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Initial Study/Mitigated Negative Declaration

Promise Winery Variance P25-00283-VAR, Use Permit P22-00384-UP
Planning Commission Hearing – February 4, 2026

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Promise Winery Use Permit (File No. P22-00384), Variance (File No. P25-00283), and Exception to Road and Street Standards
2. **Property Owner:** Promise Wine, LLC, 2004 Sage Canyon Road, St. Helena, CA 94574
3. **County Contact Person, Phone Number and email:** Hannah Spencer, Planner III; (707) 253-4018, Hannah.spencer@countyofnapa.org.
4. **Project Location and Assessor's Parcel Number (APN):**
2004 Sage Canyon Rd., St. Helena, CA 94574; APN 032-520-009
Section 5, Township 07 North, Range 04 West, Mt. Diablo Principal Meridian
Latitude 38° 29' 27.4" N / Longitude 122° 20' 11.4" W
5. **Project sponsor's name and address:** Steve McPherson, 2004 Sage Canyon Road, St. Helena, CA 94574
6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** AW (Agricultural Watershed)
8. **Background/Project History:** The project is located on Parcel "B" of the 1989 subdivision approved by Tentative Parcel Map No. 2489-PM. Although the original property was subdivided, subdivision Parcels "A" and "B" have been under the same ownership and continue to be managed together as a single farming operation. In 2016, Lot Line Adjustment #W16-00020 expanded the project parcel (Parcel "B") from 50.19-acres to 62.56 acres in size and subsequently changed the assigned APN from 032-520-007 to 032-520-009 (Note: Parcel "A" is the adjacent parcel to the west, APN 032-520-008). The project parcel's original single-family dwelling (built in 1965) was converted to a guest house in the late 1980's to allow construction of a new main residence and barn which commenced in 1990. In 2016, the landowner replaced the guest house with an accessory dwelling unit and completed related driveway improvements to meet Napa County Road and Street Standards. Other uses on the property include a swimming pool, pool house, garage, shed, a small vineyard, livestock corrals, two groundwater wells, multiple water tanks for domestic use and fire suppression, and two domestic septic systems which serve the main residence and accessory dwelling unit.

Since 1994, the property has been subject to a Williamson Act Type "H" Contract which initially focused on alpaca breeding. Over time, agricultural uses of the property changed and in 2018, the County approved Erosion Control Plan #P17-0348-ECPA to establish a 4.46-acre vineyard (net 3.56 acres). Approximately 0.65 acres have been planted in vineyard Block A, and preparation for planting Blocks B and C is underway. To satisfy conditions of approval of #P17-00348, the landowner recorded a deed restriction protecting 3.12 acres of Oak Woodlands in the northeast portion of the property, under Document No. 2018-0022516.

The project well, referred to as "Well #1" in the Water Availability Analysis (WAA) prepared by CMP Civil Engineering & Land Survey Inc., was constructed in 1988 (on file with county records; no permit number). Well #1 is 290 feet deep and currently serves the vineyard and accessory dwelling unit. Permit history shows Well #1 yielded 20 gallons per minute (gpm) at the time of well completion in 1988. Well #2 was constructed in 2014 under permit no. E14-00169 and serves the main residence. Well #2 is 128 feet deep and yields 1 gpm.

The property's 1989 subdivision records and a more recent 2016 geotechnical report describe a spring source and spring tanks existing on the property. However, according to the project WAA, the spring source was not locatable during inspection of the site, and no spring tanks were identified. The project WAA presumes there are no longer any spring sources being used on the property as the property owner who has resided on the property since 2016 confirms there are no springs being used to serve existing uses and there is no spring box, spring tanks or other infrastructure generally required to develop a possible spring into a water source.

On August 14, 2025, PBES issued Building Permit #BR25-00800 to allow installation of a 110,499-gallon water tank on the property for residential fire suppression uses. On October 1, 2025, the applicant modified the proposed winery project to include use of this tank for winery fire suppression and vineyard irrigation uses. If the winery project is approved, the property owner will be required to revise #BR25-00080 to connect the tank to the winery to satisfy standard project conditions of approval.

The subject planning application #P22-00384 (Promise Winery Use Permit) was submitted on November 10, 2022, and deemed complete on November 6, 2025. The application originally requested a use permit for a Micro-Winery and was later modified to a request for a full Winery with Marketing Events. The application also includes requests for a variance (P25-00283) to winery setbacks and an exception to Napa County Road and Street Standards (NCRSS). On December 9, 2022, staff issued courtesy notices to interested parties and landowners of property within 1,000 feet; and again, on January 3, 2024, to reflect the updated project description.

9. **Description of Project:** Request for a Phased Use Permit to allow a 30,000 gallon per year winery with daily tours and tastings by appointment, and marketing events on a 62.56-acre parcel.

Phase I consists of the following:

- Conversion and expansion of an existing 1,300 square foot barn to a 2,794 square foot winery building (production use only) for barrel fermentation and aging of up to 5,000 gallons of wine per year with all other production steps occurring at an offsite custom crush facility) and conversion of an existing 1,268 square foot accessory dwelling unit to a tasting room (no change in size) with 845 square feet of accessory use and 423 square feet of production use.
- Construction of a new 2,465+/- square foot outdoor patio next to the winery and a new 900 square foot unenclosed covered parking structure including a 62 square foot accessible restroom (accessory use) and 62 square feet of storage space (production use).
- By appointment visitation, tours and tasting, and retail wine sales, for up to eight visitors per day, or 56 per week, and two marketing events per year with up to 25 people per event between the hours of 6 p.m. to 10 p.m., with cleanup by 11 p.m. Events would be held at the tasting room, winery patio and surrounding areas.
- On-premises consumption of wine (Business and Professions Code sections 23358, 23390 and 23396.5) at the outdoor patios of the tasting room and winery.
- Hours of operation are seven days a week from 8:00 a.m. to 5:00 p.m., except during harvest for production, and seven days a week from 9:00 a.m. to 6:00 p.m. for visitation.
- Two full-time employees and one part-time employee (two employees are owner-operators who live onsite).
- Seven on-site parking spaces consisting of: two existing standard spaces, three new standard spaces, and two new accessible spaces. Three of the six spaces (two standard, one accessible) will be housed in the new parking structure.
- Use of an existing domestic septic system to serve the tasting room and winery. No winery process wastewater to be generated from the Phase I winery facility; cleaning of equipment and barrel washing will occur at an offsite custom crush facility.
- Use of an existing groundwater well and water storage tank for winery domestic uses.
- Driveway improvements to meet the Napa County Road and Street Standards, where feasible.
- Connection to a 110,499-gallon fire protection/vineyard irrigation water tank (permitted under BR25-00800) and construction of a new fire pump house.
- Limited catered and pre-prepared food pairings (no commercial food facility proposed).

Phase II consists of the following:

- Construction of a 5,000 square foot Type I wine cave for winery operations and storage (production use only), a 1,235 square foot covered crush pad and an adjacent 1,040 square foot mechanical enclosure to allow full wine production of up to 30,000 gallons per year.
- Conversion of a portion of the winery building interior to allow accessory uses including an employee restroom, break room, and office.
- Increasing visitation to 15 visitors per day, or 105 per week, and increasing marketing events to seven events per year with six 25-person events and one 100-person event. Portable restrooms will be used for the large event.
- No changes to Phase I on-premises consumption of wine.
- No changes to Phase I hours of operation.
- Increase employee count by adding two part-time employees, for a total of five (5) employees.
- Construction of two additional standard parking spaces for a total of nine on-site parking spaces.
- Installation of a water recycling, biological processed waste system package unit and associated tanks to recycle winery process water and reuse for vineyard irrigation.
- Excavation of approximately 7,000 cubic yards of spoils and final placement of spoils spread uniformly throughout vineyard blocks B

and C.

- Tree and vegetation removal as discussed further below.
- No changes to Phase I limited catered and pre-prepared food pairings.

Groundwater Use:

The project will use water sourced from an existing groundwater well, referred to as "Well 1" in the WAA prepared by CMP Civil Engineering & Land Survey Inc. in 2025. The WAA estimates the project, at full build out, will require 0.76-acre feet of water per year (AFY); however, due to the elimination of the accessory dwelling unit and reuse of treated winery process wastewater for vineyard irrigation, the project is not expected to result in an overall increase in water use.

2025 WAA project water use estimate:

- -0.50 AFY - converting the accessory dwelling unit (includes 0.10 AFY for existing landscaping).
- +0.11 AFY - domestic winery water use (employees, tasting room visitors, events).
- +0.10 AFY - winery landscape water use.
- +0.55 AFY - wine processing (measured at 6 gallons of process waste per gallon of wine produced).
- -0.55 AFY - process wastewater treated and reused onsite for vineyard irrigation.

Total: -0.2862+/- AFY

Water Tank Storage:

An existing 20,000-gallon domestic water tank currently serving the accessory dwelling unit and vineyard will continue to be used for the winery project. A 110,499-gallon water tank permitted under BR25-00800 will be used to store water needed for winery fire suppression and supplemental vineyard irrigation. Both tanks are connected to the project well (Well #1).

Vegetation Removal, Grading and Access Improvements:

All grading, construction, and vegetation removal activities are proposed outside of the stream setbacks for Sage Creek, a County-designated Significant Stream, and onsite ephemeral streams. The project proposes to remove a total of five trees from the developed/disturbed area of the property. These include four Blue Oak trees ranging from 9-inch to 24-inch DBH and one 22-inch DBH White Oak to accommodate road widening, new parking spaces, and a new winery patio. Construction of the new crush pad and cave will result in removal of approximately 1,500 square feet of native mixed chaparral. The fire protection water tank permitted under BR25-00800 is under construction in a previously disturbed area; no shrubs or trees are proposed for removal. Overall, the project proposes grading/excavation of a net 7,000+/- cubic yards and adding 20,930 square feet of impervious surface area on the project parcel, plus 925 square feet of new impervious surface area on the driveway easement parcel. Excess soil cut from the project site and cave spoils will be spread uniformly in the vineyard to achieve an onsite balance, resulting in an approximate one-foot deep layer of spoils added to vineyard blocks B and C.

Proposed access improvements include upgrades to the project entrance and driveway, traffic safety signage, and vegetation management. On June 18, 2025, Caltrans accepted the applicant's proposed measures for improving sight distance at the driveway. These measures include trimming vegetation, re-striping the project driveway apron, installing new traffic safety signage and LED blinking warning signs along Sage Canyon Rd, and relocating existing mailboxes further back into the shoulder. Approved encroachment permits from Caltrans and Napa County Department of Public Works must be obtained prior to commencement of any improvements/work within the Sage Canyon Rd/Hwy-128 right-of-way.

Due to the access easement location, stream setbacks, and avoidance of mature oak trees and steep hillsides, the project requests an exception to the Napa County Roads and Street Standards (NCRSS) from the commercial driveway width standard at various locations along the existing driveway. To achieve the same overall practical effect of the NCRSS for commercial roads, the project proposes driveway widening and installation of intervisible turnouts along sub-standard segments of the road, as well as signage and management of vegetation to maintain line of sight. Vegetation management consists of vegetation trimming along the driveway and removal of one Blue Oak tree from the upper portion of the driveway, below the proposed winery building's parking area. The paved driveway would be extended to the proposed winery building to improve access and provide paved parking spaces and fire truck hammerhead turnaround areas. On May 20, 2025, the Napa County Engineering Services Division and Fire Marshal's office determined these measures would achieve the same overall practical effect of the NCRSS.

Variance:

Included with the use permit request is a variance to the Zoning Code's 300-foot winery setback requirement for the private road that serves the project parcel and adjacent parcel to the west (APN 032-520-008), as well as the 600-foot winery setback requirement from Sage Canyon Road (SR-128). A variance to the winery road setbacks would allow the landowner to utilize existing buildings and construct the new covered parking structure and crush pad/mechanical enclosure in flatter areas of the property which are adjacent to the

existing buildings. All existing and proposed structures are within approximately 344 to 488 feet from Sage Canyon Road. The existing barn/proposed winery building is approximately 279 feet from the private road. Justification for the variance focuses on the property's steep topography and minimizing grading and vegetation/tree removal by using existing buildings and adjacent flatter areas. The request highlights that all existing and proposed structures would be screened from view from both roads by existing topography and vegetation.

10. **Describe the environmental setting and surrounding land uses.** The project is located on a moderately to steeply sloped 62.57-acre parcel in the Pritchard Hill area, on the north facing slopes above Sage Creek and Sage Canyon Road/Hwy 128. The surrounding area consists of mountainous terrain with oak woodland, riparian woodland, shrubland, and grassland interspersed with rural residences, vineyards, and wineries.

The project driveway is on the south side of Sage Canyon Road/Hwy 128, a designated viewshed road, located approximately 0.8 mile east of its intersection with Chiles Pope Valley Road. An existing driveway off a 40-foot-wide right-of-way easement through an adjacent property owned by the City of Napa provides direct access to the proposed tasting room and winery buildings. Portions of the existing paved driveway are in the Sage Creek stream setback, a designated significant stream, which flows along Sage Canyon Road/Hwy 128 and borders the northern project parcel's boundary. The entire parcel is within the Lake Hennessey Domestic Water Supply Drainage; several unnamed ephemeral streams crossing the property flow into Sage Creek and eventually Lake Hennessey. According to Napa County GIS Environmental Maps (Vegetation layer) and a 2018 biological resource assessment prepared by FirstCarbon Solutions, for #P17-00348, the property contains disturbed oak woodland (understory used for pasture), oak woodland, riparian woodland, nonnative grassland, serpentine shrubland, serpentine grassland, and native mixed chaparral. The project proposes using an existing building complex onsite, which contains residential and agricultural uses located at approximately 430 to 460 feet above mean sea level (above msl), with slopes ranging from approximately 2% to 20%.

Promise Wine, LLC owns the adjacent parcel to the west (APN 032-520-008; subdivision Parcel "A") which is developed with a residence, accessory structures and a driveway that connects to City of Napa's easement parcel as well as the project parcel. Subdivision Parcel A continues to be managed with the project parcel as a single farming operation. The nearest non-project related residence is located to the north, across SR 128 and approximately 600 feet from the proposed winery.

11. **Other agencies whose approval is required.**

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 are required by the California Department of Transportation and the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms. Permits may also be required by the California Department of Fish and Wildlife (CDFW).

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife (T)
San Francisco Regional Water Quality Control Board (R)
California Department of Transportation (R)

Other Agencies Contacted

Middletown Rancheria
Mishewal Wappo Tribe of Alexander Valley
Yocha Dehe Wintun Nation

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 certified mail to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on May 30, 2025. The County received a response letter from the Yocha Dehe Wintun Nation on July 1, 2025 (Identification Number YD-05012017-04) indicating that the project area was not within their aboriginal territories. On July 15, 2025, the County replied to the Yocha Dehe Wintun Nation and closed the consultation invitation because the Tribe did not request consultation. On July 15, 2025, the County also sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County coordinated with Middletown Rancheria during meetings held in October and November 2025. The County agreed to incorporate additional mitigation measures for the protection of tribal cultural resources in response to new information and concerns raised by the Middletown Rancheria. This is discussed in detail in **Section XVIII (Tribal Cultural Resources)**.

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.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with #P22-00384 as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or [Current Projects Explorer | Napa County, CA \(countyofnapa.org\)](http://Current%20Projects%20Explorer%20-%20Napa%20County,%20CA%20(countyofnapa.org))

- GOULD Architecture, April 25, 2025, Promise Wine Winery Use Permit – Phase 1 & 2 project plans (**Exhibit A**)
- Applied Civil Engineering Inc., January 31, 2025, Promise Wine LLC Use Permit Conceptual Site Improvement Plans (**Exhibit B**)
- Applied Civil Engineering Inc., January 31, 2025, Request for Exception to the Napa County Road and Street Standards for the Promise Wines Winery Use Permit Application P22-00384 (**Exhibit C**)
- CMP Civil Engineering & Land Surveying Inc., October 22, 2024, Domestic & Production Wastewater Feasibility Report for the proposed Promise Winery (**Exhibit D**)
- CMP Civil Engineering & Land Surveying Inc., October 6, 2025, Water Availability Analysis Report for the proposed Promise Winery (**Exhibit E**)
- GHD, January 22, 2025, Promise Wine Vehicle Sight Distance & Mitigation Report (**Exhibit F**)
- FirstCarbon Solutions, July 10, 2017 (updated February 27, 2018), Biological Resources Assessment for 4.75 acres of the McPherson Ranch, 2000 and 2004 Sage Canyon Road, Saint Helena, California (**Exhibit G**)
- FirstCarbon Solutions, May 5, 2017, Cultural resources Assessment – Promise Vineyards, Napa County, California (**Confidential**)
- May 2025 Site Inspection Photos, by Hannah Spencer, Project Planner (**Exhibit H**)
- Napa County Geographic Information Systems (GIS) Environmental Maps/Layers.
- Napa County Permit History Records for 2000 and 2004 Sage Canyon Rd, APN 032-520-008 and -009.

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 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.


Signature

12-9-25

Date

Name: Hannah Spencer, Planner III
Napa County Planning, Building, and Environmental Services Department (PBES)

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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/b/c. 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 steep terrain with a mix of oak woodland, grassland, riparian woodland along Sage Creek, and shrubland interspersed with rural residential, vineyard, and winery uses. The project parcel is accessed from and borders Sage Canyon Road/Hwy 128- a County designated Viewshed Road. Development visible from designated viewshed roads are subject to the Napa County Viewshed Protection Program. Sage Canyon Road/Hwy 128 is also an “eligible State Scenic Highway” according to [California State Scenic Highway System Map](#), which means the highway is considered part of the State Scenic Highway System and efforts should be made to protect its scenic qualities. Within the vicinity of the project site is Napa County Regional Park and Open Space District’s Moore Creek Park.

The project proposes to utilize and remodel two existing structures and construct several new structures, including a new 900-square foot covered parking structure, 1,235 square foot covered crush pad with an adjacent 1,040 square foot mechanical enclosure, and a 5,000 square foot wine cave- all of which would be set back approximately 344 to 488 feet from Sage Canyon Road/Hwy 128. Although the winery structures will be in the County’s 600-foot road setback for new wineries (NCC §18.104.230(A)1.), existing topography and vegetation screen these areas and structures from public views from Sage Canyon Road/Hwy 128. By using existing structures and access features, and constructing relatively small buildings, the project does not result in substantial changes to the natural landforms and topography of the site. Vegetation removal is limited, consisting of five oak trees and approximately 1,500+/- square feet of shrubland. All areas proposed for vegetation removal are screened from view from Sage Canyon Road/Hwy 128.

According to NCC §18.106.010(A), a primary purpose of the Napa County Viewshed Protection Program is to provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the county. These standards include the protection of “substantial views” where 51 percent or more of the area facing the designated viewshed road can be seen, while NCC §18.106.030(A) states that the Viewshed Protection Program shall apply to all new structures located on slopes of 15 percent or more. The project proposes a cave portal and crush pad on slopes exceeding 15 percent; however, these features of the project cannot be viewed from any designated public road because of their relationship to surrounding topography and existing vegetation. Standard conditions of approval require that the landowner execute and record in the county’s recorder’s office a use restriction, in a form approved by county counsel, requiring the existing covering vegetation be maintained, or replaced with equivalent vegetation by the owner or the owner’s successors. By incorporating standard conditions of approval, impacts to public views from Sage Canyon Road/Hwy 128 would be less than significant.

As mentioned above, Napa County Regional Park and Open Space District’s Moore Creek Park (Moore Creek and Hennessey Units) is within the vicinity of the project site. Moore Creek Park offers trails with publicly accessible vantage points; with the nearest trail approximately 0.75 miles west of the project site. Although the project could be visible from these public vantage points, surrounding topography and vegetation would substantially screen the project site. Furthermore, the project’s new structures would blend in with their surroundings as they generally repeat the form, line, color, texture, and night lighting of the existing development onsite. Standard conditions of approval

further reduce impacts to public views by requiring new structures to utilize earth tone and non-reflective materials and colors. All exterior lighting will be designed to minimize nighttime light disruption and visual glare (see discussion under d. below). As such, the project would not degrade the existing character of the site and its surroundings and impacts to publicly accessible vantage points from regional park trails would be less than significant.

For the reasons described above, 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 proposed new structures would not have a substantial adverse effect on a scenic highway or vista. Although Napa County does not have a design review ordinance, the proposed structures would be designed and built tastefully with natural materials and vegetation, limiting impacts of construction upon the land. Additionally, there are no historic buildings, significant rock outcroppings or geologic features on the project site that would be impacted by the proposed project. Therefore, the proposed project would have a less-than-significant impact on a scenic vista and scenic resources.

d. The proposed new winery facility may result in the use of additional lighting that may have the potential to impact nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting for the winery is required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As designed and operating subject to the County's standard condition of approval noted below, the project would not have a significant impact resulting from new sources of outside lighting.

6.3 **LIGHTING – PLAN SUBMITTAL**

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.*

4.16 **GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS**

- a. *All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.*

Pursuant to standard Conditions of approval for wineries, the winery will be prohibited from installing highly reflective surfaces, therefore the project would not have a significant impact resulting from new sources of glare.

6.15(g) **COLORS**

The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation; or colors required by the Secretary of Interior's Standards for Treatment of Historic Properties; or natural earth tone building materials. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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/e. The project does not result in the conversion of mapped farmland. According to the Napa County Important Farmland 2020 map prepared by the California Department of Conservation, Division of Land Resource Protection, the entire project parcel is mapped as "Other Land". The nearest mapped Prime Farmland, Unique Farmland or Farmland of Statewide Importance is located over 2,000 feet to the south. No impacts will occur.

b. The project parcel has an Agriculture, Watershed and Open Space (AWOS) General Plan designation and is Zoned AW (Agricultural Watershed) which allows wineries upon the granting of a use permit. Napa County's 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. As such, the proposed winery project does not conflict with existing zoning for agricultural uses.

Since 1994, the project parcel has been subject to a Williamson Act Type "H" contract (Document No. 1994-005282). After the 2016 lot line adjustment was completed, the landowner rescinded and replaced the original Williamson Act contract with a new contract to reflect the adjusted property line boundaries. The replacement contract recorded on December 29, 2016, under Document No. 2016-0033487, restricts the use of the property to agricultural uses and uses deemed compatible with agriculture. Permitted uses listed under contract include sale of agricultural products grown, raised, or produced on the project parcel and agricultural processing facilities and permitted accessory uses thereto. As the project involves expanding the existing agricultural operations by establishing a winery to process grapes primarily grown onsite and a marketing program to sell wine produced onsite; the project does not conflict with the Williamson Act contract. Additionally, the project does not necessitate removal of vineyards or other agricultural uses conducted on the property. No impact would occur.

c-d. Forest Land" is defined in California Public Resource Code Section 12220(g) as "land that can support 10% 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. According to Napa County GIS Sensitivity Layers, a biological assessment prepared for the vineyard erosion control project #P17-00348 (FirstCarbon Solutions, 2018

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.

Exhibit G), and staff's inspection of the site, the developed areas of the property are surrounded by shrubland, oak woodland, and riparian woodland. The project proposes to remove five (5) oak trees from developed areas and approximately 1,500 square feet of shrubland. Thus, no conversion of forest land would occur. Additionally, the project site is zoned as AW and is not zoned as forest land as defined in Public Resource Code Section 12220(g), timberland as defined in Public Resource Code Section 4526, or a Timberland Production Zone (TPZ) as defined in Government Code Section 51104(g). No impacts will occur.

Mitigation Measures: None are required.

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"/>

Discussion²:

See **Section VIII (Greenhouse Gas Emissions)** for the greenhouse gas (GHG) emissions disclosure and impact assessment.

Discussion: On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) (now known as the Bay Area Air District) (BAAD) 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 BAAD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAD'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 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 BAAD 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.

² CEQA Thresholds and Guidelines Update ([baaqmd.gov](https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines)): <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>

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 PM2.5, 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 PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 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 PM2.5 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 (BAAD, *In Your Community: Napa County*, April 2016).

The potential 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 (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). 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.

BAAD 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. BAAD 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 2022. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through 2022. Given the size of the entire project, which is approximately 9,192 square feet of floor area dedicated to production uses with approximately 5,000 square feet dedicated to tasting/hospitality uses (907 square feet indoor space, 4,100+- square feet of outdoor space) compared to the BAAD's screening criterion of 541,000 square feet (general light industry) and 47,000 square feet (high quality restaurant) for NOX (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 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. Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project parcel include rural residential, agriculture (primarily vineyard), wineries, and a regional park. The closest school (St Helena Montessori School) is over 6 linear miles to the northwest of the project site in St. Helena. The closest residence is about 400 feet from the project site, on the adjacent parcel owned by the applicant, Promise Wine, LLC. As mentioned above, the applicant manages the adjacent parcel (APN -008) and the project parcel (APN -009) together, as a single agricultural operation. The next closest residence is approximately 600 linear feet from the project site, located across the canyon on the north side of Sage Canyon Road/Hwy 128. The City of St. Helena and nearby residential areas are over 5 miles west of the project area.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project

construction. 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. These sources would generally be temporary and/or seasonal in nature and would occur at least 6 miles from the closest school and 5 miles from the nearest residential community, providing dilution of pollutants and odors. 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 are considered less than significant. Additionally, for the reasons identified above, the proposed project will not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less than significant impact.

7.1 SITE IMPROVEMENTS

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 traced 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 by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. 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/perfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Furthermore, while earthmoving and construction on the site would 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 IMPROVEMENTS

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.

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. With exception of the applicant's residence on APN -008, the nearest offsite residence is approximately 600 linear feet from the project site, located across the canyon on the north side of Sage Canyon Road/Hwy 128. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a. The proposed winery facility includes use of an existing building complex, paved road and gravel parking areas, and three new structures. The existing 1,300 square-foot barn will be remodeled and expanded into a 2,794 square-foot winery facility with an outdoor patio. Construction activities will occur in the areas immediately surrounding the barn which are primarily graveled or disturbed by pasture and other agricultural uses, however the winery patio will result in removal of one adjacent 22" DBH white oak tree from the adjacent fenced pasture. The existing 1,268 square foot accessory dwelling will be converted to a tasting room and result in no new disturbance. A new 900-square foot covered parking structure is proposed next to the tasting room on a paved parking area and requires no new disturbance. The new 1,235 square foot covered crush pad, 1,040 square foot mechanical enclosure, and 5,000 square foot wine cave are proposed on a hillside adjacent to the barn's graveled parking area. This area contains a dirt road, fenced garden, and native mixed chaparral. As you move further up the hill, vegetation cover changes from chaparral to oak woodland. Approximately 1,500 square feet of the hillside chaparral habitat would be removed to accommodate construction activities. Disturbance resulting from the proposed road widening improvements will be limited to several road shoulder segments and areas within the building complex. Road and parking improvements in the building complex require removal of four blue oak trees ranging in size from 9" – 24" DBH. As discussed previously, the winery proposes to connect to a fire protection water tank permitted under #BR25-00800. The water tank is in a previously disturbed area with no shrubs or trees. Photographs of existing project site conditions are provided in **Exhibit H**.

Special Status Plants:

According to the Napa County GIS Environmental Maps (Vegetation layer) and FirstCarbon Solutions' 2018 Biological Resource Assessment prepared for the vineyard project (Vineyard Project BRA), the property contains developed and disturbed areas including agricultural and residential structures, ranch roads, vineyard, non-native grassland, and disturbed oak woodland with understory used for pasture. The undeveloped portions of the property contain oak woodland and other sensitive biotic communities, including riparian woodland along Sage Creek, Coast live oak woodland, serpentine grassland, and serpentine shrubland. Based upon a review of the resources databases listed in the Vineyard Project BRA, 13 special-status plant species have been documented within five miles of the project site, within the Yountville quadrangle. The Vineyard Project BRA found that many of these species require specialized habitats that were not found to occur on the property (**See Exhibit G**). No wetlands, vernal pools or other hydrological features were observed within the development area or are mapped by Napa County GIS Environmental Maps.

According to the Vineyard Project BRA, the chaparral habitat onsite has a good mix of native species which presented the highest probability of supporting three special-status plant species known to occur in chaparral habitat: holly-leaved ceanothus, Jepson's leptosiphon, and Sonoma beardtongue. Additionally, Napa County GIS Environmental Maps (CNDB layer) show the project site (building complex) and entire northern portion of the property is within range of documented occurrences of two rare plants: green jewelflower (*Streptanthus hesperidis*) and Greene's narrow-leaved daisy (*Erigeron greenei*). Green jewelflower is an annual herb that is found only in California and occurs within Chaparral (openings) and Cismontane woodland, growing at elevations from about 420 to 2,500 feet (CNPS Rare Plant Inventory website: [Streptanthus hesperidis](#)). Greene's narrow-leaved daisy is a perennial herb that is found only in California and occurs within Chaparral (serpentine, and volcanic), growing at elevations from about 260 feet to 3,300 feet (CNPS Rare Plant Inventory website: [Erigeron greenei](#)). Both plants are CNPS California Rare Plant Rank (CRPR) List 1B species, which are considered "Rare, Threatened, or Endangered in California and Elsewhere" and are fairly threatened in California (i.e., moderate degree/immediacy of threat). CRPR List 1B species meet the definition of Section 1901, Chapter 10 of the Native Plant Protection Act, or Sections 2062 and 2067 of the California Endangered Species Act of the California Fish and Game Code (CFG) and are eligible for state listing.

Based on inspection of the site, County GIS layers, and the Vineyard Project BRA, staff concluded that a portion of the proposed cave and crush pad area (approximately 1,500 square feet) contains chaparral habitat. Other areas of the project site are already developed or disturbed by agricultural uses.

Protecting the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats is encouraged by Napa County General Plan Goal CON-3.³ Pursuant to Napa County General Plan Policy CON-13, the County requires discretionary agricultural projects consider and address impacts to wildlife habitat and avoid impacts to habitat supporting special-status species to the extent feasible, and where impacts to special-status species and their habitat cannot be avoided, projects shall include effective mitigation measures to provide protection for habitat supporting special-status species through buffering or other means. Specifically, General Plan Policy CON-13(d) and (e) provide protections for habitat through buffering or other means, and by requiring replacement of habitat of like quantity and quality on- or off-site to mitigate impacts on special status species.

Because the project is located within range of documented occurrences of green jewelflower and Greene's narrow-leaved daisy and contains a small area of potentially suitable chaparral habitat for these species, as well as for other special-status plants known to occur in chaparral, the project may result in direct or inadvertent removal of special status plants. Removal of special status plants is considered a potentially significant cumulative impact therefore, **Mitigation Measure BIO-1** has been incorporated into the project to require botanical surveys for special-status plants at the project development areas prior to any grading and/or vegetation removal and that any special-status plants/populations proposed for removal, including any inadvertent removals as part of development authorized under #P22-00384, are replaced on-site at a ratio of 2:1 at locations with similar habitat. Implementation of **Mitigation Measure BIO-1** will reduce potentially significant cumulative impacts on special-status plants to a less than significant level.

The other improvements proposed by the project include the parking structure, road improvements, and winery building expansion which are all within and/or immediately adjacent to developed and/or disturbed areas that are actively managed for residential and agricultural use. For these reasons, these areas have a low potential to support occurrences of any special-status plant species.

Special Status Wildlife:

Based upon a review of the resources databases listed in Vineyard Project BRA, nine special status wildlife species have been documented within five miles of the project site; as discussed above, many of these species require specialized habitats that were not found to occur on the property. The closest suitable habitats for five of these species occur one to two miles northeast at Lake Hennessey, a few miles to the east at Lake Berryessa, and a few miles to the west in Napa Valley. Of the four remaining special-status animal species, two are raptors (bald eagle and white-tailed kite). The Vineyard Project BRA found that while there is low potential for raptors to nest in the larger oaks and eucalyptus onsite, the property is too densely forested or developed to provide foraging habitat. White-tailed kites are more likely to be found nesting near savanna, open grasslands, marshes, partially cleared lands, and cultivated fields, which are not found in abundance on the project property. More suitable nesting habitat for the bald eagle exists adjacent to the nearby lakes in the area, closer to foraging habitat for fish. Given the project's isolation from other habitat areas, relatively small size, and proximity to active residential and agricultural uses, there is a low potential for these species to regularly utilize and/or nest in the project area. However, there is potential for nesting raptors and other native birds to use oak trees and larger native shrubs within proximity to the project. All nesting native bird species are protected from harm under the Migratory Bird Treaty Act of 1918 (MBTA). Proposed tree and vegetation removal and the temporary and intermittent increases in noise levels due to project construction may cause nest abandonment and death of young or loss of reproductive potential at active nests that could be located near project activities, resulting

³ Goal Con-3: Protect the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats, and comply with all applicable state, federal, or local laws or regulations.

in potentially significant indirect and cumulative impacts to migratory birds and raptors. Implementation of **Mitigation Measure BIO-2** will require preconstruction surveys for nesting birds to reduce this impact to less than significant level.

The other two special-status species on the list are the obscure bumble bee and the pallid bat. The obscure bumble bee inhabits open grassy coastal prairies and coast range meadows and is therefore unlikely to occur onsite (Vineyard Project BRA). The pallid bat is usually found in rocky, mountainous areas and near water. It roosts in places such as attics, rock cracks, buildings, and caves. Although the Vineyard Project BRA found that pallid bats have a low potential to occur in the buildings and larger trees onsite, the project does propose building renovation and tree removal which could result in potential impacts to roosting bats. In an abundance of caution, in order to mitigate any potentially significant impacts to bat species, **Mitigation Measure BIO-3** requires a bat habitat assessment and surveys prior to any on site vegetation removal.

b. The project property contains a variety of sensitive biotic communities including riparian woodland along Sage Creek, Coast live oak woodland, serpentine grassland, and serpentine shrubland per Napa County GIS Environmental Maps (Vegetation layer). Protecting sensitive biotic communities, including mixed serpentine chaparral, is encouraged by the Napa County General Plan Conservation Element through General Plan Policy CON-17 which requires that the County preserve and protect sensitive biotic communities.

As discussed above, the project would remove 1,500+- square feet of shrubs located on the edge of the barn complex. Although Napa County GIS Environmental Maps show this area is mapped as Coast live oak woodland, staff's inspection of the site and review of County GIS imagery layers and the Vineyard Project BRA concluded this area consists of chaparral habitat. The project does not encroach into or result in conversion of Coast live oak woodland, serpentine grassland, serpentine shrubland, or riparian woodland habitats onsite. Therefore, the project will not result in any potentially significant impacts to the sensitive natural communities found on the property and no mitigation is required.

c. The entire parcel is within the Lake Hennessey Domestic Water Supply Drainage. Per Napa County GIS Environmental Maps (Hydrology and Water layer) Sage Creek, a blue line stream borders the northern portion of the project parcel and several ephemeral streams originate or cross through this parcel and flow into Sage Creek which in turn flows into Lake Hennessey. Sage Creek and ephemeral streams onsite are all considered sensitive natural resources under Section 404/401 of the CWA and Section 1602 of the CFGC. These streams are mapped as USGS streams and therefore meet the Napa County stream definition pursuant to NCC Section 18.108.025.

The project would not result in significant impacts to riparian habitat or on-site streams or tributaries as the project has been designed to avoid all streams any associated riparian habitat with setbacks according to the slope from top of bank of streams with 15-30% slope (Sage Creek 65-foot setback) and ephemeral streams (35-foot setback) per Napa County Code Section 18.108.025(B) (General provisions – Intermittent/perennial streams). The project is also being designed to minimize grading by using existing structures and their adjacent flatter areas. Coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm water Pollution Prevention Plan (SWPPP) may be required. Adherence to the design criteria of these policies and Napa County's Grading Regulations will ensure all work will include extensive erosion control measures in order to avoid erosion and the potential for transport of sediments to Sage Creek and ephemeral streams. To ensure the project results in reduced impacts to streams, standard project conditions of approval have been incorporated into the project.

Stream Protection – Standard Conditions: The applicant/owner shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction and subsequent vineyard operations:

1. The location of stream setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed; the precise locations of said fences shall be inspected and approved by the Planning Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation and vineyard installation. The protection fencing shall remain in place for the duration of project implementation.
2. All construction and related traffic will remain outside of the protective fencing to the maximum extent practicable to ensure that the stream, buffer zones, and associated woodland habitat remains undisturbed.

According to the Vineyard Project BRA, County GIS layers, and staff inspection of the site, the project development area does not contain other aquatic features such as vernal pools or wetlands. Therefore, no impacts to vernal pools or wetlands are expected.

d. The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to the Napa County Environmental Mapping (GIS CNDB layer) and the Vineyard Project BRA, there are no wildlife

corridors on the parcel. The project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. The site is currently developed with residential and agricultural uses and the proposed improvements would occur on, or adjacent to, previously disturbed areas of the property. Production activities would occur within the existing barn and the proposed adjacent cave; and hospitality activities would occur in the existing accessory dwelling unit. While the project property does offer migrating avian species potential nesting, foraging, and stopover habitat, migrating terrestrial species are unlikely to regularly utilize the project site, primarily due to better habitat with less human activity in the vicinity. Therefore, the proposed project would result in a less than significant impact on wildlife movement.

- e. Based on the property zoning of Agricultural Watershed (AW) the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code Section (NCC) 18.108.020. This section requires 70% retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. Vegetation canopy cover subject to NCC Section 18.108.020 is defined as "the biotic communities classified as oak woodland, riparian oak woodland, or coniferous forest based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended)." As discussed above, the project would result in the removal of five oak trees consisting of four Blue Oak trees ranging from 9-inch to 24-inch DBH and one 22-inch DBH White Oak; however, all five oak trees proposed for removal are located in areas mapped as "Urban or Built-up" per Napa County Environmental Mapping (GIS vegetation layer - based on the Manual of California Vegetation classification system and updated versions/information). Because the oak trees proposed for removal are not within areas classified as oak woodland, riparian oak woodland, or coniferous forest, the project does not trigger Napa County's Conservation Regulations' canopy retention mitigation requirements.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan 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: The owner/permittee shall implement the following measures to minimize potential impacts to special-status plant species (i.e., green jewelflower, Greene's narrow-leaved daisy, holly-leaved ceanothus, Jepson's leptosiphon, and Sonoma beardtongue):

Special Status Plants. Prior to the initiation of earth disturbing activities, the owner/permittee shall conduct botanical surveys for special-status plants at the project site, and adjacent to the project if indirect offsite impacts may occur, in conformance with CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (see: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) to determine if special-status plants are present or to substantiate absence of these species. Surveys shall be conducted during appropriate conditions and more than one year of surveys may be necessary per the protocol. If non-CESA listed special-status plants, including but not limited to California Rare Plant Rank plants, are detected and may be impacted by project activities, the project proponent shall mitigate for impacts at a 2:1 mitigation to impact ratio. Any special-status plants/populations removed, including inadvertent removals, as part of development authorized under #P22-00384, shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plants specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.

Method of Monitoring: Prior to issuance of any grading permit or building permit(s) and through completion of initial site disturbance, the County shall review the results of all pre-construction surveys and any proposed removal of special-status plants/populations, including inadvertent removals. For such removal, a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. All measures shall be noted on the final project plans.

Mitigation measure BIO-2: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and

experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

- b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

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

Method of Monitoring: The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division.

Mitigation Measure BIO-3: Bat Tree Habitat Assessment and Surveys.

Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Method of Monitoring: The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- The project includes converting an existing accessory dwelling unit built in 2016 to a tasting room, and a barn built in 1990 to a winery. No structures are proposed to be demolished. A Cultural Resources Assessment prepared for the vineyard erosion control project under #P17-00348 (FirstCarbon Solutions, May 5, 2017), included a records search and literature review for the property to determine if there were any structures that would be eligible for listing on the National Register of Historic Places or the California Register of Historic Resources. The Cultural Resource Assessment found that no cultural resources have previously been recorded within 0.5 miles of the project parcel, which is consistent with current Napa County Environmental Resource Maps (Cultural Resources). According to Napa County permit records for the 1989 subdivision application, there may be an 1850's residence on the adjacent parcel to the west. However, the project does not involve any offsite structures or their surroundings and as a result, will not impact any unrecorded historic resources.
- FirstCarbon Solutions 2017 Cultural Resources Assessment included a record search and literature review for the project property and a surrounding 0.5-mile buffer to identify any cultural resource survey reports and/or archaeological site records relevant to the project property. As stated above, the Cultural Resource Assessment found that no cultural resources have previously been recorded within 0.5 miles of the project parcel. FirstCarbon Solutions determined there is a low probability of undiscovered prehistoric cultural resources at the site and recommended standard measures for accidental discovery of these resources.

On May 30, 2025, 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 Wintun Nation responded on July 1, 2025, confirming the project is not within their aboriginal territories and declined to comment on the project. The County sent consultation closure notices to the Middletown Rancheria and Mishewal Wappo Tribe of Alexander Valley on July 15, 2025, because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County received new information and concerns raised by Middletown Rancheria. In response, the County incorporated additional mitigation measures for the protection of tribal cultural resources as discussed in Section XVIII below.

As the project proposes ground disturbance, there is the possibility that buried archaeological deposits could be present and accidental discovery could occur. Therefore, the proposed project would be subject to the standard conditions of approval identified below to protect prehistoric cultural resources that may be discovered accidentally:

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES 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 project development, all work in the vicinity must be 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

- No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is

required to cease, and the requirements of Condition of Approval 7.2 and MM-TRC-1 would apply. Impacts would be less than significant.

Mitigation Measures: Refer to Section XVIII. Tribal Cultural Resources for proposed mitigation.

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. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers' commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar agricultural construction sites within Napa County.

The proposed project would comply with Title 24 energy use requirements, and once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant.

b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or 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) Faults that have ruptured to the ground surface during the Holocene time (about the last 11,000 years) are recognized as "active" and are included in the Alquist-Priolo earthquake fault zones (California Geological Survey, 2003). There are no known active faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. According to Napa County GIS Environmental Maps (Fault layers), the project is situated approximately 5 miles from the two nearest Alquist-Priolo Earthquake fault zones (Green Valley and West Napa faults). Napa County GIS Environmental Maps (Fault layers) also show the project property contains a quaternary fault line in the southern portion of the property, over 700 feet from the proposed winery buildings. The United States Geological Survey (USGS) interactive fault map titled U.S. Quaternary Faults (available online at [U.S. Quaternary Faults](#)) identifies this fault as the "Atlas Peak-Foss Valley lineament zone". Quaternary Faults are known to be active within the Quaternary period- about the last 1.6 million years. In 2016, RGH Consultants prepared a geotechnical report for the accessory dwelling unit and other nearby improvements on the property (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470). The report included geologic literature review, a geotechnical reconnaissance of the site and explored subsurface conditions. No landforms were observed within proximity of the building complex that would indicate the presence of active faults thus, RGH Consultants estimated the risk of fault rupture at the site to be low. Additionally, construction of new structures and change in use of the existing structures will need to comply with standard County building permit policies which require geotechnical reports and appropriate structural design considerations as a part of the building permit application. Geotechnical reports are prepared by a California licensed geotechnical engineer and include recommendations for appropriate setback widths from fault traces that may exist on a property. As such, the proposed project would result in a less than significant impact with regards to rupturing of 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. The project site is identified as having a very low 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 GIS Environmental Maps (Landslides line, polygon, and geology layers) the project site is underlain by a landslide deposit estimated to be 58 acres in size that extends from Sage Creek at the lower elevations of the site to about 0.5-mile upslope to the south. The 2016 geotechnical report prepared by RGH Consultants (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470) describes the project parcel as underlain by ancient landslide deposits that are relatively stable. RGH Consultants observed no active landslides or any evidence of recent slope movement at the building

complex area at the time of their assessment in 2016. As discussed above, construction of the project will need to comply with standard County building permit policies which will require a geotechnical (soils investigation) report and appropriate structural design considerations as a part of the building permit applications for all project structures. Geotechnical reports are prepared by a California licensed geotechnical engineer and address soil stability, guiding recommendations for foundation design and earthwork operations. By incorporating Building Division Conditions of Approval to ensure compliance with these requirements, potential impacts are reduced to less than significant.

- b. The total proposed grading for development of the site's cave, building pads, driveway, and road improvements is estimated at approximately 7,000 cubic yards. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards (RSS), Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.
- c/d. According to the Napa County GIS Environmental Maps (Geology, Surficial deposits, Soil Types, Geologic Units, Landslides polygon layers), the project parcel contains Sobrante loam (30 to 50 percent slopes) and is underlain by large Holocene landslide material that cover Franciscan graywacke. The 2016 geotechnical report prepared by RGH Consultants (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470) determined the landslide was ancient (dormant) during their assessment of the property in 2016. The project area was also found to be affected by expansive soils that shrink and swell as they lose and gain moisture throughout the year. As discussed above, prior to issuance of project related building permits, a geotechnical report must be submitted for review and acceptance by the Building Division. Requirements to obtain building permits for new structures and change in occupancy will ensure the project complies with the latest edition of the California Building Code; and that any potential instability related to construction of the project will be addressed so that no on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse occurs. Proposed earthwork will be designed in accordance with Engineering Division Conditions of Approval to ensure that grading and construction activities do not create unstable slopes. Erosion control measures would be implemented in accordance with the Napa Countywide Stormwater Pollution Prevention Program which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite. Thus, potential impacts relating to soil stability will be addressed through appropriate structural design and construction standards and as a result, will be reduced to less than significant.
- e. A Wastewater Feasibility Study, dated October 22, 2024, was prepared by CMP Civil Engineering & Land Surveying Inc. (**Exhibit D**), which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The Study concludes the project site has an existing engineered domestic wastewater treatment system and dispersal field with adequate capacity to serve the proposed domestic uses of the winery and tasting room (employees, visitation, marketing programs). There will be no winery process wastewater generated until construction of Phase II of the project is completed. Phase II will require permitting under the Statewide General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Wastewater Feasibility Study demonstrates the site's existing vineyard is larger than the area required for the compliant land-application of treated process wastewater (winery process wastewater reused for vineyard irrigation). Environmental Health Division Conditions of Approval have been included to ensure compliance with County and State requirements for disposal of wastewater, resulting in a less than significant impact.
- f. No paleontological resources or unique geological features have been identified in the project area which is comprised of Sobrante loam (30 to 50 percent slopes) and underlain by large Holocene landslide material that cover Franciscan graywacke, according to FirstCarbon Solutions' 2017 Cultural Resources Assessment (on file with County records, Confidential) and RGH Consultants' 2016 geotechnical study (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470). FirstCarbon Solutions 2017 records search on the University of California Museum of Paleontology database indicates there are no significant paleontological resources from this and the other geologic units within 0.5 miles of the project property, thus they are considered to have no paleontological potential or sensitivity. 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
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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 BAAD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAD April 2022).⁴ The updated thresholds evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAD, 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 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 the 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.

⁴ <https://www.baagmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

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 use of existing structures and the construction of approximately 8,605 square feet of winery production space, 322 square feet of indoor accessory space, approximately 2,500 square feet of outdoor accessory space, driveway and parking improvements, and other winery related 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 or VMT analysis.

According to the checked Voluntary Best Management Practices Measures submitted with the project application, the applicant plans to implement the following GHG reduction strategies: minimize grading and tree removal by using existing buildings; exceed the minimum number required bike racks; reuse winery process wastewater for vineyard irrigation; adhere to Water Efficient Landscape Ordinance requirements; and use energy conserving lighting (LED) and water efficient fixtures for both existing and new structures. GHG reduction strategies that are already being implemented on the property include use of 70-80% cover crop on the vineyard to reduce erosion and the amount of tilling, retaining biomass removed via pruning and thinning by chipping the material and reusing it, and preservation of 3.12 acres of oak woodland onsite per the conditions of a previous planning permit approval (#P17-00348). A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application.

The proposed tree removal is subject to GHG analysis required by General Plan Policy CON-65(e), as the proposed total tree removal would result in a loss of carbon sequestration capacity of the site. Tree removal associated with the project includes removal of four Blue Oak trees ranging from 9-inch to 24-inch DBH in size and one 22-inch DBH White Oak from the building complex, which collectively amounts to approximately 0.12 acres of canopy. By incorporating the canopy retention and tree protection Conditions of Approval below into the project, impacts resulting from tree removal would be reduced significantly.

Canopy Retention – Conditions of Approval:

- Prior to issuance of building permits, the applicant shall submit a tree replanting plan, prepared by a certified arborist and subject to Planning Division approval, that includes replanting the equivalent amount (or more) of native carbon sequestering trees removed as a result of the project. The replanting plan shall also include a 5-year monitoring program. Alternatively, the applicant may identify and permanently preserve the equivalent amount (or more) of native carbon sequestering canopy through deed restriction or other means of permanent protection in a form approved by County Counsel. Areas proposed for replanting or preservation involving slopes exceeding 30% may only be considered if a report from a qualified professional (i.e. biologist) demonstrates the proposed area provides enhanced water quality and environmental benefits. Replacement trees shall be installed, or the deed restriction recorded, prior to final occupancy of building permits.

Vegetation Protection – Conditions of Approval:

- Prior to any earthmoving activities temporary construction fencing or other means of project demarcation acceptable to the County shall be placed at the limits of the project footprint. The precise locations of said fences shall be inspected

and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc., shall occur within the designated protection areas for the duration of erosion control plan, and vineyard installation and operation.

- Trees or any other vegetation inadvertently removed as a result of the project shall be replaced onsite at a 2:1 ratio: trees shall be replaced with fifteen-gallon container size trees. For such removal a replacement plan shall be prepared for county review and approval that includes at a minimum, the locations where replacement trees and vegetation will be planted, plant container sizes or seeding specifications, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before vineyard planting activities. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the erosion control plan.
- The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the project area.

By adhering to these relevant design standards identified by BAAD, the requirements of the California Building Code, and Conditions of Approval, the project would be consistent with the State's long-term climate goals of being carbon neutral by 2045. Impacts would be less than significant.

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 wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- 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 continued operations of an existing 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 buildings. According to Google Earth, the nearest school to the project site (St. Helena Montessori School) is over 6 linear miles to the northwest of the project site in St. Helena. 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. As detailed further in Section XVII. (Transportation), the project proposes measures to improve access and sight distance at the project driveway entrance, as recommended in the Promise Wine Vehicle Sight Distance & Mitigation Report prepared by GHD, dated January 22, 2025 (**Exhibit F**). These measures were reviewed and accepted by the Napa County Department of Public Works (Public Works) and California Department of Transportation (Caltrans) and include trimming vegetation, restriping the project driveway apron, installing a stop sign at the driveway for outbound vehicles, installing new traffic safety signage and LED blinking warning signs along Sage Canyon Rd, and relocating existing mailboxes further back into the shoulder. Project Conditions of Approval require that the applicant obtain approved encroachment permits from Caltrans and Public Works prior to commencement of any improvements/work within the Sage Canyon Rd/Hwy 128 right-of-way.

Additionally, an Exemption to the Napa County Road and Street Standards (NCRSS) is requested for improvements to the driveway to accommodate environmental and physical constraints that present challenging obstacles to the installation of a fully compliant road. The NCRSS require a 22 ft minimum width for commercial access roads. To achieve the same overall practical effect of the NCRSS for commercial roads, the project proposes driveway widening and installation of intervisible turnouts along sub-standard segments of the road, as well as signage and management of vegetation to maintain line of sight. The paved driveway would be extended to the proposed winery barn to improve access and provide paved parking spaces and fire truck hammerhead turnaround areas. The proposed design meets the same overall practical effect as the NCRSS towards providing defensible space and consideration towards life, safety and public welfare, while improving emergency vehicle access to the subject property and the area in general.

The project has been reviewed by Caltrans, Public Works, as well as the Napa County Fire Department and PBES Engineering Services Division and found acceptable, as conditioned. Therefore, the project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, or obstruct emergency vehicle access and impacts would be less than significant.

- g. The project is in a Very High Fire Hazard Severity Zone, approximately 0.5 miles from the perimeters of the R. Wilson fire (1959), Atlas Peak fire (1981) and Hennessey fire (2020). Although the project would increase the number of people visiting the site due to daily winery and tasting room operations and occasional marketing events; the project will be designed to comply with applicable State and County Codes, including but not limited to, a minimum 100-foot defensible space around all structures and a minimum 10-foot defensible space on both sides of the driveway, fire sprinklers in buildings, emergency vehicle access, and a dedicated on-site fire-fighting water supply. The project also includes upgrading the existing paved driveway to improve access and provide fire truck hammerhead turnaround areas to achieve the same overall practical effect of the NCRSS and California Fire Safe Regulations (FSR). Proposed driveway improvements aid in the safe ingress and egress of visitors and emergency personnel to and from the site. By requiring strict adherence to County Building and Fire Codes, and State Fire Safe Regulations, potential impacts would be reduced to 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3- acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. The project well is located outside GSA Subbasin/Hillside.

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's WAA guidance⁵ requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the County's WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement

⁵ The County's Water Availability Guidelines (adopted May 2015)

wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams."⁶

Public Trust: The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA).

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance to comply with the Public Trust.

- a. As discussed in Section VII. (Geology and Soils) the project would not violate any water quality standards or waste discharge requirements. A Wastewater Feasibility Study, dated October 22, 2024, was prepared by CMP Civil Engineering & Land Surveying Inc. (**Exhibit D**) which concludes the project site has an existing engineered domestic wastewater treatment system and dispersal field with adequate capacity to serve the proposed domestic uses of the winery and tasting room (employees, visitation, marketing programs). Phase II of the project includes installation of a water recycling, biological processed waste system package unit to recycle winery process wastewater and reuse for vineyard irrigation. The facility will have to enroll for coverage under the Statewide General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Wastewater Feasibility Study demonstrates the site's existing vineyard is larger than the area required for the compliant land-application of treated process wastewater (winery process wastewater reused for vineyard irrigation). 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. Ongoing water quality monitoring will be required. Impacts would be less than significant. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.
- b. A Water Availability Analysis was prepared by CMP Civil Engineering & Land Surveying Inc., originally prepared on December 6, 2023 and most recently updated on October 6, 2025 (WAA) (**Exhibit E**). As directed by the County's WAA Guidance Document dated May 2015 and the Interim Standards, the report includes Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis and a Tier 2 well interference analysis. Although the existing project well is located within 1,500 feet of Sage Creek, a designated Significant Stream, the WAA concludes that a Tier 3 surface water interference analysis is not required because the project proposes a reduction in overall groundwater use through the removal of an existing residential use and the recycling of winery process wastewater for supplemental vineyard irrigation. Through these changes in operation, the project will reduce overall well pumping time and will therefore reduce any assumed harm relative to current conditions.

There are two existing wells on-site:

- Well #1 is the project well which currently serves the accessory dwelling unit and vineyard. Well #1 was completed in 1988 to a depth of 290 feet. At the time of completion, Well #1 produced 20 gallons per minute (gpm) during a four-hour well yield test (on file with county records; no permit number).
- Well #2 is a non-project well that currently serves the main residence. Well #2 was constructed in 2014 and yields 1 gpm (Permit No. E14-00169).

Tier 1: The Tier 1 analysis considered existing uses onsite to include the main residence, accessory dwelling unit (with landscaping), and vineyard. The existing total groundwater usage is estimated at 3.03 acre-feet per year (AFY). Of the project parcel's 3.03 AFY of existing groundwater use, 1.25 AFY is used for residential use and 1.78 AFY is used for agriculture (vineyard). Of the project parcel's existing groundwater use, 75% (or 2.28 AFY) is sourced from the project well, Well #1.

There are no changes proposed to the existing main residence nor the permitted vineyard. The accessory dwelling unit is proposed to be converted to a tasting room and as a result, the overall water use attributed to residential use will decrease from 1.25 AFY to 0.75

⁶ Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant_Streams" and "Significant_Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

AFY. CMP Civil Engineering & Land Surveying Inc. estimates the project to require a total of 0.76 AFY from the following uses: 0.55 AFY for winery processing; 0.11 AFY for employees and visitors; and 0.10 acre-feet for winery landscaping. Phase II of the project includes the beneficial reuse of treated process wastewater (0.55 AFY) to be used for vineyard irrigation. Thus, the parcel's total annual proposed water use (for Phase I and Phase II) is estimated to reduce from 3.03 AFY to 2.74 AFY. The project would result in an overall net reduction of approximately 0.2862+/- AFY of groundwater use.

Winery Domestic Water Usage:

Phase I domestic water usage is estimated to require 22,880 gallons per year, or 0.07 AFY:

- 2 full-time employees at 15 gallons per shift per employee and 1 part-time employee at 8 gallons per shift = 13,870 gallons per year
- 8 visitors per day at 3 gallons per person = 8,760 gallons per year
- 2 marketing events per year 25 guests per event, at 5 gallons per person = 250 gallons per year

Phase II domestic water usage is estimated to require 37,340 gallons per year, or 0.11 AFY:

- 2 full-time employees at 15 gallons per shift and 2 part-time employees at 8 gallons per shift per employee = 19,710 gallons per year
- 15 visitors per day at 3 gallons per person = 16,380 gallons per year
- 6 marketing events per year 25 guests per event and 1 event with 100 people, at 5 gallons per person = 1,250 gallons per year

Winery Process Water Usage:

Winery process water is water used throughout the winery in winemaking tasks, including in the washing of grapes, cleaning of hoses, tanks, pumps, equipment, and building floors, and the preparation and washing of barrels, along with various other activities such as bottling. As discussed in the WAA, winery process water use is generally expressed as a ratio of water used to wine produced. During Phase I, the project proposes barrel storage and aging of up to 5,000 gallons of wine per year with all production steps occurring at an offsite custom crush facility, including barrel washing. As such, the project does not propose to use winery process water in Phase I. In Phase II, the project proposes full wine production for up to 30,000 gallons of wine per year. Per the WAA, 30,000 gallons of wine is estimated to require 180,000 gallons of water per year or 0.55 AFY, based on an assumed winery process water ratio of 6:1 (6 gallons of water for every 1 gallon of wine produced).

See Tables 1 and 2 below for estimated water usage broken down by project phasing.

Table 1. Phase I: Proposed Groundwater Usage (entire parcel)

Source of Demand	Well No.	Existing (AFY)	Proposed (AFY)	Difference (AFY)
Main Residence	2	0.75	0.75	No change
Accessory Dwelling Unit (ADU)	1	0.40	0 (converted to tasting room)	-0.40
Landscaping ⁷	1	0.10	0.10	No change
Vineyard	1	1.78 (permitted under P17-00348)	1.78	No change
Employees (winery and tasting room employees)	1	0	0.04	+0.04
Tasting Room Visitation	1	0	0.026	+0.026
Marketing Events	1	0	250 gallons	+250 gallons
Total	--	3.03	2.696	-0.334

⁷ Approximately 3,000 square feet of existing non-xeriscape landscaping surrounds the accessory dwelling unit.

Table 2. Phase II: Proposed Groundwater Usage (entire parcel)

Source of Demand	Well No.	Existing (AFY)	Proposed (AFY)	Difference (AFY)
Main Residence	2	0.75	0.75	No change
Accessory Dwelling Unit	1	0.40	0 (converted to tasting room)	-0.40
Landscaping	1	0.10	0.10	No change
Vineyard	1	1.78 (permitted under P17-00348)	1.23 recycled process wastewater to supplement vineyard irrigation	-0.55
Winery Production (process wastewater)	1	0	0.55	+0.55
Employees (winery and tasting room employees)		0	0.06	+0.06
Tasting Room Visitation	1	0	0.05	+0.05
Marketing Events	1	0	0.0038 (1,250 gallons)	+0.0038 (1,250 gallons)
Total	--	3.03	2.7438	-0.2862

Due to the parcel location outside of the GSA boundary, a parcel specific recharge calculation was prepared. In calculating the recharge for the 62.56-acre parcel, the project WAA quantifies the amount of average annual rainfall infiltrating to the underlying aquifer based on the average rainfall data collected from 2013 to 2023 provided by the Oregon State University PRISM Climate Group (30.72 inches), estimated losses to runoff, and estimated losses to evapotranspiration. CMP Civil Engineering & Land Surveying Inc. calculated groundwater recharge rate for this property is 0.80 acre-feet of water per acre of land. The analysis estimates the total annual recharge rate for the property is 50.05 AFY. The project's proposed reduction in water use of -0.2862+/- AFY would not impact groundwater availability. Comparing the proposed total groundwater use of 2.74 AFY to the calculated parcel groundwater recharge rate of 50.05 AFY, the WAA finds that the parcel has adequate water available to serve the proposed use and therefore passes the Tier 1 screening criteria.

Tier 2: The latest Interim Napa County Well Permit Standards and WAA Requirements require an interference analysis for any proposed increase in groundwater use occurring from project wells within 500 feet of any offsite well or 1,500 feet from any off-site spring. A Tier 2 analysis is not required for discretionary projects that use an existing well provided there is no increase in groundwater use. As discussed above, the project proposes to utilize the existing well (Well #1) currently used to supply irrigation for the vineyard and domestic water for the accessory dwelling unit. The existing residential well (Well #2) will not supply water to the winery and will continue to serve the main residence at an estimated 0.75 AFY.

The WAA documents Well #1 as completed to a depth of 290 feet in 1988 with a casing diameter of 6" and an annular seal depth of 32 feet. At the time of completion, the well yield test resulted in 20 gallons per minute for four hours. Due to the removal of a residential use and recycling of winery process wastewater for supplemental vineyard irrigation, the WAA estimates the project will result in a net decrease of 0.29+/- AFY of groundwater pumped from the project well. Per the WAA Guidance Document, the Tier 2 requirements have been met due to the proposed reduction in groundwater use from the project well. No further analysis is required.

Tier 3: A Tier 3 review is the County's adopted method for complying with its duties under the Public Trust Doctrine. As discussed herein, the existing project will comply with the WAA guidance document.

The latest Interim Napa County Well Permit Standards and WAA Requirements require an analysis of potential groundwater to surface water interaction for new, altered, or increased groundwater use occurring from project wells within 1,500 feet of any County-identified Significant Stream inside the Napa River Watershed. Although the project well (Well #1) is approximately 416 feet from Sage Creek, the nearest Significant Stream, a stream interference analysis is not required because the project proposes a reduction in current groundwater use through the removal of a residential use and recycling of winery process wastewater for supplemental vineyard irrigation. The WAA estimates the modified uses of the site to result in a net decrease of approximately 0.2862 AFY of groundwater use. Through these changes in operation, the project will reduce overall well pumping time and will therefore reduce any assumed harm relative to current conditions.

Because the project well is within 1,500 feet of a designated significant stream, Napa County has conditioned the project to limit the existing volume of water (2.28 AFY) that may be pumped from the project well (Well #1), satisfying the County's Public Trust duties.

6.15(e) *Groundwater Demand Management Program:*

1. *The permittee shall install a meter on the project well (Well #1). The meter shall be placed in a location that will allow for the measurement of groundwater used from the project well. Prior to the issuance of building permits for the winery and associated structures, as approved under this permit, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on the project well.*
2. *The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.*
3. *The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.*
4. *As groundwater consuming activities already exists on the property, meter installation and monitoring shall begin immediately, and the first monitoring report is due to the County within 120 days of approval of this permit.*
5. *For the first twelve months of operation under this permit, the permittee shall read the meter at the beginning of each month and provide the data to the PBES Director monthly. If the water usage from Well #1 exceeds, or is on track to exceed, 2.28 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.*
6. *The permittee's well shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.*
7. *At the completion of the reporting period per 6.16(a)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:*
 - *On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meter during regular business hours.*
 - *Upon continued increases in operations approved under this permit, the PBES Director, or the Director's designated representative, has the right to revise the data submittal schedule.*

4.20(c) *Groundwater Management – The project well (Well #1) shall be limited to 2.28-acre feet of groundwater per year for all winery and vineyard water consuming activities on the project parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(e) below.*

In the event that changed circumstances or significant new information provide substantial evidence⁸ that the groundwater system 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.

Due to these factors, the project well presumptively meets Napa County's Tier 3 WAA guidelines for groundwater-surface water interaction. County has satisfied its duty to consider impacts to trust resources and no further analysis is required. Impacts would be less than significant.

c/d. The project site is not located within a Federal Emergency Management Agency (FEMA) 100-year flood zone, in a dam or levee failure inundation area, or in an area subject to seiche or tsunami (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan - Safety Element. pg. 10-20.) The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a 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. An estimated 7,000 cubic yards of cave spoils are proposed to be spread uniformly throughout the footprint of vineyard blocks B and C (permitted under Erosion Control Plan #P17-00348). Conditions of Approval for the project require the landowner to revise #P17-00348 or apply for a new erosion control plan, as applicable, to incorporate the proposed cave spoils while ensuring compliance with Napa County Conservation Regulations and the standard vineyard erosion control plan procedures aimed at protecting water quality. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division. 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

⁸ 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.

pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

e. The project does not conflict with the GSP or a water quality control plan. As discussed above, the parcel is outside of the GSA and would result in a net reduction in groundwater use from 3.03+/- AFY to 2.74+/- AFY which represents less than 6% of the property's total annual recharge rate. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would therefore be less than significant.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	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
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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 checked="" type="checkbox"/>	<input 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 would result in a temporary increase in noise levels during grading and construction activities for the proposed winery. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the project is located on the applicant's adjacent parcel to the west at 2000 Sage Canyon Road (APN 032-520-008), approximately 400 feet from the proposed covered parking structure. As discussed above, the applicant owns and manages APN 032-520-008 and the project parcel together as a single agricultural operation. The closest non-project related residence is approximately 600 feet northeast of the proposed winery patio, at 1999 Sage Canyon Rd (APN 025-440-036). Riparian woodland along Sage Creek and Sage Canyon Road/Hwy 128 separate and buffer project activities from the residence at APN 025-440-036. Due to the distance, natural vegetation in the area, and ambient noise levels from the highway, there is a low potential for impacts related to construction noise to result in substantial temporary or long-term construction noise impacts. Further, construction activities would occur during the period of 7a.m. – 7 p.m. on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to

daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

“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 within vicinity of the project are rural residential properties, vineyards, wineries, and undeveloped parcels with woodland, grassland, and shrubland. Of those 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.), the timeframe within which the winery would have visitation and marketing events. Noise impacts of the 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 project proposes daily winery operations that would occur between 8:00 a.m. and 5:00 p.m. (excluding harvest), which is during normal hours of human activity. Noise generated by production activities would generally be limited and intermittent. Furthermore, the winery facility is over 600 feet from the nearest non-project related residence and all production activities would occur inside the winery, within the covered crush pad that will be located generally behind the winery, and in the cave. Noise resulting from winery truck traffic is expected to be negligible based on the Winery Trip Generation form included in the County’s Traffic Impact Study Guidelines, which estimates truck traffic trips generated from a 30,000-gallon winery would not exceed more than an average of one truck trip per day during normal operations and three truck trips per day during harvest. For these reasons, noise impacts resulting from the proposed winery production activities would be considered insignificant.

Other noise generating uses resulting from the project include the proposed visitation and marketing programs. Daily visitation for 15 visitors per day and a maximum of 105 visitors per week is proposed for By Appointment Tours and Tastings, between 9:00 a.m. to 6:00 p.m. The proposed marketing program consists of six annual events with 25 guests and one annual event with 100 guests, held between 6:00 p.m. and 10:00 p.m., with quiet cleanup by 11:00 p.m. The applicant also proposes allowing for activities in conformity with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004)) in the Tasting Room and on the patios adjacent to the Tasting Room and Winery buildings. Due to the distance from the nearest non-project related residence (approximately 600 feet), natural vegetation in the area, and ambient noise levels from Sage Canyon/Hwy 128, the potential for the creation of significant noise from visitation and marketing events is significantly reduced. 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. Project Conditions of Approval require events and non-amplified music to finish by 10:00 p.m., with quiet cleanup finished by 11:00 p.m. in accordance with the Exterior Noise Limits Table under Section 8.16.070 of the County Code. 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 influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan: the closest airport to the subject parcel is the Angwin Airport located over 7-miles to the northwest. No impacts would occur.

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 checked="" type="checkbox"/>	<input 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 environmental 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.

The Association of Bay Area Governments’ Plan Bay Area 2050 Growth Pattern figures indicate that the total households for Napa County are projected to increase some 10% by the year 2050, increasing from 50,000 to 56,000. Unincorporated Napa County, along with the cities of American Canyon, Napa, St. Helena, Calistoga and the town of Yountville all have existing compliant 6th Cycle Housing Elements certified by the State Department of Housing and Community Development. For the 6th Cycle, which runs from 2023 – 2031, Napa county jurisdictions have identified and have rezoned or are in the process of rezoning land to accommodate 3,844 dwelling units, more than half of the households projected by ABAG to develop in Napa county by 2050. Five (5) employees are requested as part of the project; two of the five employees would be owner operators who live onsite. The three additional employees who do not live onsite could lead to negligible population growth in Napa County. 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.

Employees and visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other business supporting the winery’s requested operations is uncertain, unquantifiable, and speculative. 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 displace one accessory dwelling unit by converting the structure to a tasting room. The proposed project will not displace a substantial number of people and will not necessitate the construction of replacement housing elsewhere. A less than significant impact would occur.

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 Marshal 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?
- 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?

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 not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. 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?
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?
- 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?

Discussion:

- a/c/d. 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 maximum winery employee and visitor/guest data for the

harvest/crush season and the County's Trip Generation worksheet, the project would be expected to generate approximately 27 daily trips on a weekday and 26 daily trips on a Saturday. The trip generation does not exceed 110 net new daily trips, therefore the project is not required to prepare a traffic study. Trips resulting from the proposed seven (7) annual marketing events are considered negligible and are screened out from the County's Trip Generation worksheet.

The project proposes measures to improve access and sight distance at the project driveway entrance, as recommended in the Promise Wine Vehicle Sight Distance & Mitigation Report prepared by GHD, dated January 22, 2025 (**Exhibit F**). These measures were reviewed and accepted by the Public Works and Caltrans and include trimming vegetation, re-striping the project driveway apron, installing a stop sign at the driveway for outbound vehicles, installing new traffic safety signage and LED blinking warning signs along Sage Canyon Rd, and relocating existing mailboxes further back into the shoulder. Project Conditions of Approval require the applicant to obtain approved encroachment permits from Caltrans and Public Works prior to commencement of any improvements/work within the Sage Canyon Rd right-of-way.

Additionally, an Exemption to the NCRSS is requested for improvements to the driveway to accommodate environmental and physical constraints that present challenging obstacles to the installation of a fully compliant road. The NCRSS require a 22 ft minimum width for commercial access roads. To achieve the same overall practical effect of the NCRSS for commercial roads, the project proposes driveway widening and installation of intervisible turnouts along sub-standard segments of the road, as well as signage and management of vegetation to maintain line of sight. The paved driveway would be extended to the proposed winery barn to improve access and provide paved parking spaces and fire truck hammerhead turnaround areas. The proposed design meets the same overall practical effect as the NCRSS towards providing defensible space and consideration towards life, safety and public welfare, while improving emergency vehicle access to the subject property and the area in general.

In summary, the project has been reviewed by Caltrans, Public Works, and the Napa County Fire Department and Engineering Services Division and found acceptable, as conditioned. As proposed, the project would not conflict with any plans, ordinances or policies addressing the circulation system. All designs will comply with the County and State standards for safe access into and throughout the site. The project would not substantially increase hazards due to design features. Impacts would be less than significant.

b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Land Use and Climate Innovation (LCI) 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 LCI 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. LCI 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 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. 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. 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 winery project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest conditions. The project proposes six standard parking spaces and two van accessible spaces at the winery and tasting room complex. Two existing parking spaces located at the main residence, uphill from the project site, would be used to accommodate the two full-time employees who are also owner operators. Visitors to the Winery will be by-appointment only. As such, typical operations would include 15 visitors arriving in potentially eight daily vehicles (based on 2.6 people per vehicle calculation) in a staggered arrangement so that there should never be more than three to four guest vehicles at the site at any one time. Occasionally, visitors could arrive in a higher-occupancy vehicle such as an SUV, minivan or smaller shuttle bus. The three part-time employees would occupy the remaining two or three parking spaces. Although the project would accommodate parking for daily operations, the proposed parking lot consisting of 7-standard and 2-ADA parking spaces would be inadequate for events. Marketing events are estimated to require 10 guest parking spaces for 25-person events and 39 spaces for 100-person events based on the standard 2.6 people per vehicle calculation. Therefore, a condition of approval has been incorporated into the project requiring the applicant provide shuttle services for marketing events. 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
		Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion:

a/b. A Cultural Resources Assessment of the property as a part of the vineyard erosion control project #P17-00348, prepared by FirstCarbon Solutions dated May 5, 2017 (on file with County records, Confidential), included a check of the information on file with our office and the Northwest Information Center in Rohnert Park, California (the Regional Office of California Historical Resources Information System), to determine the presence or absence of previously recorded historic or prehistoric cultural resources, and a check of appropriate historic references to determine the potential for historic era archaeological deposits. The overall literature search determined that the current project area has not been the subject of a previous cultural resource study and there are no previously recorded archaeological sites located on or within a 0.5 mile radius of the project property. FirstCarbon Solutions contacted the Native American Heritage Commission (NAHC) to determine the presence or absence of listed Sacred Lands within the project area and all appropriate Native American organizations or individuals designated by the Native American Heritage Commission as interested parties for the project area. On April 11, 2017, the NAHC responded confirming a record search of the NAHC Sacred Lands File identified sacred sites in the project area and provided contacts for individuals representing four different tribes. Following the NAHC's recommendation, FirstCarbon Solutions sent notification letters to the tribes on April 19, 2017, which requested information pertaining to the cultural resources assessment. No responses were received.

FirstCarbon Solutions also conducted a pedestrian survey of the vineyard development areas onsite to locate any visible signs of potentially significant historic or prehistoric cultural deposits. Their survey resulted in negative findings for historic or prehistoric cultural resources or raw materials commonly used in the manufacturing of tools (e.g. obsidian Franciscan chert) and determined there is a low probability of undiscovered prehistoric cultural resources. FirstCarbon Solutions recommended standard measures for accidental discovery of these resources.

On May 30, 2025, 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. Staff received a response from the Yocha Dehe Wintun Nation on July 1, 2025, confirming the project is not within their aboriginal territories. On July 15, 2025, the County also sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County received new information and concerns raised by Middletown Rancheria. In response, the County incorporated additional mitigation measures for the protection of tribal cultural resources as discussed further below.

On October 29, 2025 and November 7, 2025, the County met with the Middletown Rancheria of Pomo Indians of California ("Middletown Rancheria"). Representatives of Middletown Rancheria concluded the project is within Middletown Rancheria's Area of Concern due to its proximity to Lake Hennessy and known tribal cultural resources. The project was determined to have the possibility of unearthing tribal cultural resources which include, but are not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria during ground disturbance activities. Therefore, Mitigation Measure TCR-1 has been incorporated into the Project to ensure the preservation or mitigation of significant impacts to tribal cultural resources.

As such, the proposed project, with the Cultural Resources conditions of approval discussed in Section V. (Cultural Resources) and Mitigation Measure TCR-1, would avoid and reduce potential impacts to unknown resources, and would result in less-than-significant impacts to Tribal Cultural Resources, including those that may be eligible for the California Historical Resources Information System or local register, or cultural resources as defined in Public Resources Code Section 5024.1(c).

Mitigation Measures:

Due to the possibility of unearthing tribal cultural resources which include, but is not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria ("Tribe"), during ground disturbance activities, the following mitigation measures shall be incorporated into the Project for preservation or mitigation of significant impacts to tribal cultural resources.

MM TCR-1: Tribal Cultural Resources

1. Prior to initial ground disturbance, the owner/permittee shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.
2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.
3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.

4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.
5. The owner/permittee shall meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers.

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 type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed in detail in Section VII. Geology and Soils, a Wastewater Feasibility Study, dated October 22, 2024, was prepared by CMP Civil Engineering & Land Surveying Inc. (**Exhibit D**) which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The domestic wastewater system for the tasting room and winery will use an existing engineered domestic wastewater treatment system and dispersal field with adequate capacity to serve the project. The winery process wastewater system is proposed to include a pretreatment system followed by surface dispersal on vineyard irrigation areas which were determined to be larger than the area required for compliant land-application of treated process wastewater. The process waste system will be designed per RWQCB and PBES requirements. The facility will have to enroll for coverage under the

General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The division of Environmental Health reviewed this report and concurred with its findings, conditioned that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required.

Based on the proposed uses, the onsite water system will be not be classified as a transient noncommunity (TNC) public water system per the State of California Drinking Water Requirements. Impacts would be less than significant.

Stormwater drainage would be managed through the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division. Through compliance with County code impacts are less than significant.

The project does not require the construction of new or expanded electric power, natural gas, or telecommunications facilities. Impacts are expected to be less than significant.

b. As discussed in Section X. A Water Availability Analysis was prepared by CMP Civil Engineering & Land Surveying Inc., dated October 6, 2025 (WAA) (**Exhibit E**). The report includes calculations for the existing and proposed water uses and a groundwater recharge analysis. An onsite water audit of existing uses was completed, and the existing water use associated with the single-family residence, landscaping, accessory dwelling, and vineyards is estimated to be 3.03 AFY. The proposed removal of the accessory dwelling unit and recycling of winery process wastewater for supplemental vineyard irrigation would result in a net decrease in groundwater use by approximately 0.2862 AFY. Due to the parcel location outside of the GSA boundary, a parcel-specific recharge calculation was prepared. In calculating the recharge for the 62.56-acre parcel, the project WAA quantifies the amount of average annual rainfall infiltrating to the underlying aquifer based on the average rainfall data collected from 2013 to 2023 provided by the Oregon State University PRISM Climate Group (30.72 inches), estimated losses to runoff, and estimated losses to evapotranspiration. CMP Civil Engineering & Land Surveying Inc. calculated groundwater recharge rate for this property is 0.80 acre-feet of water per acre of land. The analysis estimates the total annual recharge rate for the property is 50.05 AFY. The project's proposed reduction in water use of -0.2862 +/- AFY would not impact groundwater availability. Additionally, Napa County has conditioned the project to verify that no more than the previously existing volume of water (2.28 AFY) is pumped from the project well (Well #1). As a whole, the total proposed groundwater demand is equivalent to 5% of the estimated annual groundwater recharge values for parcel area. Therefore, the proposed water use is not expected to impact groundwater availability.

c. Wastewater would be treated on-site and would not require 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 of have more than 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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 checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing driveway will be designed and improved to meet the same practical effect of the commercial standards as defined in the Napa County Road and Street Standards (RSS) and California Board of Forestry and Fire Protection State Minimum Fire Safe Regulations (FSR). 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 new building would be equipped with sprinklers and fire suppression equipment as required by the CA building Code. No impacts would occur.
- b. Wildfire risk is dependent upon existing environmental conditions, including but not limited to the amount of vegetation present, topography, and climate. The proposed project is in a flatter, developed area of a property that contains moderate to steep slopes surrounded by vineyards and residential uses and vegetation consisting primarily of oak woodland and shrubland. According to Napa County GIS Environmental Maps (Hazards and emergencies layer), the project is in a Very High Fire Hazard Severity Zone and in the State Responsibility (SRA) district. The proposed road and structural improvements would not result in a physical modification to the slope of the area, changes to 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. As discussed above in Section IX. (Hazards and Hazardous Materials), projects located in Very High Fire Severity Zones are required by State and County Code to establish and maintain defensible space and all construction must comply with County Fire Code, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site, all of which would reduce the potential hazard of wildfires. Upgrading the existing paved driveway will improve access and sight distance and provide fire truck hammerhead turnaround areas to achieve the same overall practical effect of the NCRSS and California Fire Safe Regulations (FSR), thereby aiding the safe ingress and egress of visitors and emergency personnel to and from the site. Impacts of the project would be less than significant.
- c. As mentioned above, the existing driveway will be improved to demonstrate the same overall practical effect of the County RSS and State FSR. Proposed utility improvements will be undergrounded, and the winery will contain fire suppression infrastructure, including fire sprinklers, and a fire hydrant connected to a 110,499-gallon fire protection water tank. During construction, the risk of igniting a fire would be low because vegetation would be cleared prior to development, and the risk would be temporary due to the limited duration of construction. Operation and maintenance activities would be similar to activities already occurring on properties in the area. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. Most of the physical improvements are within an existing building complex on a flatter portion of the property, the majority of which is already graded, paved or in agricultural use. The construction of the cave would be set back behind an approximate 20-foot-high retaining wall built into the hillside. As discussed in Section VII. (Geology and Soils), the project parcel consists of moderate to steep terrain with expansive soils underlain by ancient landslide deposits that are relatively stable. No active landslides or any evidence of recent slope movement at the building complex area were observed by RGH Consultants at the time of their assessment in 2016 (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470). Although the project would alter portions of the property to accommodate road widening, three new structures and related improvements, the proposed earthwork will be designed in accordance with Engineering Division Conditions of Approval to ensure that grading and construction activities do not create unstable slopes. Erosion control measures would be implemented in accordance with the Napa Countywide Stormwater Pollution Prevention Program which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite. Additionally, Building Division Conditions of Approval for the project require a geotechnical (soils investigation) report and appropriate structural design considerations as a part of the building permit application for all project structures. By incorporating Building and Engineering Division Conditions of Approval, the 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 checked="" type="checkbox"/>	<input 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- The project does not 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 or substantially reduce the number or restrict the range of a rare or endangered plant or animal species. Mitigation Measures **BIO-1**, **BIO-2**, and **BIO-3** require the applicant to obtain preconstruction surveys for special-status plants, nesting birds and raptors, and bats to minimize impacts associated with construction related activities to special-status plants, nesting birds and raptors, and bat species. Through implementation of the aforementioned Mitigation Measures, the project is anticipated to result in less than significant impacts to special status plant and animal species. Additionally, the project does not have the potential to eliminate important examples of the major periods of California's history or prehistory. As discussed in Section V. Cultural Resources and Section XVIII. Tribal Cultural Resources, the project has the possibility of unearthing tribal cultural resources during ground disturbance activities. Mitigation Measure **TCR-1** and the County's standard Archeological Finding Condition of Approval has been incorporated into the Project to ensure the preservation or mitigation of significant impacts to tribal cultural resources and prehistoric cultural resources that could be uncovered during ground disturbing activities.
- The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic 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 BAAD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, VMT reduction strategies, and standard Conditions of Approval. The applicant intends to implement a number of greenhouse gas reduction strategies including exceeding Title 24 energy efficiency standards, installation of water efficient fixtures, employing low-impact development practices, and installation of high efficiency lighting. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in an overall decrease in groundwater use (-0.2862 AFY) over the existing levels. Potential cumulative impacts would be less than significant.
- All potential impacts identified in this Mitigated Negative Declaration are less than significant with the exception of Biological Resources and Tribal Cultural Resources, for which Mitigation measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384

Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
Impact BIO-1	<p>MM BIO-1: Special Status Plants</p> <p>The owner/permittee shall implement the following measures to minimize potential impacts to special-status plant species (i.e., green jewelflower, Greene's narrow-leaved daisy, holly-leaved ceanothus, Jepson's leptosiphon, and Sonoma beardtongue):</p> <p>Special Status Plants. Prior to the initiation of earth disturbing activities, the owner/permittee shall conduct botanical surveys for special-status plants at the project site, and adjacent to the project if indirect offsite impacts may occur, in conformance with CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (see: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) to determine if special-status plants are present or to substantiate absence of these species. Surveys shall be conducted during appropriate conditions and more than one year of surveys may be necessary per the protocol. If non-CESA listed special status plants, including but not limited to California Rare Plant Rank plants, are detected and may be impacted by project activities, the project proponent shall mitigate for impacts at a 2:1 mitigation to impact ratio.</p> <p>Any special-status plants/populations removed, including inadvertent removals, as part of development authorized under #P22-00384, shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plants specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.</p>	<p>Prior to issuance of any grading permit or building permit(s) and through completion of initial site disturbance, the County shall review the results of all pre-construction surveys and any proposed removal of special-status plants/populations, including inadvertent removals. For such removal, a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. All measures shall be noted on the final project plans.</p>	P	PD, DFW	PC ____/____/____

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-2	<p>MM BIO-2 Nesting Birds and Raptors</p> <p>The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <p>a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.</p> <p>b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.</p>	<p>The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division</p>	P	PD, DFW	PC ____/____/____

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
Impact BIO-2 Continued	<p>c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.</p> <p>d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p> <p>Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas shall undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.</p>				

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
 Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-3	<p>MM BIO-3: Bat Tree Habitat Assessment and Surveys.</p> <p>Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.</p>	<p>The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division</p>	P	PD, DFW	PC ____/____/____

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Completion
Impact TCR-1	<p>MM TCR-1: Tribal Cultural Resources</p> <p>1. Prior to initial ground disturbance, the owner/permittee shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.</p> <p>2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.</p>	<p>The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers</p>	P	PD	PC ____/____/____

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact TCR-1 Continued	<p>3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.</p> <p>4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.</p>				

Promise Winery Use Permit, Variance, and Exception to Road and Street Standards No. P22-00384
Mitigation Monitoring and Reporting Program

Potential Environmental Impacts	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
Impact TCR-1 Continued	<p>5. The owner/permittee shall meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.</p>				

Notes: P = Permittee, PD = Planning Division, BD = Building Division, E = Engineering Division, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept

PE/G =Project Engineer/Geologist

PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing

PROJECT REVISION STATEMENT
PROMISE WINERY VARIANCE (P25-00283-VAR), USE PERMIT (P22-00384-UP),
AND EXCEPTION TO THE ROAD AND STREET STANDARDS

I hereby revise the Promise Winery Variance (P25-00283-VAR), Use Permit (P22-00384-UP), and Exception to the Road and Street Standards application for a new phased 30,000-gallon winery on a 62.56-acre parcel located at 2004 Sage Canyon Rd., St. Helena (APN 032-520-009), to include the following four (4) mitigation measures specified below:

MITIGATION MEASURES:

Mitigation Measure BIO-1 - Special Status Plants:

The owner/permittee shall implement the following measures to minimize potential impacts to special-status plant species (i.e., green jewelflower, Greene's narrow-leaved daisy, holly-leaved ceanothus, Jepson's leptosiphon, and Sonoma beardtongue):

Special Status Plants. Prior to the initiation of earth disturbing activities, the owner/permittee shall conduct botanical surveys for special-status plants at the project site, and adjacent to the project if indirect offsite impacts may occur, in conformance with CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (see:

<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) to determine if special-status plants are present or to substantiate absence of these species. Surveys shall be conducted during appropriate conditions and more than one year of surveys may be necessary per the protocol. If non-CESA listed special-status plants, including but not limited to California Rare Plant Rank plants, are detected and may be impacted by project activities, the project proponent shall mitigate for impacts at a 2:1 mitigation to impact ratio. Any special-status plants/populations removed, including inadvertent removals, as part of development authorized under #P22-00384, shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plants specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.

Mitigation Measure BIO-2 - Nesting Birds and Raptors:

The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

1. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project

activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

2. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
3. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.
4. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

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

Mitigation Measure BIO-3 - Bat Tree Habitat Assessment and Surveys:

Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Mitigation Measure TCR-1 - Tribal Cultural Resources:

1. Prior to initial ground disturbance, the owner/permittee shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.
2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waffles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment

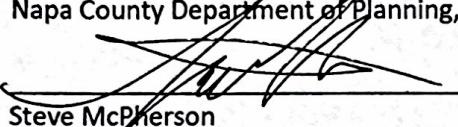
or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

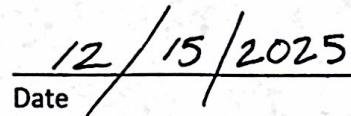
3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.
4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.
5. The owner/permittee shall meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

The Property Owners (Promise Wine, LLC) further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

The Property Owners (Promise Wine, LLC), understand and explicitly agree that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines,

this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.


Steve McPherson
On behalf of Promise Wine, LLC


12 / 15 / 2025
Date