the tasting area is limited to the covered patio area. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including clean-up are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

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

- c. The project site is not located within the boundaries of an airport land use plan or within two miles of a public airport or within the vicinity of a private airstrip.

Mitigation Measures: None are required.

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

Discussion:

a. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing. Cumulative impacts on the local and regional population and housing balance will be less than significant.

The State of California’s Department of Finance projects the total population of Napa County to increase 4% between the year 2020 and 2060 (State of California Department of Finance Projections, July 19, 2021, <https://dof.ca.gov/forecasting/demographics/projections/>). Unincorporated Napa County, and the five incorporated jurisdictions, all have existing state compliant Fifth Cycle (2014-2022) Housing Elements and are working on developing compliant Sixth Cycle (2023-2031) Housing Elements, as required by state law. Complaint Housing Elements indicates that the jurisdictions have enough dwelling units programed over the cycle to meet or exceed state growth projections.

The project is proposing two (2) full time employees and three (3) part time employees. Relative to the County’s projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County’s housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

The proposed project does not require installation of any additional, new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings.

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

b. This application will not displace any existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere.

Mitigation Measures: None are required.

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

Discussion:

a. Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None are required.

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

Discussion:

- a. The project would not significantly increase the use of recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.
- b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed project would have no impact.

Mitigation Measures: None are required.

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

Discussion:

- a/c/d. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. Existing pedestrian and transit facilities serving the site are limited, though given the rural location of the project site and anticipated demand for these modes, this is considered an acceptable condition. The existing driveway entrance is not proposed to be disturbed. Therefore, would not increase hazards due to a geometric design feature. The parcel is served by an existing gravel road that starts at the intersection of Mt. Veeder Road. From Mt. Veeder Road, the road runs adjacent to a blue line stream for about 2,200 ft., and then meanders to terminate its 4,400 ft. length at the proposed site. The NCRSS requires a 22 ft. minimum width for roads serving commercial uses such as this proposed winery. The majority of the existing road does not meet the minimum width requirement. The Hillwalker winery project is seeking exception to the NCRSS to accommodate environmental and physical constraints that forbid compliance to the standards. Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the NCRSS as adopted by Resolution No. 2023-59 by the Board of Supervisors on April 18, 2023, the Engineering Division has determined that the applicant has met the provisions for an exception to the NCRSS. The proposed improvement achieves the same overall practical effect by installing intervisible turnouts along sub-standard segments of the road and implementing vegetation management measures to maintain the line of sight. Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. The Napa County Fire Department and Engineering Division have reviewed the proposed plans for access and circulation and found them to be in compliance with the Napa County Road and Street Standards.
- b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon

automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

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

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. Based on the County's winery trip generation assumptions, the proposed project would be expected to generate 39 new daily trips on a Friday and 36 on Saturdays, including 14 new trips during the Friday p.m. peak hour and 18 during the Saturday p.m. peak hour, compared to permitted conditions. During harvest the proposed project would be expected to generate 39 new daily trips on a Friday and 37 on Saturdays, including 14 new trips during the Friday p.m. peak hour and 18 during the Saturday p.m. peak hour. The trip generation does not exceed 110 net new daily trips; therefore, the project is not required to prepare a traffic impact study (TIS). In addition, the hold and haul trips generated from production wastewater would not exceed 12 trips per year.

The County's TIS Guidelines include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. Furthermore, The TIS Guidelines state that if 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 impact for VMT. As noted above, based on the trip generation sheet, the maximum employee and visitor/guest data for the harvest/crush season, the proposed project would not exceed the 110 trip threshold and is therefore presumed to have a less than significant impact. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

- e. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity is discouraged. The project is proposing seven (7) parking stalls, one (1) of which will be ADA compatible, which should accommodate employees and visitors. The proposed project would not be in conflict with General Plan Policy CIR-14 .

Mitigation Measures: None are required.

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

Discussion:

a./b. On August 25, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe, Middletown Rancheria, and Mishewal Wappo Tribe of Alexander Valley did not request consultation within the 30-day notification period, and because no response to the consultation invitation was received, the consultation time period elapsed.

Mitigation Measures: None are required.

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

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion:

- a. As discussed in Section VII. Geology and Soils, a Wastewater Feasibility Study, dated February 9, 2024, was prepared by Stillwater Civil Design. A hold and hall tank is proposed for winery production wastewater. The system will be designed by a licensed engineer and will be reviewed and approved by the Department of Environmental Health. There does not appear to be any limitation on this parcel's ability to support a hold and hall tank, which will be able to support the proposed project. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Additionally, the applicant proposes installing a water tank on the west side of the winery building. The proposed water tank will be used for fire suppression. Impacts will be less than significant.
- b. As discussed in Section X. Hydrology, a Water Availability Analysis (WAA) was prepared by Stillwater Civil Design, dated February 9, 2024. As directed by the County WAA Guidelines (May 2015), the report includes a Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis. The parcel specific groundwater recharge analysis estimated a recharge potential of 2.23 af/yr which is greater than the estimated use of 1.63 af/yr demonstrating that the subject parcel has enough capacity to serve the proposed use. No impacts would occur.
- c. A hold and haul process wastewater disposal system is proposed and will be installed to dispose of the process wastewater. The existing engineered domestic septic system for the residential use has a capacity of up to 900 gallons per day. Adequate septic reserve area was previously permitted by the County The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. The project is not served by a wastewater treatment provider; therefore, no impact would occur.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

| XX. | WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) | Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion:

- a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing road and proposed project will be designed and improved to meet commercial standards as defined in the Napa County Road and Street Standards (NCRSS). The parcel is served by an existing gravel road that starts at the intersection of Mt. Veeder Road. From Mt. Veeder Road, the road runs adjacent to a blueline stream for about 2,200 ft., and then meanders to terminate its 4,400 ft. length at the proposed site. The NCRSS requires a 22 ft. minimum width for roads serving commercial uses such as this proposed winery. The majority of the existing road does not meet the minimum width requirement. The Hillwalker winery project is seeking exception to the NCRSS to accommodate environmental and physical constraints that forbid compliance to the standards. Engineering Division staff has reviewed the Request noted above with the applicant' authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the NCRSS as adopted by Resolution No. 2023-59 by the Board of Supervisors on April 18, 2023, the Engineering Division has determined that the applicant has met the provisions for an exception to the NCRSS. The proposed improvement achieves the same overall practical effect by installing intervisible turnouts along sub-standard segments of the road and implementing vegetation management measures to maintain the line of sight. Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. The cave would be equipped with sprinklers and fire suppression equipment as required by the CA building Code. No impacts would occur.
- b. According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones), the proposed project is located within a moderate fire hazard severity zone and in the State Responsibility (SRA) zone. The private road terminates at Mount Veeder Road and provides access to State Highway 29 and the City of Napa. The proposed project's access road provides access to the winery and is adjacent to an existing vineyard, which is situated on slopes ranging from 0 to over 15 percent. The Fire Marshal's office and Engineering Division have reviewed the plans and determined that the proposed improvements would not result in a physical modification to the slope of the site, change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts of the project would be less than significant.
- c. The existing driveway will be improved to meet NCRSS. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. The physical improvements are limited to converting an existing pool house to a commercial restroom. The proposed project would not physically alter the site in a way, which would expose people or structure to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are required.

| XXI. | MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|------|--|--------------------------------|---|-------------------------------------|--------------------------|
| | a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

As discussed in Section IV. Biological Resources, a Northern Spotted Owl Habitat Assessment for Hillwalker Vineyards Winery, 1871 Mount Veeder Road, Napa, Napa County dated October 12, 2023, was prepared by LSA. The report found based on the most recent data, there are no known NSO nesting sites or activity centers that have been previously identified within or adjacent to the project site; however, there are four activity centers within a 2-mile radius of the project site. The last definitive observation within 2 miles of the project site was an owl hear by a retired CDFW Biologist in 2009, approximately 0.5 miles west of the project site. Based on the above discussion and field assessment, the oak woodland within 330 feet of the project site does not appear to provide suitable nesting and/or diurnal roosting habitat for NSO due to its generally low stature and lack of large multi-canopied trees; however, this woodland could provide nocturnal foraging and disposal habitat for NSO. The 10 trees proposed for removal average between 6 and 12 inches in diameter at breast height, are adjacent to an existing active driveway. Therefore, the removal of these trees would not likely adversely affect the nesting and or diurnal roosting NSO. However, the presence of NSO in the project area cannot be completely ruled out. Therefore, **Mitigation Measure BIO-1 and Mitigation Measure BIO-3** ~~is-are~~ required to be followed, and the proposed driveway improvements related to the widening/turnout areas would not be expected to adversely affect NSO. The project shall comply with 18.108.020; therefore, tree removal would need to be mitigated pursuant to NCC Section 18.108.020.D and, therefore **Mitigation Measure AG-1** is required to be followed. Removal of the ten scattered trees is required to install the upgrades to the existing shared driveway required by the Napa County Road and Street Standards. The potential for ~~this project the driveway improvements~~ to have an impacts on ~~special status species-stream and placement, construction, and operation of the driveway modifications and tree removal areis~~ less than significant with **Mitigation Measure BIO-6**. Also discussed in Section IV. Biological Resources, a temporary wildlife exclusion fence shall be installed between the edge of the detention basin and the driveway improvement locations to prevent animals from entering the work area. **Mitigation Measure BIO-2** would reduce impacts to less than significant. Construction activities could temporarily preclude the movement of some wildlife including small mammals, reptiles, and amphibians. However, after the driveway improvements are constructed, wildlife that may move across the site would be able to continue to do so. In addition, the California giant salamander, Foothill yellow-legged frog, and Western pond turtle are not expected to be within the compacted gravel driveway improvement areas or ephemeral drainage, however: **Mitigation Measure BIO-2 and Mitigation Measure BIO-4** would reduce impacts to less than significant. Finally, the presence of Special Status plants in the project area cannot be completely ruled out. Mitigation Measure BIO-5 would reduce impacts to Special Status plants to less than significant.

a.

As identified in Section V. Cultural Resources, according to the Napa County Environmental Resource Maps there are no known cultural or historic structures on the site. There are no records of cultural resources observed during prior development of the site. The project would not result in significant impacts or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to aesthetics, agriculture, air quality, biology, energy, geology and soils, greenhouse gas emissions, hazard and hazardous materials, hydrology and water quality, noise, population, public services, transportation, utilities and service systems, and wildfire are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, as included on the form dated November 6, 2023. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would decrease water use from the existing conditions by approximately 1.15 af/yr from 2.78 af/yr to a total of 1.63 af/yr The groundwater recharge analysis estimates 2.23 af/yr which is greater than the proposed use of 1.63 af/yr Consequently, the project would not interfere with groundwater recharge or lowering of the local groundwater level. The project did not reach the County thresholds for preparation of a VMT analysis, assuming a less than significant impact. Per County TIS Guidelines any future modification to the winery would look at a VMT analysis for the net cumulative result of all project modifications after January 1, 2022, including this project. Overall, potential cumulative impacts would be less than significant.

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

Mitigation Measures: None are required.
