

Napa County

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Legislation Details (With Text)

File #:	23-07	788	Version: 1			
Туре:	Publi	ic Hearing	g	Status:	Agenda Ready	
File created:	4/28/	/2023		In control:	Board of Supervisors	
On agenda:	6/6/2	023		Final action:		
Title:	PUBLIC HEARING 9:00 AM - Le Colline Appeal					
Saaaaaa	(Appo ECP/ Desig Depa 0041 (CEC Redu Alterr Alterr Repo ECP/ setba move side o Napa Agric 070,	ellant) coi A) submit gnee of th artment or 0-ECPA): QA) includ uced Inter native as native) co prting Proj A as revis acks to av ement. Th of Howell a County (cultural, W 024-300-	ncerning the Le thed by Le Collin he Interim Direct n March 24, 202 ; (2) adopt the fi ling, but not limi hisity Alternative revised and as onsistent with the gram; (4) adopt sed to reflect the void areas with r he project site is Mountain Roac (County) and zo Vatershed and C 071, 024-300-0	Colline Vineyard e, LLC and Cold for of the Plannir (3, to: (1) certify ndings required ted to, rejecting finding the Incre set forth in the F e Napa County t the Modified Project elative higher bid located on 88.3 I and west of Co oned Agricultural Open Space (AW 72, and 024-340	g an appeal filed by Center for d agricultural erosion control a Springs, LLC (Applicant) to a ag, Building and Environmenta the Final EIR prepared for the pursuant to the California Envi- the Proposed Project, the No eased Water Quality and Sen- EIR (the Modified Project or General Plan; (3) adopt the Mo oject Alternative and (5) appro- t, which generally consists of plogical value, and provide for acres south of the community d Springs Road, within the ur Watershed (AW) and general OS) on Assessor's Parcel Nu- -001.	application (P14-00410- decision made by the al Services (PBES) e Le Colline ECPA (P14- vironmental Quality Act Project Alternative and the sitive Habitat Protection the Water and Habitat itigation Monitoring and ove ECPA No. P14-00410 increased stream greater wildlife v of Angwin, on the east incorporated portion of plan designated mbers (APNs) 024-300-
Sponsors: Indexes:						
Code sections:						
Attachments:						
	Ver.	Action By	1	Α	ction	
Date	-					Result

TO:	Board of Supervisors		
FROM:	Brian Bordona - Interim Director, Planning, Building and Environmental Services		
REPORT BY:	Brian Bordona - Interim Director, Planning, Building and Environmental Services		
SUBJECT:	Le Colline Vineyard Appeal - Continuance Requested to August 15, 2023		

RECOMMENDATION

PUBLIC HEARING 9:00 AM - Le Colline Appeal

Consideration and possible direction regarding an appeal filed by Center for Biological Diversity (Appellant) concerning the Le Colline Vineyard agricultural erosion control application (P14-00410-ECPA) submitted by Le Colline, LLC and Cold Springs, LLC (Applicant) to a decision made by the Designee of the Interim Director of the Planning, Building and Environmental Services (PBES) Department on March 24, 2023, to: (1) certify the Final EIR prepared for the Le Colline ECPA (P14-00410-ECPA); (2) adopt the findings required pursuant to the California Environmental Quality Act (CEQA) including, but not limited to, rejecting the Proposed Project, the No Project Alternative and the Reduced Intensity Alternative, finding the Increased Water Quality and Sensitive Habitat Protection Alternative as revised and as set forth in the FEIR (the Modified Project or the Water and Habitat Alternative) consistent with the Napa County General Plan; (3) adopt the Mitigation Monitoring and Reporting Program; (4) adopt the Modified Project Alternative and (5) approve ECPA No. P14 -00410-ECPA as revised to reflect the Modified Project, which generally consists of increased stream setbacks to avoid areas with relative higher biological value, and provide for greater wildlife movement. The project site is located on 88.3-acres south of the community of Angwin, on the east side of Howell Mountain Road and west of Cold Springs Road, within the unincorporated portion of Napa County (County) and zoned Agricultural Watershed (AW) and general plan designated Agricultural, Watershed and Open Space (AWOS) on Assessor's Parcel Numbers (APNs) 024-300-070, 024-300-071, 024-300-072, and 024-340-001.

(APPELLANT, APPLICANT AND STAFF REQUEST A CONTINUANCE TO AUGUST 15, 2023, AT 9:00 A.M.)

EXECUTIVE SUMMARY

The matter before the Board involves an appeal filed by Appellant to a decision by the Designee of the Interim Director of the PBES Department on March 24, 2023, to certify a Final EIR, adopt CEQA findings and approve agricultural erosion control plan P14-00410-ECPA submitted by the Applicant to develop and operate approximately 20.55 net acres of new vineyard within the Lake Hennessey sensitive domestic water supply drainage. The project also involves a timberland conversion permit from CDF.

Pursuant to the County's appeals ordinance (Napa County Code Chapter 2.88), a public hearing on the appeal must be scheduled not less than fifteen days nor more than ninety calendar days from submittal of an appeal. To accommodate Appellant's, Applicant's and Staff's schedules, it is requested that the appeal be heard on August 15, 2023. In order to satisfy the ninety-day scheduling deadline in the appeals ordinance, all parties request that the Chair introduce the item, open the public hearing, and request a motion for continuance to August 15, 2023, at 9:00 a.m. Since this is a simple continuance and the project will not be discussed, Staff presentation and public testimony will not occur at the June 6, 2023, meeting. The Staff presentation and presentations by the Applicant and Appellant along with public comment regarding the appeal and the project will occur at the hearing on August 15th. Written public comments should be submitted in advance of the August 15th hearing.

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Staff, Applicant and Appellant all support the continuance.

PROCEDURAL REQUIREMENTS:

1. Chair introduces items and opens the public hearing.

2. Motion by a Board member, second by another Board member, and a vote by the Board to continue the item to August 15, 2023, at 9 a.m.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	No
Is it currently budgeted?	No
Is the general fund affected?	No
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Draft Environmental Impact Report (State Clearinghouse No. 2016042030) prepared (January 2019); Final Environmental Impact Report (FEIR) prepared (December 2022) and certified.

BACKGROUND AND DISCUSSION

The matter before the Board involves an appeal filed by Appellant concerning the Le Colline Vineyard agricultural erosion control application (P14-00410-ECPA) submitted by Applicant and the decision made by the Designee of the Interim Director of the PBES Department on March 24, 2023, to: (1) certify the Final EIR prepared for the Le Colline ECPA (P14-00410-ECPA); (2) adopt the findings required pursuant to the California Environmental Quality Act including, but not limited to, rejecting the Proposed Project, the No Project Alternative and the Reduced Intensity Alternative, finding the Increased Water Quality and Sensitive Habitat Protection Alternative as revised and as set forth in the FEIR (the Modified Project or the Water and Habitat Alternative) consistent with the Napa County General Plan; (3) adopt the Mitigation Monitoring and Reporting Program; (4) adopt the Modified Project Alternative and (5) approve ECPA No. P14-00410-ECPA as revised to reflect the Modified Project, which generally consists of increased stream setbacks to avoid areas with relative higher biological value, and provide for greater wildlife movement. The project site is located on 88.3-acres south of the community of Angwin, on the east side of Howell Mountain Road and west of Cold Springs Road.

On April 7, 2023, a timely appeal packet was filed by Appellant and a timely appeal packet was submitted on April 20, 2023.Pursuant to the County's appeals ordinance (Napa County Code Chapter 2.88), a public hearing on the appeal must be scheduled not less than fifteen days nor more than ninety calendar days from submittal of an appeal. In order to satisfy the ninety-day scheduling deadline in the appeals ordinance, Staff requests that the Chair introduce the item, open the public hearing and request a motion for continuance to August 15, 2023, at 9:00 a.m. Staff presentation and public testimony will not occur at the June 6, 2023 hearing. Applicant,

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Appellant and Staff all support the continuance.