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Initial Study/ Mitigated Negative Declaration & MMRP

E&P Technology Way – Buildings A & B Use Permits
(P22-00307 / P22-00308)
Planning Commission Hearing Date November 20, 2024

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** E&P Technology Way - Building A & B Use Permit #'sP22-00307-UP and P22-00308-UP (APN's: 057-250-030, -031, -032)

2. **Property Owner:** Dennis Paulley, 2250 S. Watney Way, Fairfield, CA 94533

3. **Project sponsor's name and address:** Mike Kelley, 5150 Fair Oaks Blvd, Suite 101-219, Carmichael, CA 94608, (916) 956-0524

4. **County Contact Person, Phone Number, and email:** Sean Kennings, 415-533-2111, sean@lakassociates.com

5. **Project Location and APN:** There are three subject parcels comprising two project sites: Building A is proposed on a 13.2-acre parcel on the north side of Technology Way and Morris Court (APN 057-250-030) and Building B is proposed on a 6.87-acre project site on the north side of Technology Way, opposite Gateway Road West (APN's 057-250-031, -032, to be combined). Both sites are located in the Napa Valley Business Park Specific Plan area within the IP:AC (Industrial Park: Airport Compatibility) Zoning District.

6. **General Plan description:** Industrial

7. **Zoning:** Industrial Park: Airport Compatibility (IP:AC)

8. **Background/Project History:**
On March 4, 2009, The Planning Commission approved Use Permit (P08-00557) for a speculative light industrial building with approximately 39,000 square feet of floor area on a 2.41-acre lot (APN 057-250-032). The property owner submitted an application for a building permit which was not issued and subsequently expired. The City of American Canyon issued a Will-Serve Letter for the Property October 28, 2016, with a requested Average Day Demand of 1,942 gpd and a Maximum Day Demand of 2,913 gallons per day. The project was not constructed, and the Will-Serve Letter expired October 28, 2018. The Property was included in a previous Will-Serve Letter provided by the American Canyon County Water District dated October 26, 1988, which was issued to Napa Valley Gateway Unit 2, Phase 2 development (8 lots), however a specific demand for this lot or any other lot was not provided.

Project Description: The Building A project proposes wine production facility within the proposed 143,312 SF building with an annual production capacity of 450,000 gallons. The winery uses will include grape crushing, bulk wine processing and storage, stainless steel tank and barrel storage, bottling, and office space. In addition, approximately 13,000 SF of covered outdoor work area will be located on the north side of the building. The proposal also includes 129 parking spaces and eight (8) spaces for semi-trailers. Access will be provided by three (3) new driveways; one (1) on Technology and two (2) on Morris Court.

The floor area ratio (FAR) after full build out will be 24.9%, below the allowable 35%. All vehicles will enter from a new access driveway off Technology Way that runs along the eastern property line. Trucks will stop at the entry scale as needed and then continue to the loading zone for off load or pick up. Trucks will be able to circulate around the building in a one-way loop, exiting at a second driveway on Morris Court. The entrance driveway will be wide enough to accommodate two-way traffic.

The winery building will provide for tank fermentation and storage for bulk wine in stainless steel tanks in a refrigerated building. The facility will be run by 16 full-time and 7 part time employees during non-harvest season. Seasonal help will increase during harvest to approximately 35 total employees. The building will be used during harvest for crushing up to 450,000 gallons of wine and tank fermentation of bulk wine and juice. Wine storage (tank and barrel) and bottling will take place on a year-round basis. Water demand and wastewater design will include demand for crush, bulk fermentation, storage, and bottling uses.

No retail sales or access for the general public is proposed. Individual clients will visit the site on occasion to hold meetings with members of the wine trade, such as their distributors, restaurants, wine shop owners and similar types of wine buyers. The only signage will be to identify the building as a winery facility.

The Building B project proposes to allow warehouse uses within the proposed 66,915 SF building. The warehouse uses are consistent with allowable warehouse uses as outlined in Industrial Park zoning district (18.40.020) and the Napa Valley Business Park Specific Plan (NVBPSP.) The floor area ratio (FAR) after full build out will be 22.4%, below the allowable 35%. All vehicles will enter from a new access driveway on Technology Way that runs along the eastern property line. Trucks will then off load or pick up at the rear of the building. Trucks will be able to circulate around the building in a one-way loop, exiting at a second driveway on Technology Way on the west side the building. The entrance driveway will be wide enough to accommodate two-way traffic.

Building B will be utilized primarily for warehousing/distribution with accessory office. The facility will be run by up to 30 employees. No user has yet been identified. There will be no retail sales and no access for the general public. The only signage will be to identify the building for the future tenant.

Both buildings include site-cast tilt-up concrete wall panels with a multi-color textured coating system and multiple score lines/reveals, storefront glazing systems, painted steel channel canopies, truck loading docks, grade level roll-up doors, and metal man-doors. Color choices include white, green, and grey painted stucco panels. The winery building also includes a covered outdoor work area for the crush pad in front of the loading docks.

The Building A and Building B projects will be provided with water service from the City of American Canyon. Napa Sanitation District (NSD) will provide sewer. Both buildings will be sprinklered for fire protection.

9. Describe the environmental setting and surrounding land uses.

The project site is relatively flat with an average slope of less than one percent. A small swale drains the property from the southeast to the northwest. The historic upstream flow of this drainage has been diverted to a storm drain on Airport Boulevard, while the historic downstream flow has been diverted into the storm drain system along Gateway Loop. The site is generally treeless with the exception of mature trees on the north side of the project site along Sheehy creek. The soil type is Haire loam, which exhibits slow runoff and a slight hazard of erosion. The roadways surrounding the parcel have all been approved to appropriate County standards for industrial development and include an underground storm drain system. Other development in the larger vicinity includes the Napa County Airport and industrial development to the west and office/ industrial development to the east. The project site is situated in Zone D (Traffic Pattern Area) of the Airport Land Use Compatibility Plan and is subject to overflights at elevations ranging from 300 to 1,000 feet.

The property is bordered on the west by Morris Court and commercial warehouse buildings; to the south by Technology Way and commercial warehouse buildings; to the east by 240 Gateway Road East, a multi-tenant office building and commercial office buildings further east, to the northeast by the Napa Valley Transportation Authority facility and to the north by Sheehy Creek and property owned by the Napa Sanitation District and used as spray fields for treated wastewater. The properties comprising the project site have access and frontage on Technology Way and Morris Court. There is a conservation easement that runs along the north and northeast boundary of the project site which includes a meandering path along the south side of Sheehy creek. There are also public utility easements along the north and east property lines of APN 057-250-030 (Building A.)

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

The proposed project would also require various ministerial approvals by the County including, but not limited to building permits, encroachment permits (for any work conducted within the County right-of-way), and a lot line adjustment or parcel merger. Permits to connect to water and sewer utilities are required from the City of American Canyon and Napa Sanitation District, respectively. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Regional Water Quality Control Board standards and is administered by the Engineering Services Division. The proposed project does not involve the fill of waters of the United States, therefore the project will not require a dredge-and-fill permit from the U.S. Army Corps of Engineers. The proposed project does not involve the "take" of listed endangered or threatened species, and thus does not require a "take permit" from the Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

11. 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, has consultation begun? On May 3, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1. A response was received from the Yocha Dehe Wintun Nation that indicated that the project site was located within their aboriginal territories and that they have a cultural interest in the proposed project area. The requested additional information was provided to the tribal representative via a formal consultation on January 10, 2024. After the consultation the Yocha Dehe Wintun Nation recommended cultural

sensitivity training for any pre-project personnel to be added to the permit as a condition of approval. No further consultation was requested and the consultation period closed on January 23, 2024.

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 21083.3.2.) 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 by the applicant and filed by the applicant in conjunction with use permit P22-00307 and P22-00308 as listed below. 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:

First Carbon Solutions, Biological Resources Analysis, dated January 30, 2024 (updated February 21, 2024).

First Carbon Solutions, Phase 1 Cultural Resources Assessment, dated January 20, 2023.

W-Trans, Transportation Impact Study, dated November 21, 2023.

City of American Canyon, Water Supply reports and water will-serve letters, dated March 13, 2023.

Napa Sanitation District, Wastewater will-serve letter, dated February 1, 2023.

Raney Geotechnical Inc, Geotechnical Investigation, dated September 30, 2021.

Laugenour and Meikle, Stormwater Control Plans, Buildings A & B, dated July 29, 2022.

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a 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

October 18, 2024
Date

Name: Sean Kennings, LAK Associates, LLC

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?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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 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?	☐	☐	☐	☒
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

a-d. The proposed project includes development of two separate warehouse buildings: Building A, a 143,312 SF warehouse building for use as a winery production facility, and Building B, a 66,915 SF speculative warehouse/distribution building. The designs of the proposed structures are consistent with other similar facilities in the Business Park. The proposed project will result in an increase in daily operations, including additional employee's vehicle trips, truck trips and new light and glare from lighting associated with the project site, however, the project site is located within the Napa Valley Business Park Area where no scenic vistas occur and is surrounded by development of a similar nature. Therefore, the change to daily usage and new sources of light or glare would be less than significant.

The proposed project will result in a minor increase in the nighttime lighting. In accordance with County standards, all exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and include shields to deflect the light downward. Avoidance of highly reflective surfaces will be required, as well as standard County conditions to prevent light from being cast skyward. This is an area routinely overflown by low flying aircraft which necessitates strong controls on skyward nighttime lighting. As designed, and as subject to the standard conditions of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

4.9 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.

6.3 LIGHTING – PLAN SUBMITTAL

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

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

Mitigation Measures: None 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?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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.	☐	☐	☐	☒

Discussion:

a-e. The project site has an Industrial land use designation in the Napa County General Plan. The project site has been previously disturbed during initial site preparation and is not Prime Farmland, Unique Farmland or Farmland of Statewide Importance as shown on the Napa County GIS map (*Farmland Mapping and Monitoring Program*.) According to Napa County GIS the property is categorized as Farmland of Local Importance. Although the site, as well as other undeveloped land in the NVBPSP area, is classified as locally important, the site has been designated for industrial/business park uses for over 35 years. Undeveloped lands within the boundary of the NVBPSP are designated as Farmland of Local Importance because they include areas of soils that meet all the characteristics of Prime Farmland or of additional Farmland of Statewide Importance except for irrigation. As development in the NVBPSP area continues, the surrounding developed parcels have been reclassified as Urban and Built-up Land. The project will not result in the conversion of existing farmland. As such, there are no significant impacts to prime farmland created by the project. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The project site is not subject to a Williamson Act contract. No impacts would occur.

Mitigation Measures: None required.

III.	**AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management district 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

[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.

c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emission (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

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

The TAC thresholds were challenged in court (California Building Industry Association v. Bay Area Air Quality Management District (1st Dist., Div. 5, 2016) 2 Cal.App.5th 1067) because BAAQMD did not conduct CEQA review of their potential environmental impacts. 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 TAC 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 TAC thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD 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. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or TAC thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts: CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022. The proposed thresholds to evaluate GHG and climate impacts from land use projects are qualitative, therefore there is no bright-line (quantitative) level to mitigate below. Projects that decline to integrate qualitative design elements can alternatively demonstrate consistency with a local Greenhouse Gas (GHG) Reduction Strategy that meets the criteria of the State CEQA Guidelines section 15183.5(b).

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.

In short, these thresholds of significance changes can be used by agencies as guidelines for determining climate impacts from projects subject to CEQA. However, agencies are not required to abide by these thresholds, as they are only guidelines. Refer to Section VIII, Greenhouse Gas Emissions.

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

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

Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County,* April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by construction, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_X and ROG), carbon monoxide (CO), nitrogen dioxide (NO_2), and suspended particulate matter (PM_{10} and $PM_{2.5}$). Other criteria pollutants, such as lead and sulfur dioxide (SO_2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD 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 May 2017. The proposed facility includes a total of 210,227 SF of floor area. When compared to the BAAQMD's operational criteria pollutant screening size of 541,000 SF and 864,000 SF for light industrial and warehousing, respectively, the project would not significantly impact air quality and does not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.). Given the size of the project compared to the BAAQMD's screening criterion of 541,00 square feet (light industrial) and 864,000 SF (warehousing) for NO_X (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

c. 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. The proposed grading plan has been designed to balance cut and fill resulting in no off or on-haul of soils. If grading were to result in off or on-haul of soils, these potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process.

Sensitive receptors are defined by the BAAQMD as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. The Air District defines public exposure to offensive odors as a potentially significant impact, light industrial or manufacturing uses are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Construction-phase pollutants will be reduced to a less than significant level by the standard condition of approval noted below. Construction equipment and heavy-duty truck traffic generate diesel particulate matter (DPM) exhaust, which is a known toxic air contaminant. DPM is a human carcinogen and chronic (long-term) inhalation exposure to DPM poses a chronic health risk. As described in Section 2.3, Construction Best Management Practices, the Project would incorporate the BAAQMD's Basic Construction Measures. These measures also reduce DPM emissions. The impact would be less than significant.

During maximum project operations (Building A winery at harvest, plus Building B warehousing/distribution uses), the project is anticipated to generate 218 total weekday trips, including approximately 34 peak hour trips per day for the winery during harvest season, and 12 peak hour trips for the warehouse/distribution building (W-Trans 2023). For reference, the CARB Air Quality and Land Use Handbook: A Community Health Perspective (Land Use Handbook) provides CARB's recommendations regarding the siting of new sensitive land uses near facilities that are associated with health risks, particularly from air toxic emissions. The Land Use Handbook has siting guidance for freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities. Although this guidance is for siting new locations of sensitive receptors, the facility distance and size guidance may be used as a screening level to identify when additional analysis is warranted during environmental review, including CEQA.

The Land Use Handbook advisory recommendation for relevant land uses is:

Freeways and High Traffic Roads
• Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000

vehicles/day.

At a maximum 218 total weekday trips, the Project's vehicle activity would comprise a fraction of the sizes warranting recommended distances as contained in the CARB's Land Use Handbook. Due to the distance from truck ingress/egress and sensitive receptors (approximately 0.60 miles to the nearest residence) and limited number of truck trips, exposure of sensitive receptors to substantial pollution concentration would be less than significant.

The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts will not expose sensitive receptors to substantial pollutant concentrations and are considered less than significant:

7.1 SITE IMPROVEMENT

c. AIR QUALITY

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

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.*

All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website http://www.arb.ca.gov/portable/portable.htm

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

7.1. SITE IMPROVEMENT

b. DUST CONTROL

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

d. The Air District defines public exposure to offensive odors as a potentially significant impact, wineries, light industrial or manufacturing uses are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Construction-phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

Mitigation Measures: None 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?	☐	☒	☐	☐
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 Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

The project site is located within the boundaries of the NVBPSP. The Specific Plan and EIR were adopted in 1986. The EIR recognized that development of the land within the Specific Plan area would reduce the grassland areas that serve as feeding and hunting grounds for raptors and other predatory birds and incorporated mitigation measures into the Specific Plan. The development area is vacant and has been graded over the years for weed abatement. The development area is relatively flat with gentle slopes ranging from 0-5 percent from northeast to southwest and includes non-native grasses. The site has been designated and approved for industrial development for over 35 years. The northern boundary of the site adjoins Sheehy Creek. As noted below, Sheehy creek was realigned and enhanced with native trees and vegetation. No improvements or construction activity is proposed within the riparian area along the creek or within bed or bank.

North of the Building A project site, across Sheehy creek is a 232-acre property owned by the Napa Sanitation District which is used as spray fields. Northeast of the Building B site are three properties totaling approximately 10 acres owned by Napa Valley Transportation Authority (NVTA) and developed with their maintenance facility. Beyond NVTA's facility is an approved but unbuilt 336-room Montalcino at Napa Resort and associated amenities situated on five properties totaling approximately 68 acres. To the south of the project site, across Technology Way and Gateway Road West, are several light industrial budlings. West of the project site is an 11-acre site with an approved but unconstructed wine and distilled spirits production facility consisting of three buildings. Further to the west are NSD's oxidation ponds.

A Biological Resources Analysis of the subject property, dated January 30, 2024 (updated February 21, 2024), was prepared by First Carbon Solutions (FCS) for both buildings. As documented in the FCS analysis, and noted above, the proposed project will result in the loss of non-native, grassland and ruderal habitats. The site contains few trees that could provide potential nesting habitats.

While the populations of Swainson's hawks were once declining, their populations more recently have been expanding into additional areas outside of the Central Valley where they were historically concentrated. This recovery success and expansion of SWHA range has been well-documented in other environmental documents from projects in the region, which have not been required to provide SWHA mitigation for foraging habitat. While Swainson's hawk's nests are protected, foraging habitat mitigation has generally not been required in the business park area.

The adjacent properties directly east and south of the southeast corner contain potential trees that could provide potential nesting habitat. The SR 29/221 Soscol Junction Improvement Project EA/EIR (Caltrans 2015), which is located approximately 0.50 miles north of the project site, concluded that 23.66 acres of Swainson's hawk foraging habitat accounted for just 0.16% of their potential foraging habitat. Further it found that the loss of this small amount of vegetation relative to the Swainson's hawk territory size would not have a substantial adverse effect, either directly or indirectly, on the Swainson's hawk or its habitat, nor would it substantially reduce the number or restrict the range of that species. The proposed project would affect a relatively small potential foraging area (approximately 93 acres), which is still well below 1% of the potential foraging area for a Swainson's hawk. In addition, Napa Sanitation District owns approximately 453 acres within ¾ of a mile of the project site that they utilize as spray fields. Further, the quality and extent of foraging habitat approximately 3-3/4 miles to the

southeast, which includes the 620-acre Newall Open Space, the 1,039-acre Lynch Canyon Open Space Park, and the 308-acre American Canyon California red-legged frog preserve, provide ample foraging habitat. The site also provides a very small amount of potential nesting and roosting habitat for the Swainson's hawk. Therefore, there is no evidence that this species may be significantly impacted by the proposed project. However, to ensure that no nesting birds are disrupted by the project, a preconstruction nesting season survey should be conducted to determine the presence/absence of this species in proximity to the proposed work on the site.

a. The Biological Resources Analysis was prepared by FCS in January 2024 (updated February 2024) to determine if any biological resources were potentially present including the potential presence of special-status pant and wildlife species, sensitive natural communities, and wetland riparian areas. A wildlife and botanical survey was conducted at the site on December 8, 2022, at 11:00 AM. FCS confirmed the project area does not contain significant natural biological communities or habitat for special status species due to the history of disking and lack of vegetation present currently. Therefore, impacts to sensitive upland terrestrial biological communities in the footprint of the proposed development would not be anticipated. One coast live oak tree greater than 6-inches DBH that may provide wildlife habitat would have to be removed from the project area. The recreated reach of Sheehy Creek that runs along the northern property boundary is not in the project area and would be entirely avoided. A Conservation Easement along Sheehy Creek was recorded in 2006 and extends approximately one (1) mile along both banks of the Sheehy Creek riparian corridor, which provides high quality habitat for a variety of plant and animal species commonly associated with wetland and riparian habitats in the County. Ground-disturbing activities occurring during the dry season will utilize silt fencing that will ameliorate any potential impacts to these aquatic natural resources. To prevent potential impacts to the Sheehy Creek riparian corridor, Mitigation Measure BIO-1 below would reduce potential impacts to a less than significant level.

No special-status plant species were observed during the survey performed at the site in December 2022. There are no species whose CNDDB polygons overlap with the project site, and the project area has a low likelihood of harboring special-status plants due to the history of disking. Despite this, the site visit was not performed during the flowering time of most herbaceous plant species in the region, thus the existence of special-status plants cannot be ruled out at this time. To ensure the project does not impact special-status plant species, Mitigation Measure BIO-2 below would reduce potential impacts to a less than significant level.

The majority of the site is disked ruderal grassland with low cover of plants and low species diversity. The only woody plants in the development area occur on the margins of the parcel boundary, such as coyote brush shrubs along Technology Way. One raptor nest was observed in the riparian area along Sheehy creek in December 2022, along with a pair of raptors soaring near the nest which appeared to be either red-tailed hawks (Buteo jamaicensis) or Cooper's hawk (Accipiter cooperii); however, positive identification was not possible during the December 2022 site visit. There is also an occurrence of burrowing owl within one (1) mile of the project site. The potential for Swainson's hawk to occur within the project site is very low. No suitable nesting habitat exists in the project area. There is some potential nesting habitat in Sheehy Creek. The nearest known occurrence is 0.25 miles northeast of the project site near an upper reach of Sheehy Creek. Thus, it is indicated that protected species of raptors may be utilizing the habitat in the Sheehy Creek riparian corridor. Migratory birds may also utilize the shrubs and trees surrounding the Sheehy Creek riparian corridor. Because of the potential for bird species to nest onsite, Mitigation Measure BIO-3 below would reduce potential impacts to a less than significant level.

Targeted surveys for Foothill yellow-legged frog, California red-legged frog, and Western pond turtle were not performed as part of the FCS site assessment; thus, their presence on-site is not known. Foothill yellow-legged frog, California red-legged frog, and Western pond turtle require aquatic habitat but may move away from watercourses and ponds for dispersal, to seek refuge in the dry season, and to nest in adjacent uplands. To prevent Foothill yellow-legged frog, California red-legged frog, and Western pond turtle from entering the project area and to avoid any potential impacts to these species, Mitigation Measure BIO-4 below would reduce potential impacts to a less than significant level.

b-c. The project area is a previously disturbed site and located within an existing industrial/business park. There are no wetlands on the property and no physical improvements or site modifications required for the project that have potential to impact sensitive resources. No evidence of wildlife corridors, raptor nests, wildlife dens, burrows or other unique or sensitive biological habitats or resources are located on site. As such, there would be no loss of significant wildlife or other sensitive habitat. Implementation of the project does not result in conflict with any County of Napa General Plan policy or ordinance protection vegetation or wildlife. In addition, there are no Habitat Conservation Plans, or other local or state habitat conservation plans that apply to this site.

d. As noted above, there are moderately dense riparian woodland areas along Sheehy Creek located north of the project area. No sensitive habitat types such as serpentine soils or native grasslands were observed on-site. No impacts to fisheries or wildlife habitat are anticipated from work in the upland grassland portions of the site. No impairment to wildlife connectivity is anticipated due to the existence of this project in an entirely developed industrial park. However, recommended mitigation measures listed in **Section IV(a)** above will ensure that potential impacts to native resident or migratory fish, wildlife species, or established native resident or migratory wildlife corridors, can be reduced to less than significant levels. No further mitigation is required, and the impact is considered less than significant.

e. The project would not conflict with any local policies protecting biological resources, such as tree preservation or the County's Conservation Regulations. The site is an improved industrial lot with no native vegetation. In accordance with the requirements of the NVBPSP, new landscaping will be provided on the site. The project does not conflict with any County ordinance or requirement to preserve existing trees,

and therefore is considered as not having potential for a significant impact thereto. There is one coast live oak tree greater than 6-inches DBH that exists in the project area (but not in the Sheehy Creek riparian zone). This tree was identified in the project area and is subject to tree removal restrictions. Therefore, to ensure no significant impact would occur to mature vegetation removal, Mitigation Measure BIO-5 would reduce potential impacts to a less than significant level.

f. The proposed project would not conflict with the provisions of adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. There are no plans applicable to the subject parcel.

Mitigation Measures:

Mitigation Measure BIO-1: Prior to issuance of a grading or building permit, the project applicant shall provide a silt fencing plan to protect the Sheehy Creek Conservation Easement area The boundary of this Conservation Easement will serve as the setback for the proposed project. Silt fencing should be installed along the entire length of the riparian corridor (the Conservation Easement boundary) in order to avoid any impacts to this watercourse. The fencing shall be constructed of standard silt fencing with a minimum height above ground of 24 inches, with the bottom of the fence buried to a minimum depth of 6 inches. Grading shall occur during the dry season and should be suspended during rainfalls of greater than one-half inch over a 24-hour period. If rainfall is in the forecast, standard erosion control measures, such as straw waddles, bales, or additional silt fencing, should be deployed in any areas where silt fencing does not appear to be adequate. Construction personnel should be informed of the location of the site's aquatic resources and those locations should be demarcated with high-visibility flagging or staking prior to construction. No materials or equipment shall be stored in or near aquatic resources, and spill prevention materials shall be kept on-site at all times.

Method of Mitigation Monitoring: The permittee shall install silt fencing prior to earth disturbing activities. Silt fencing shall remain in place as long as earth disturbing constructing activities are conducted.

Mitigation Measure BIO-2: The project sponsor or permittee shall conduct protocol-level special-status plant surveys during the flowering time of the target species (see Appendix B in the 2024 FCS report), following protocols as specified in Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities dated March 20, 2018 (CDFW 2018). Two follow-up visits during the early and late flowering times of these species shall be performed to determine whether any special-status plants exist in the project area. If this spring survey does not result in positive occurrences of special-status plants, no impacts to special-status plant species or their habitats are anticipated, and no further action is required.

If spring plant surveys do detect special-status plant species on-site, species-specific mitigation measures shall be implemented in order to reduce the impacts from the proposed project to less than significant levels. Measures shall include transplanting of adult plants out of the project area, and collection of seed from on-site plants for propagation at a local nursery. Both nursery plants and transplanted adult plants should be planted in suitable habitat on-site that will not be subject to disturbance, such as the easement area surrounding Sheehy Creek. If no suitable habitat is available on-site for planting, plants shall be located on an off-site location confirmed by the project Biologist as a suitable location. Plants shall be replaced at a minimum of 3:1 ratio and monitored for a minimum of five (5) years, with any dead plants replaced so as to maintain the desired replacement ratio.

Method of Mitigation Monitoring: The permittee shall contract with a certified plant biologist to conduct the seasonal special-status protocol surveys. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status plant species are found to occur on-site construction activities will be halted and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts as indicated above.

Mitigation Measure BIO-3: A survey for active bird nests shall be conducted by a qualified biologist no more than 14 days prior to the start of project activities, including vegetation removal, grading, or other ground-disturbing activities, if ground-disturbing activities commence during the nesting season (February 1 through August 31). The survey shall be conducted in a sufficient area around the project site to identify the location and status of any nests that could potentially be directly or indirectly affected by vegetation removal or grading activities, including in the disked area of the project site.

Surveys for nesting raptors, and migratory passerine birds shall be conducted by a qualified Biologist prior to project implementation. Surveys shall follow protocols approved by CDFW for detecting the presence or absence of these species. A final pre-construction survey for these species shall also be performed no more than 14 days prior to the start of project activities, including vegetation removal, grading, or other ground-disturbing activities, if ground-disturbing activities commence during the nesting season (February 1 through August 31). The survey shall be conducted in a sufficient area around the project site to identify the location and status of any nests that could potentially be directly or indirectly affected by vegetation removal or grading activities, including in the disked area of the project site.

If active nests of protected species are found within the project area or close enough to the area to affect nesting success, a work exclusion zone shall be established around each nest. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive. Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual

buffers, ambient sound levels, and other factors. An exclusion zone radius may be as small as 25 feet (for common, disturbance-adapted species) or as large as 250 feet or more for raptors. Exclusion zone size may also be reduced from established levels if supported with nest monitoring by a qualified Biologist, in consultation with CDFW representatives, indicating that work activities are not significantly impacting the nest.

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from February 1 through September 30. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.

Mitigation Measure BIO-4 (Swainson's Hawk Surveys and Avoidance Buffer): If Project activities are scheduled during the nesting season for Swainson's hawk (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from March 1 through September 15. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any Swainson's hawks are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.

Mitigation Measure BIO-5: Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a minimum 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW approved mitigation bank, unless otherwise approved in writing by CDFW.

Method of Mitigation Monitoring: The permittee shall provide CDFW with confirmation that appropriate habitat credits have been purchased prior to any construction activities scheduled to occur on the site. Upon verification from CDFW, the permittee shall submit documentation to the Napa County Planning, Building and Environmental Services prior to obtaining a permit from PBES.

Mitigation Measure BIO-6 (Burrowing Owl Habitat Assessment and Surveys): A qualified biologist shall conduct a habitat assessment and surveys for wintering burrowing owls prior to construction if construction starts during the burrowing wintering season (September 1 to January 31) Surveys shall be conducted if warranted based on the habitat assessment. The habitat assessment and surveys shall follow the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds) and the qualified biologist shall prepare a report documenting the survey results. The habitat assessment and surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted, which is up to 500 meters (1,640 feet) around the Project site pursuant to the above methodology. Habitat assessments and surveys shall occur each year of Project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days, unless otherwise approved in writing by CDFW. Surveys for non-breeding burrowing owls shall be spread over four visits during the nonbreeding season (i.e., wintering), September 1 to January 31. Time lapses between surveys or Project activities shall trigger subsequent surveys including, but not limited to, a final survey within 24 hours prior to ground disturbance. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in burrowing owl detections. The Project shall immediately notify CDFW if burrowing owl is detected and implement a construction avoidance buffer around any detected burrowing owl pursuant to the buffer distances outlined in the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012), which may be up to 500 meters (1,640 feet). Any detected owl shall be

monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW.

Method of Mitigation Monitoring: The permittee shall have a wintering burrowing owl survey completed prior to any construction activities scheduled to occur on the site from September 1 through January 31. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any burrowing owls are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to burrowing owls which may include preservation of potential foraging habitat.

Mitigation Measure BIO-7 (Burrowing Owl Foraging Habitat Mitigation): Impacts to burrowing owl foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall provide burrowing owl foraging habitat mitigation at a minimum 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of burrowing owl foraging habitat credits at a CDFW approved mitigation bank, unless otherwise approved in writing by CDFW.

Method of Mitigation Monitoring: The permittee shall provide CDFW with confirmation that appropriate habitat credits have been purchased prior to any construction activities scheduled to occur on the site. Upon verification from CDFW, the permittee shall submit documentation to the Napa County Planning, Building and Environmental Services prior to obtaining a permit from PBES.

Mitigation Measure BIO-8: The project sponsor or permittee shall install exclusion fencing during the wet season (prior to April 1) along the entire length of the Sheehy Creek riparian corridor to prevent native amphibian species from entering the project site from Sheehy Creek. The fencing shall be constructed of standard silt fencing with a minimum height above ground of 24 inches, with the bottom of the fence buried to a minimum depth of 6 inches. Areas to be fenced shall be inspected for Foothill yellow-legged frog, California red-legged frog, and Western pond turtle by a qualified Biologist prior to installation, and the installed fencing shall again be inspected by the Biologist to ensure that it is installed properly. The fencing shall remain installed until on-site mechanized ground disturbance is completed. Following fencing installation and within 48 hours of the initiation of ground disturbance, a visual pre-construction survey for Foothill yellow-legged frog, California red-legged frog, and Western pond turtle covering all ground disturbance areas shall be performed by a qualified Biologist. If either of the subject species are observed within the covered areas, ground disturbance shall not proceed and other measures will be determined in coordination with the CDFW, as well as the USFWS if California red-legged frog is observed.

Following the pre-construction survey and prior to the initiation of ground-disturbing activities, a biological education program shall be provided by a qualified biologist to all personnel who will be present at the site during ground disturbance and related activities. The worker education program shall include information regarding the identification and natural history of Foothill yellow-legged frog, California red-legged frog, and Western pond turtle (including photographs), the potential for occurrence of these species within work areas, the legal status of each species, and the ramifications for unauthorized take. The biologist shall also explain the purpose of the exclusion fencing and measures for maintaining it. The biologist shall also provide guidance on what to do if animals are observed on-site, including halting all ground disturbance and immediately alerting the qualified biologist.

Method of Mitigation Monitoring: The permittee shall have a pre-construction survey completed prior to any construction activities scheduled to occur on the site prior to April 1. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.

Mitigation Measure BIO-9: The project sponsor or permittee shall provide an arborists report and tree protection plan prepared by a qualified biologist/arborist to determine the final number of trees greater than 6-inches DBH to be removed in the project area. Trees shall be replaced elsewhere on-site at a replanting ratio consistent with the Napa County General Plan Policy CON-24. Trees should be replaced at not less than a 2:1 ratio and shall be of same species from local genotypes. Replanting should consist of irrigation and caging and shall be monitored for a minimum of 5 years.

Method of Mitigation Monitoring: The project sponsor or permittee shall submit an Arborist Report and qualified Tree Protection Plan and Tree Replacement Plan to the Napa County Planning, Building and Environmental Services, if required, prior to issuance of grading or building permits.

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 in CEQA Guidelines §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Discussion:

a-b. The project site is vacant and does not contain any structures within the development area. An Archaeological Resources study was prepared in 1994 during the original site development and approvals for the project site. According to the initial study for the development of the Industrial Park, no further study is recommended for the for the area affected by the project. A Phase I Cultural Resources Assessment study was prepared by First Carbon Solutions (FCS) on January 20, 2023. Based on the results of the records searches, tribal correspondence, and pedestrian survey, FCS considers the potential for the proposed project to have an adverse effect on historic or prehistoric cultural resources to be moderate. In addition, FCS recommends that all construction personnel directly involved with project-related ground disturbance attend a "tailgate" Worker Environmental Awareness Program (WEAP) training for archaeological resources. The training should include visual aids, a discussion of applicable laws and statutes relating to archaeological resources, types of resources that may found within the project site, and procedures to be followed in the event such resources are encountered. The training should be conducted by an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology. Additionally, FCS recommends that an archaeological monitor reporting to the qualified archaeologist, be present during the clearing, grading and trenching phases of the project to check for the inadvertent discovery of archaeological resources or human remains. Over the course of the project, should the archaeologist determine that the probability of inadvertent discovery is low, they may make a recommendation to the lead agency that monitoring be reduced to regular periodic or "spot-check" monitoring, or that monitoring may cease altogether. Incorporation of Mitigation Measure CULT-1 will reduce potential impacts to less than significant levels. Cultural Resources Regulations and Evaluation Criteria can be found in Appendix E of the FCS January 2023 report.

While there are no previously recorded resources within the project site, its geomorphology and close proximity to Sheehy Creek and other resources just outside the search radius increase the potential that subsurface construction may encounter and adversely impact cultural resources. However, if any previously undiscovered resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project:

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.

c. No human remains have been previously encountered on the property; 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, listed above, would apply. No impacts would occur.

Mitigation Measures CULT-1: Prior to ground disturbance activities on site, the project sponsor shall provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology and the site protection manager for the Yocha Dehe Wintun Nation tribe. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including

applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP shall also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. Furthermore, the project sponsor shall sign the Cultural Sensitivity Training Agreement submitted by the Yoche Dehe Wintun Nation and deliver copies to the Napa County Planning and Building Services department for the administrative file.

Method of Mitigation Monitoring: The project sponsor/permittee shall coordinate with the Yoche Dehe Wintun Nation to ensure that the WEAP is completed prior to any construction activities, including signing the Cultural Sensitivity Training Agreement. Verification that the WEAP has been conducted shall be provided to the Napa County Planning, Building and Environmental Services. In the event any previously undiscovered resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project.

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?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion:

a-b. 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 vehicles and equipment will need to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation. The proposed project would comply with these State requirements and the Air Quality conditions of approval presented in Section III (Air Quality). 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 when compared with other similar construction sites within Napa County.

Energy would be consumed during the operational phase of the project. In addition, vehicle trips during operation would consume gasoline fossil fuels. The project would include a variety of energy-saving elements, including energy-efficient building orientation and design features, lighting, utilities, and appliances. In addition, the project applicant included a Voluntary Best Management Practices checklist as part of the project application, including a Vehicle Miles Traveled (VMT) reduction plan including employee carpool or vanpool, bike riding incentives; and the designation of clean air/carpool/electric vehicle parking spaces.

Adherence to building code requirements for any mechanical changes to accommodate increased production would ensure reduced energy use during operations would not be inefficient and would result in a less than significant impact.

Compliance with the California Building Code, energy-saving elements, and Best Management Practices noted above would further reduce emissions and ensure no overall environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during operation. Therefore, these impacts would be considered less than significant.

Mitigation Measures: None 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.	☐	☐	☐	☒
ii)	Strong seismic ground shaking?	☐	☐	☐	☒
iii)	Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv)	Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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.	☐	☐	☐	☒
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?	☐	☐	☒	☐
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

Discussion:

a. i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in no impact with regards to rupturing a known fault.

ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the latest standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level in relation to seismic ground shaking.

iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest edition of the California Building Code for seismic stability would reduce any impacts to a less than significant level.

iv.) According to the Napa County Environmental Resource Maps (Landslides line and polygon) there are no known landslide areas within the project area. Therefore, there would be no impact.

b. The proposed improvements would occur on slopes of five percent or less. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.

c/d. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the property is composed of Haire loam, 2-9 percent slopes. According to the Napa County GIS Sensitivity Maps (Surficial Deposits layer), the majority of the site is underlain by undifferentiated Holocene alluvium deposits with portions of the site underlain by early or middle Pleistocene fan or terrace deposits. Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has very low to high susceptibility for liquefaction. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level. In addition, a soils report, prepared by a qualified engineer will be required as part of the building permit submittal. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods, which will reduce potential impacts to less than significant.

e. The project will connect to municipal water service provided by the City of American Canyon and sewer service by Napa Sanitation District. "Will Serve" letters have been provided by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project. (see **Section XIX Utilities and Service Systems (d)**, below.) Impacts would be less than significant, and no mitigation would be required.

f. No paleontological resources or unique geological features have been identified on the property or were encountered when streets and infrastructure were constructed. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the standard condition of approval 7.2 identified in **Section V** above.

Mitigation Measures: None Required

VIII.	**GREENHOUSE GAS EMISSIONS**. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project must include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. 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.

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. Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.

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. During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). For the purposes of this analysis potential GHG emissions associated with construction of roadways and infrastructure.

Greenhouse gas (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). 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 wineries and light industrial uses 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; and ii) ongoing emissions from the energy used to maintain and operate the winery and light industrial uses, including vehicle trips associated with employee and visitor trips.

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:

    - o Residential projects: 15 percent below the existing VMT per capita;
    - o Office projects: 15 percent below the existing VMT per employee; or
    - o 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 required completion of a traffic study and VMT analysis. The project TIS, prepared by W-Trans, dated November 21, 2023, includes the applicant's proposal for a Traffic Demand Management (TDM) Plan for reducing vehicle miles traveled. See **Section XVII. Transportation** for additional detail. The applicant proposes implementing some GHG reduction strategies through a VMT reduction plan which includes employee incentives. The applicant will be required to implement further GHG reduction strategies, including exceeding Title 24 energy efficiency standards with new construction, installation of water efficient fixtures; designing new construction to achieve low-impact development; and installation of water efficient landscaping. New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building Code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None 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?	☐	☐	☒	☐
	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?	☐	☐	☒	☐
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
	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?	☐	☐	☐	☒

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?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	☐	☐	☒	☐

Discussion:

a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in construction of the buildings. Impacts would be less than significant.

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 the 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 of construction activity, 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 construction a new winery and warehouse facility and associated site improvements which would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.

c. There are no schools located within one-quarter mile from the project site. According to Google Earth, the nearest school to the project site is the Napa Junction Magnet Elementary School, located approximately 2.75 miles to the south. 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. The majority of the project site is situated in Zone D (Traffic Pattern Area) of the Airport Land Use Compatibility Plan and falls within the Airport Compatibility (AC) overlay zoning district. According to the Plan, properties within Zone D are subject to overflights at heights of 300 to 1,000 feet above ground level. Section 3.3.3 of the Plan and Section 12399.5 of the AC standards limit the height of structures to 35 feet without use permit approval. The project is located within the "Horizontal Zone" established by the Airport Safety Ordinance. No. 416. The maximum height limit established for safety set forth in the ordinance is 150 feet above natural grade. The 32-foot 9-inch roof peak height of both proposed Buildings A and B (winery and warehouse respectively) is substantially below this height limitation and would not create an aircraft hazard. The project is consistent with all other applicable compatibility criteria in the Airport Land Use Plan. Existing provisions of the Industrial Park zoning standards also address aircraft safety through requirements for non-reflective building surfaces, lighting patterns that do no mimic runway lighting, and proper storage of hazardous materials. In addition, recordation of an aircraft overflight easement will be required as part of the final map that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations. A small portion of the riparian corridor along Sheehy creek, at the northwest corner of the Building A project site, is located within Zone B of the compatibility plan which is an area of high noise levels and low overflights below 100-feet. No development is proposed within this area. As such, impacts would be less than significant environmental effects, and no mitigation is necessary.

f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery, and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed project. Access to the proposed lots will meet County standards. The proposed access driveway improvements and on-site circulation configuration meet the Napa County Road and Street Standards. The proposed driveway that would serve the project will be designed to comply with County standards and access to the building has been designed to accommodate fire apparatus and large trucks. The project has been reviewed by the Napa County Fire Department and Engineering Services Division and found acceptable, as conditioned. The proposed project would not obstruct an emergency response or evacuation plan or emergency vehicle access. Therefore, impacts would be less than significant.

g. According to the Napa County Environmental resource maps (based on the following GIS layer – SRA) the project area is located within a Local Response Area for fire protection services and has a low risk of damage from wildland fires. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wildland fires because the project is located within an urbanized area. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None 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 ground water quality?	☐	☐	☐	☒
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?)	☐	☐	☐	☒
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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
	(i) result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
	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?	☐	☐	☐	☒
	iv) impede or redirect flood flows?	☐	☐	☐	☒
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or substantial groundwater management plan?	☐	☐	☐	☒

Discussion:

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

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well (or approval of an alteration to an existing well) in a basin subject to the Sustainable Groundwater Management Act and that is classified as medium- or high-priority, obtaining written verification from the GSA (Groundwater Sustainability Agency) managing the basin that groundwater extraction would not be inconsistent with any sustainable groundwater management program established in any applicable GSP (Groundwater Sustainability Plan) and would not decrease the likelihood of achieving sustainability goals for the basin covered by a GSP, or that the it is determined first that extraction of

groundwater from the new/proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

On March 28, 2022, August 9, 2022, and November 8, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3 acre-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. Because the project will be provided water by the City of American Canyon, Executive Order N-7-22 does not apply.

a. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The proposed project will discharge to an approved storm drainage system designed to accommodate the drainage from the site. The applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board (RWQCB) which is administered in part by the County Engineering Services Division on behalf of the RWQCB. Given the essentially level terrain, and the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.

b. The project will receive water from the City of American Canyon. The project is located within an area designated for urban development by the City of American Canyon. The City has acquired water rights to provide adequate water for all areas within their service area. The City has reviewed the proposed project and determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant shall contribute to the City's water conservation fund and has issued a Will Serve letter for the proposal which will be made a condition of project approval. The City has developed a capacity fee capital program and water conservation program which, when implemented, will reasonably ensure an adequate supply of potable water and recycled water to meet demands under normal years, multiple-dry-years, and single-dry-years. By fully complying with the City's ZWF Policy, the project will offset its new demand by paying an in-lieu fee that will be used by the City to implement its water conservation efforts to reduce potable water demands throughout its Water Service Area. Given the City's efforts to expand its water portfolio in terms of supply, storage, and conservation, and the fact that this project will not result in an increased demand on the existing system, it is reasonable to project there is sufficient water supply over the life of the project. No groundwater wells are associated with this property.

c (i–iv). The proposed it would not result in an impact to substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. 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 grading 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 c) 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 preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

d. The parcel is not located in an area that is subject to flood hazards, tsunamis, or seiches, and would not be at risk of releasing pollutants due to inundation. According to Napa County environmental resource mapping (Floodplain and Dam levee Inundation layers), the project site is not located within a flood hazard area, nor would it impede or redirect flood flows or expose structures or people to flooding. No impacts would occur.

e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a-b. The proposed project would not occur within an established community, nor would it result in the division of an established community. The proposed project complies with the Napa County General Plan, the Napa County Zoning Ordinance, applicable County Code sections, the Napa Valley Business Park Specific Plan, and all other applicable regulations. There are no habitat conservation plans or natural community conservation plans applicable to the property. Impacts would be less than significant.

Mitigation Measures: None required.

XII.	**MINERAL RESOURCES.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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 required.

XIII.	**NOISE.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a/b. The proposed project will result in a temporary increase in noise levels during the construction of the building, parking areas, and associated improvements. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The proposed project would not result in long-term significant permanent construction noise impacts or operational impacts. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (N.C.C. Chapter 8.16). The anticipated level of noise to occur following the completion of construction including the operation of the facility would be typical of a winery and light industrial/manufacturing/warehouse/distribution use in an existing business park. The project is located within an business park and is not in an area where noise increases resulting from additional light industrial development will impact sensitive receptors. The design of the proposed project, together with adherence to the County Noise Ordinance, would ensure the proposed project would not result in adverse noise impacts.

c. The proposed project site is located within compatibility Zone D of the Napa County Airport, which is a common traffic pattern zone with aircraft overflight between 300-feet and 1,000-feet above ground level. As such, persons on the project site will be exposed to noise from the regular aircraft overflight. The Napa County Zoning Code, section 8.16.070, Exterior noise levels, lists the maximum allowable level for industrial areas as 75 dBA. Based on the County General Plan Community Character Element, figure CC-1: Napa County Airport Projected Noise Levels (dBA CNEL), the project site is located outside of the airport area projects of 60 dBA or less, which is less than the maximum allowed in the Industrial area. The nature of the uses allowed in the Industrial Park (IP) zoning is not sensitive to increased noise levels from aircraft and is considered compatible with aircraft operations. Therefore, the location of the project within the airport land use area will result in a less than significant impact on people working in the project area.

Mitigation Measures: None 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)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

The Association of Bay Area Governments' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County's Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. 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 related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing. Cumulative impacts on the local and regional population and housing balance would be less than significant.

a. The proposed project includes a new winery production facility and warehouse/distribution facility within an existing business park. The project would increase the number of jobs within the business park. However, given the size of the project, the new jobs (16 full time and 7 part time employees during non-harvest season, seasonal help increase during harvest to approximately 35 total employees for the winery facility, and approximately 30 employees in the warehouse) are considered to be relatively small compared to the overall business park and nearby communities. Therefore, this increase in jobs will not contribute to a cumulatively considerable increase in the demand for housing units within Napa County and the general vicinity. No impacts would occur. As noted above, the County has adopted a Housing Element which identifies locations for new affordable housing and adopted a development impact fee. The fee provides funds for constructing affordable housing to off-set the cumulative existing affordable housing shortage in the County. The fee is paid at the time building permits are issued. This fee is charged to all new non-residential developments based on the gross floor area of non-residential space multiplied by the applicable fee by type of use as required under Chapter 18.107, of the Napa County Code and is considered to reduce housing impacts to a less than significant level.

b. There are no existing homes, on or adjacent to, the project site. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None 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?	☐	☐	☐	☒
ii)	Police protection?	☐	☐	☐	☒
iii)	Schools?	☐	☐	☐	☒
iv)	Parks?	☐	☐	☐	☒
v)	Other public facilities?	☐	☐	☐	☒

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. The property is located within the service areas of both the Napa County Sheriff's Department as well as the Napa County Fire Department. The proposed improvements, if approved, would be inspected by County building inspectors and fire officials to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of any requisite building permit application. The proposed project does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the project site. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed project. 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 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 use of existing parks or recreational facilities based on its limited scope. No impacts would occur.

b. No recreational facilities are proposed as part of the project. No impact would occur.

Mitigation Measures: None 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 Transportation Impact Study (TIS) was prepared for the project by W-Trans on November 21, 2023. The TIS presents an analysis of the potential transportation impacts that would be associated with both buildings proposed and was completed in accordance with the criteria established by the County and is consistent with standard traffic engineering techniques. The potential transportation impacts that would be associated with the two buildings proposed within the boundaries of the Napa Valley Business Park Specific Plan area were evaluated, though a specific tenant has not yet been identified for either building. The proposed winery project (Building A) includes a 143,312 SF building for tank fermentation and storage of bulk wine. The winery facility would normally be staffed with 16 full-time and 7 part-time employees, with employment increasing to approximately 35 total employees during harvest. The winery is expected to generate an average of 71 daily trips during non-harvest months, including 23 weekday a.m. and p.m. peak hour trips, and during harvest months, it would be expected to generate 104 trips per day, with 34 weekday peak hour trips. Because the winery would be a production only facility and have no tasting room, the weekend peak period was not evaluated.

The proposed Building B warehouse building would be 66,915 SF in size; it is anticipated that the use would be classified as a warehouse for trip generation purposes. The facility would be staffed with up to 30 employees and is expected to generate 114 trips per day, including 11 a.m. peak hour trips and 12 p.m. peak hour trips.

Weekday traffic volumes within the project vicinity consist primarily of commute traffic within the peak traffic periods, with residential flows from nearby communities and commercial, tourist, and industrial park traffic occurring throughout the day. Southern Napa County is characterized by two distinct commute traffic patterns; a Napa to Bay Area commute and a Solano County to Napa commute. The existing traffic congestion and potential cumulative impacts are primarily the result of regional growth impacts.

The Metropolitan Transportation Commission (MTC) serves as the transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. The MTC created and maintains the Metropolitan Transportation System (MTS), a multimodal system of highways, major arterials, transit service, rail lines, seaports and airports. MTS facilities within the vicinity of the project site include State Routes 12, 29, 121, and 221, and Airport Boulevard. The State routes are maintained and operated by the California Department of Transportation (Caltrans.) The MTS is incorporated into MTC's 2001 Regional Transportation Plan (RTP) and is used as a guideline in prioritizing for planning and funding of facilities in the Bay Area.

Major improvements to both Highway 29 and Highway 12 are necessary to address existing and cumulative regional traffic congestion. The RTP and the Napa County General Plan 2008 update identify roadway improvements in South Napa County to address potential cumulative impacts. These improvements include construction of a flyover ramp at SR 12/29/221 intersection, construction of a new interchange at SR 12/Airport Blvd/SR 29

intersection, widening Jamieson Canyon (SR 12) to four lanes (recently completed), widening SR 29 to six lanes between south Airport Blvd and the south County line (in coordination with the City of American Canyon), and extending Devlin Road south to Green Island Road. These improvements are not yet fully funded, except as noted above, but are expected to be in place by 2030 addressing potential cumulative impacts in the southern part of the County.

As mandated by Napa County, projects within the industrial park are responsible for paying "fair share" costs for the construction of improvements to impacted roadways within the NVBPSP. Since 1990, the County has imposed and collected traffic mitigation fees on all development projects within the NVBPSP area. A developer's "fair share" fee goes toward funding roadway improvements within the NVBPSP area including improvements designed to relieve traffic on State Highways. The traffic mitigation fee is further described in the Board of Supervisor's Resolution 08-20.

a./c./d The project site includes three curb cuts/driveway approaches for the Building A winery facility, two off Morris Court, and the main project entrance off Technology Way. The Building B warehouse/distribution facility will include two curb cuts/driveway approaches. The main entrance for the warehouse would be off Gateway Road on the east side of the project site and a second access point further west off Technology Way. The driveway approaches were designed to comply with all County standards including emergency vehicle access. The project will not result in any changes to levels of service or cause any new safety risks. Therefore, there would be no impact to hazards due to a geometric design feature or inadequate emergency access, or incompatible uses, and no mitigation is required. A left-turn lane would not be warranted at either project's driveways. The project would not cause any queues to increase and cause an impact. Pedestrian, bicycle, and transit facilities are adequate and would be improved by the sidewalk installation included as part of each project. The proposed project would be designed to adequately accommodate emergency response vehicles if applicable standards are followed, resulting in a less-than-significant impact on emergency response. To ensure adequate sight distance at the projects' driveways, proposed landscaping within the vision triangle should consist of either low-lying foliage (three feet high or less) or trees with all branches trimmed to a minimum height of seven feet above the roadway elevation.

There is currently bus service on Devlin Road, with a bus stop on the east side of Devlin Road, approximately 150 feet north of the Delvin/Airport Boulevard intersection and 1,500 feet east of the project site. The proposed project would not impair use of public transit facilities in its vicinity. The Napa Countywide Bicycle Plan, adopted by the Board of Supervisors in June 2012, identifies Devlin Road as an existing Class II bicycle facility (on-street bike lane) and a proposed Class I multi use path, which includes a segment of the Vine Trail. The proposed project would maintain existing bicycle facilities in its vicinity. Therefore, there would be no impact.

b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

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

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

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. According to the Transportation Impact Study (TIS) prepared for the project by W-Trans, dated November 21, 2023, the proposed Building A winery is expected to generate an average of 71 daily trips during non-harvest months, including 23 weekday a.m. and p.m. peak hour trips. During harvest months, the winery would be expected to generate 104 trips per day, with 34 weekday peak hour trips. The proposed Building B warehouse is expected to generate 114 trips per day, including 11 a.m. peak hour trips and 12 p.m. peak hour trips. To establish a baseline, the guidelines indicate that project-related VMT should be estimated by multiplying the number of project-generated trips by the countywide average trip length as determined in the Napa Valley Travel Behavior Study, March 2020, which is

11.8 miles. Assuming an average trip length of 11.8 miles, the winery is estimated to generate 104 trips and 1,227 VMT per day, and the warehouse is estimated to generate 114 trips and 1,345 VMT per day. Because the winery project would generate fewer than 110 daily trips, it would be presumed to have a less-than-significant VMT impact and does not require a quantitative analysis or mitigation.

For the Building B warehouse project, which would generate 114 trips per day (over the 110 trip threshold), the implementation of TDM measures, which could include a commute trip reduction program, a ridesharing program, telework/compressed/flex schedules, and providing end-of-trip bicycle facilities, could reduce VMT by approximately 15 percent and result in a less-than-significant impact. Transportation Demand Management (TDM) Plans should be prepared by future tenants and include measures necessary to achieve this 15-percent reduction. The proposed projects would need to achieve a reduction of 15 percent of daily vehicle travel, or a combined 202 VMT per day, for the VMT impact to be considered less than significant. Mitigation Measure TRANS-1 below will reduce potential impacts to VMT to a level of less than significant. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

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 proposed project includes 211 total parking spaces provided for both proposed buildings, with 129 total spaces for the Building A winery building including 115 parking spaces for the winery and bottling facility and an additional 14 spaces for the office, and 82 total spaces for the Building B warehouse building including 38 spaces for the warehouse and 44 spaces for the office uses. The winery building will include four Americans with Disabilities Act (ADA) accessible standard spaces and 24 electric charging spaces. The warehouse building will also include four ADA spaces, nine electric charging spaces, and two vanpool spaces. The Building A winery facility will be run by 16 full-time and 7 part-time employees during non-harvest season and increase during harvest to approximately 35 total employees. The Building B warehouse is proposed to be operated by up to 30 employees. Therefore, the project will not result in inadequate parking and there is no impact.

Mitigation Measure TRANS-1: The project sponsor for the Building B warehouse building shall submit a Transportation Demand Management Plan prepared by a qualified traffic engineer that achieves a reduction of 15 percent of daily vehicle travel, or a combined 202 VMT per day. The TDM for the warehouse building should include the following:

Commute Trip Reduction Program

A voluntary commute trip reduction program encourages alternative modes of transportation such as carpooling, transit, and biking. This program must include employer-provided services, infrastructure, and incentives for alternative modes, discounted transit, bicycling, vanpool, and guaranteed ride home. Additionally, information, coordination, and marketing for services, infrastructure, and incentives must be provided.

Rideshare Program

Providing a rideshare program would encourage carpooled vehicle trips over single-occupant vehicle trips. This should be promoted through a multi-faceted approach, which could include designating a certain percentage of desirable parking spaces for ridesharing vehicles or providing an app or website for coordinating rides.

Tele-Work/Compressed/Flex Schedules

Telework (i.e., working from home), compressed schedules (i.e., working more than eight hours each day and shortening the work week), and flex schedules (i.e., varying arrival and departure times to avoid peak commute hours) are three of the most commonly-employed scheduling options used to reduce vehicle trips. They are effective at reducing vehicle trips to work, particularly during peak commute hours. Employee work hours could be staggered to reduce congestion during peak traffic hours.

End-of-Trip Bicycle Facilities

Bicycle Parking

The provision of both short-term and long-term bicycle parking is important for encouraging employees to commute by bicycle. Secure long-term parking (e.g., bike lockers) is often a critical component in encouraging employees to bike to work as the lack of secure parking is often cited by employees as a deterrent to doing so. Short-term parking (e.g., bike racks) could be used by employees and is generally an inexpensive way to accommodate visitors as well.

Bicycle Maintenance Tools

In addition to providing bicycle parking, some businesses are now encouraging bicycle use by providing employees and visitors with the basic tools necessary to maintain their bicycles on site. Often, these tools can be kept in bicycle storage areas and include simple items such as a bike pump and tire patches that are essential, yet inexpensive, for bike travel.

Employee VMT Reduction

The expected VMT reductions associated with the various TDM measures identified were estimated based on information published in the California Air Pollution Officers Association (CAPCOA) report Handbook for Analyzing GHG Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, CAPCOA, 2022, and the Napa Mobility Management VMT Reduction Calculator Tool,

which supports the goals of SB 743, as well as the location of the project site and knowledge of transportation characteristics of the area. The TDM strategies listed above are projected to result in a VMT reduction of 15 percent, accounting for the potentially overlapping effects of each strategy.

Method of Mitigation Monitoring: The applicant shall submit the TDM to the Planning Division, prior to issuance of grading or building permits. The Building B project sponsor, or future tenants, shall submit an annual progress report documenting the implemented TDM measures and the resulting VMT reduction percentages for review and approval by the Napa County PBES Director.

XVIII.	**TRIBAL CULTURAL RESOURCES.** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
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.	☐	☐	☒	☐

Discussion:

a/b. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites or tribal resources have been identified on the property. Invitation for tribal consultation was completed in accordance with Public Resources Code Section 21080.3.1. On May 3, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. As of the preparation of this environmental assessment, only one response has been received from the Yoche Dehe Tribe stating that they would like to be updated during the project process. As discussed in **Section V** of this initial study, should any resources not previously documented are found associated with the proposed project, a qualified archaeologist must be retained to investigate the site in accordance with the standard county conditions of approval.

Mitigation Measures: None required.

XIX.	**UTILITIES AND SERVICE SYSTEMS. Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

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

Discussion:

a-c. The project would not require the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities as a result of the project. The project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not result in a significant impact on the environment relative to wastewater discharge. The project site is located in an area planned for industrial development and existing water and wastewater treatment facilities have been sized to accommodate the proposed project.

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and town across California to reduce water usage by 25 percent. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The project will receive water from the City of American Canyon. The project site is also located within the Napa Sanitation District's (NSD) recycled water service area, thus recycled water will be used for all irrigation demands.

On October 23, 2007, the City of American Canyon adopted a Zero Water Footprint (ZWF) Policy which defines a ZWF as "no net loss of water service reliability or increase in water rates to the City of American Canyon's existing water service customers due to requested increase demand for water within the City's water service area." The City prepared a Water Supply Reports (WSR) for each building, both dated March 13, 2023, incorporated herein by reference, to determine if the requested water service is consistent with City ordinances, policies and practices; whether the City's water supply is sufficient to grant the request; and, establish a water allocation for the property. The WSR indicates the project site has a baseline water footprint of zero gallons per day (gpd) because the project site is undeveloped and has no historic water use. The request includes an anticipated water demand of 11,945 gpd average-day demand (ADD) and 22,990 gpd maximum day demand (MDD) for Building A and 233 gpd ADD and 466 gpd MDD for Building B. The City's 2010 Urban Water Management Plan (UWMP) assumes industrially zoned property will have up to a maximum ADD of 675 gpd per acre. American Canyon Municipal Code (ACMC) Section 13.10 further limits industrially zoned property within City limits and the broader City ETSA up to a maximum ADD of 675 gpd per acre. As shown in Table 3 on the March 13, 2023 WSR, Building A's estimated ADD (1,735 gpd per acre) is more than the maximum allowed by the ACMC 13.10 (650 gpd per acre).

The City has determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant must offset the new ADD for Building's A and B. The City has established various programs intended to offset new demand(s) on its water system. The applicant has agreed to participate in one such program whereby old plumbing fixtures in existing residences (such as toilets, showers and faucets) are replaced with high-efficiency fixtures. On average the cost to replace the fixtures in a single-family dwelling unit is $600 and results in an on-going savings of 65 gpd. By facilitating the replacement of these fixtures city-wide, Building A's new demand is offset by water which is saved elsewhere. The applicant has agreed to contribute $106,107.693 for Building A and $2,150.77 for Building B to the City's Zero Water Footprint Mitigation Fund. Monies in the Fund are used to pay for replacement of plumbing fixtures. The amount paid will result in equivalent savings of 11,495 gpd and 233 gpd, thereby offsetting the Building's A and B new ADD, respectively. In accordance with the WSR, the City has issued a will-serve letter for water service subject the ZWF offset described above and other conditions outlined in the City's letter received March 13, 2023, and incorporated as conditions of project approval. Impacts would be less than significant.

The project will occur within an urbanized area and connect to a publicly maintained wastewater treatment system. The wastewater provider, Napa Sanitation District, has provided a Will Serve letter and has found the project to be in compliance with district master plans. The District's wastewater treatment plant complies with all water quality discharge requirements, and therefore the project will comply with regional water quality control standards and therefore has a less than significant impact.

The proposed project includes self-treating and self-retaining areas, as well as bioretention areas that in combination would serve as both stormwater quality and runoff management measures. Grading for construction of the bioretention basins, storm drain pipelines, wastewater and water system infrastructure improvements would occur concurrently with site grading associated with construction of the two buildings Construction activities would be subject to the dust suppression measures listed in section III, Air Quality, of this initial study. The new storm drainage system will be designed by a qualified engineer and is subject to review and approval by the Engineering Services Division. The Engineering Services Division has included conditions of approval requiring that the drainage system be designed to avoid diversion or concentration of storm water runoff onto adjacent properties.

d. The project would be served by Keller Canyon Landfill which has a capacity which exceeds current demand. Non-recyclable and non-organic waste generated on the property is collected by Napa Recycling and Waste Services (NRWS) and ultimately deposited at the Keller Canyon Landfill (located in unincorporated eastern Contra Costa County). Keller Canyon Landfill has reached roughly 15 percent of its capacity in the first 12 years of its approximated 50 years of operation (which began in 1992), and extrapolating that same rate of material to date, has

adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from the proposed winery. As of January 2004, the Keller Canyon Landfill had 64.8 million cubic yards of remaining capacity and has enough permitted capacity to receive solid waste though 2030. Beginning in 2016, all establishments that would generate organic waste (such as food waste from wine/food pairings or food service at the proposed winery's marketing events) are required to participate in NRWS's food composting program, as a means to support efforts to achieve State mandates for reductions of greenhouse gas emissions generated from decomposition of material into landfills. No impacts will occur.

e. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, no impacts would occur.

Mitigation Measures: None required.

XX.	**WILDFIRE.** If located in or near state responsibility areas of lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion:

a-d. The subject property is located in the Napa Valley Business Park which is predominately industrial development. It is also located in the Napa County Local Responsibility Area (LRA) and the fire hazard severity zone is classified as Urban Unzoned. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wildland fires. There are no project features that would impair an adopted emergency response plan or evacuation plan. The proposed driveways provide adequate access to the site from Technology Way. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. The project site is currently served by underground utilities for power and would continue to do so as a result of the proposed project. No new overhead power line infrastructure would be required for the proposed development. Therefore, impacts would be considered less than significant.

Mitigation Measures: None 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?	☐	☒	☐	☐

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

a. The site has been previously disturbed and does not contain any known listed special-status plant or animal species. The project will not 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 reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in **Section IV** above, although no special-status species were found during site surveys or would be directly impacted by development of the project, mitigation measures are proposed to conduct pre-construction surveys in the event that special-status species inhabit the site prior to construction. All potential biological related impacts would be less than significant, with incorporation of proposed mitigation. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory. In the event archaeological artifacts are found, a standard condition of approval and mitigation measure would be incorporated into the project. Impacts would be less than significant.

b. The project does not have impacts that are individually limited but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology and traffic associated impacts are discussed in their respective sections above. The analysis determined that all potential impacts were less than significant and would not contribute significantly to cumulative impacts. The project does not propose new development that would have a significant impact on the environment or substantially change the existing conditions. With the imposition of standard and project specific conditions of approval, the project does not have impacts that are individually limited, or cumulatively considerable.

c. There are no schools or hospitals housing sensitive receptors within a quarter mile of the project site. Noise from construction that would occur with construction and installation of the proposed site improvements would be temporary and would be limited to day time hours, and would be subject to best management practices intended to limit fugitive dust and protect stormwater quality.

Mitigation Measures: None Required.

E&P Technology Way – Building A , Use Permit (#P22-00308) & Building B Use Permit (#P22-00308)
Technology Way and Morris Court, Napa, CA 94558, APN's 057-0250-030; -031; -032

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
Biological Resources (IV)			
BIO 1 - Prior to issuance of a grading or building permit, the project applicant shall provide a silt fencing plan to protect the Sheehy Creek Conservation Easement area. The boundary of this Conservation Easement will serve as the setback for the proposed project. Silt fencing should be installed along the entire length of the riparian corridor (the Conservation Easement boundary) in order to avoid any impacts to this watercourse. The fencing shall be constructed of standard silt fencing with a minimum height above ground of 24 inches, with the bottom of the fence buried to a minimum depth of 6 inches. Grading shall occur during the dry season and should be suspended during rainfalls of greater than one-half inch over a 24-hour period. If rainfall is in the forecast, standard erosion control measures, such as straw waddles, bales, or additional silt fencing, should be deployed in any areas where silt fencing does not appear to be adequate. Construction personnel should be informed of the location of the site's aquatic resources and those locations should be demarcated with high-visibility flagging or staking prior to construction. No materials or equipment shall be stored in or near aquatic resources, and spill prevention materials shall be kept on-site at all times.	PBES	The permittee shall install silt fencing prior to earth disturbing activities. Silt fencing shall remain in place as long as earth disturbing constructing activities are conducted.	
BIO 2 - The project sponsor or permittee shall conduct protocol-level special-status plant surveys during the flowering time of the target species (see Appendix B in the 2024 FCS report), following protocols as specified in Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities dated March 20, 2018 (CDFW 2018). Two follow-up visits during the early and late flowering times of these species shall be performed to determine whether any special-status plants exist in the project area. If this spring survey does not result in positive occurrences of special-status plants, no impacts to special-status plant species or their habitats are anticipated, and no further action is required. If spring plant surveys do detect special-status plant species on-site, species-specific mitigation measures shall be implemented in order to reduce the impacts from the proposed project to less than significant levels. Measures shall include transplanting of adult plants out of the project area, and collection of seed from on-site plants for propagation at a local nursery. Both nursery	PBES, CDFW	The permittee shall contract with a certified plant biologist to conduct the seasonal special-status protocol surveys. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status plant species are found to occur on-site construction activities will be halted and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts as indicated above.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
plants and transplanted adult plants should be planted in suitable habitat on-site that will not be subject to disturbance, such as the easement area surrounding Sheehy Creek. If no suitable habitat is available on-site for planting, plants shall be located on an off-site location confirmed by the project Biologist as a suitable location. Plants shall be replaced at a minimum of 3:1 ratio and monitored for a minimum of five (5) years, with any dead plants replaced so as to maintain the desired replacement ratio. BIO 3 - A survey for active bird nests shall be conducted by a qualified biologist no more than 14 days prior to the start of project activities, including vegetation removal, grading, or other ground-disturbing activities, if ground-disturbing activities commence during the nesting season (February 1 through August 31). The survey shall be conducted in a sufficient area around the project site to identify the location and status of any nests that could potentially be directly or indirectly affected by vegetation removal or grading activities, including in the disked area of the project site. Surveys for nesting raptors, and migratory passerine birds shall be conducted by a qualified Biologist prior to project implementation. Surveys shall follow protocols approved by CDFW for detecting the presence or absence of these species. A final pre-construction survey for these species shall also be performed no more than 14 days prior to the start of project activities, including vegetation removal, grading, or other ground-disturbing activities, if ground-disturbing activities commence during the nesting season (February 1 through August 31). The survey shall be conducted in a sufficient area around the project site to identify the location and status of any nests that could potentially be directly or indirectly affected by vegetation removal or grading activities, including in the disked area of the project site. If active nests of protected species are found within the project area or close enough to the area to affect nesting success, a work exclusion zone shall be established around each nest. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive. Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers, ambient sound levels, and other factors. An exclusion zone radius may be as small as 25 feet (for common, disturbance-adapted species) or as large as 250 feet or more for raptors. Exclusion zone size may also be reduced from established levels if supported with nest monitoring by a qualified Biologist, in consultation with	PBES, CDFW	The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from February 1 through September 30. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
CDFW representatives, indicating that work activities are not significantly impacting the nest.			
BIO-4 - Swainson's Hawk Surveys and Avoidance Buffer - If Project activities are scheduled during the nesting season for Swainson's hawk (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.	PBES, CDFW	The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from March 1 through September 15. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any Swainson's hawks are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.	
BIO 5 - Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a minimum 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and	PBES, CDFW	The permittee shall provide CDFW with confirmation that appropriate habitat credits have been purchased prior to any construction activities scheduled to occur on the site. Upon verification from CDFW, the permittee shall submit documentation to the Napa County Planning, Building and Environmental Services prior to obtaining a permit from PBES.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW approved mitigation bank, unless otherwise approved in writing by CDFW.			
BIO-6 - Burrowing Owl Habitat Assessment and Surveys - A qualified biologist shall conduct a habitat assessment and surveys for wintering burrowing owls prior to construction if construction starts during the burrowing wintering season (September 1 to January 31) Surveys shall be conducted if warranted based on the habitat assessment. The habitat assessment and surveys shall follow the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds) and the qualified biologist shall prepare a report documenting the survey results. The habitat assessment and surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted, which is up to 500 meters (1,640 feet) around the Project site pursuant to the above methodology. Habitat assessments and surveys shall occur each year of Project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days, unless otherwise approved in writing by CDFW. Surveys for non-breeding burrowing owls shall be spread over four visits during the nonbreeding season (i.e., wintering), September 1 to January 31. Time lapses between surveys or Project activities shall trigger subsequent surveys including, but not limited to, a final survey within 24 hours prior to ground disturbance. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in burrowing owl detections. The Project shall immediately notify CDFW if burrowing owl is detected and implement a construction avoidance buffer around any detected burrowing owl pursuant to the buffer distances outlined in the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012), which may be up to 500 meters (1,640 feet). Any detected owl shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW.	PBES, CDFW	The permittee shall have a wintering burrowing owl survey completed prior to any construction activities scheduled to occur on the site from September 1 through January 31. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any burrowing owls are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to burrowing owls which may include preservation of potential foraging habitat.	
BIO-7 - Burrowing Owl Foraging Habitat Mitigation - Impacts to burrowing owl foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall	PBES, CDFW	The permittee shall provide CDFW with confirmation that appropriate habitat credits have been purchased prior to any construction activities scheduled to occur on the site. Upon verification from CDFW, the permittee shall submit documentation to the Napa County Planning,	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
provide burrowing owl foraging habitat mitigation at a minimum 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of burrowing owl foraging habitat credits at a CDFW approved mitigation bank, unless otherwise approved in writing by CDFW.		Building and Environmental Services prior to obtaining a permit from PBES.	
BIO-8 - The project sponsor or permittee shall install exclusion fencing during the wet season (prior to April 1) along the entire length of the Sheehy Creek riparian corridor to prevent native amphibian species from entering the project site from Sheehy Creek. The fencing shall be constructed of standard silt fencing with a minimum height above ground of 24 inches, with the bottom of the fence buried to a minimum depth of 6 inches. Areas to be fenced shall be inspected for Foothill yellow-legged frog, California red-legged frog, and Western pond turtle by a qualified Biologist prior to installation, and the installed fencing shall again be inspected by the Biologist to ensure that it is installed properly. The fencing shall remain installed until on-site mechanized ground disturbance is completed. Following fencing installation and within 48 hours of the initiation of ground disturbance, a visual pre-construction survey for Foothill yellow-legged frog, California red-legged frog, and Western pond turtle covering all ground disturbance areas shall be performed by a qualified Biologist. If either of the subject species are observed within the covered areas, ground disturbance shall not proceed and other measures will be determined in coordination with the CDFW, as well as the USFWS if California red-legged frog is observed. Following the pre-construction survey and prior to the initiation of ground-disturbing activities, a biological education program shall be provided by a qualified biologist to all personnel who will be present at the site during ground disturbance and related activities. The worker education program shall include information regarding the identification and natural history of Foothill yellow-legged frog, California red-legged frog, and Western pond turtle (including photographs), the potential for occurrence of these species within work areas, the legal status of each species, and the ramifications for unauthorized take. The biologist shall also explain the purpose of the exclusion fencing and measures for maintaining it. The biologist shall also provide guidance on what to do if animals are observed on-site, including halting all ground disturbance and immediately alerting the qualified biologist.	PBES, CDFW	The permittee shall have a pre-construction survey completed prior to any construction activities scheduled to occur on the site prior to April 1. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds which may include preservation of potential foraging habitat.	

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BIO-9 - The project sponsor or permittee shall provide an arborists report and tree protection plan prepared by a qualified biologist/arborist to determine the final number of trees greater than 6-inches DBH to be removed in the project area. Trees shall be replaced elsewhere on-site at a replanting ratio consistent with the Napa County General Plan Policy CON-24. Trees should be replaced at not less than a 2:1 ratio and shall be of same species from local genotypes. Replanting should consist of irrigation and caging and shall be monitored for a minimum of 5 years.	PBES	The project sponsor or permittee shall submit an Arborist Report and qualified Tree Protection Plan and Tree Replacement Plan to the Napa County Planning, Building and Environmental Services, if required, prior to issuance of grading or building permits.	
CULT-1 - Prior to ground disturbance activities on site, the project sponsor shall provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology and the site protection manager for the Yocha Dehe Wintun Nation tribe. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP shall also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. Furthermore, the project sponsor shall sign the Cultural Sensitivity Training Agreement submitted by the Yoche Dehe Wintun Nation and deliver copies to the Napa County Planning and Building Services department for the administrative file.	PBES	The project sponsor/permittee shall coordinate with the Yoche Dehe Wintun Nation to ensure that the WEAP is completed prior to any construction activities, including signing the Cultural Sensitivity Training Agreement. Verification that the WEAP has been conducted shall be provided to the Napa County Planning, Building and Environmental Services. In the event any previously undiscovered resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project.	
TRANS-1 - The project sponsor for the Building B warehouse building shall submit a Transportation Demand Management Plan prepared by a qualified traffic engineer that achieves a reduction of 15 percent of daily vehicle travel, or a combined 202 VMT per day. The TDM for the warehouse building should include the following: *Commute Trip Reduction Program* A voluntary commute trip reduction program encourages alternative modes of transportation such as carpooling, transit, and biking. This program must include employer-provided services, infrastructure, and incentives for alternative modes, discounted transit, bicycling, vanpool, and guaranteed ride home.	PBES, DPW	The applicant shall submit the TDM to the Planning Division, prior to issuance of grading or building permits. The Building B project sponsor, or future tenants, shall submit an annual progress report documenting the implemented TDM measures and the resulting VMT reduction percentages for review and approval by the Napa County PBES Director.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
Additionally, information, coordination, and marketing for services, infrastructure, and incentives must be provided. *Rideshare Program* Providing a rideshare program would encourage carpooled vehicle trips over single-occupant vehicle trips. This should be promoted through a multi-faceted approach, which could include designating a certain percentage of desirable parking spaces for ridesharing vehicles or providing an app or website for coordinating rides. *Tele-Work/Compressed/Flex Schedules* Telework (i.e., working from home), compressed schedules (i.e., working more than eight hours each day and shortening the work week), and flex schedules (i.e., varying arrival and departure times to avoid peak commute hours) are three of the most commonly-employed scheduling options used to reduce vehicle trips. They are effective at reducing vehicle trips to work, particularly during peak commute hours. Employee work hours could be staggered to reduce congestion during peak traffic hours. *End-of-Trip Bicycle Facilities* Bicycle Parking - The provision of both short-term and long-term bicycle parking is important for encouraging employees to commute by bicycle. Secure long-term parking (e.g., bike lockers) is often a critical component in encouraging employees to bike to work as the lack of secure parking is often cited by employees as a deterrent to doing so. Short-term parking (e.g., bike racks) could be used by employees and is generally an inexpensive way to accommodate visitors as well. Bicycle Maintenance Tools - In addition to providing bicycle parking, some businesses are now encouraging bicycle use by providing employees and visitors with the basic tools necessary to maintain their bicycles on site. Often, these tools can be kept in bicycle storage areas and include simple items such as a bike pump and tire patches that are essential, yet inexpensive, for bike travel. *Employee VMT Reduction* The expected VMT reductions associated with the various TDM measures identified were estimated based on information published in the California Air Pollution Officers Association (CAPCOA) report Handbook for Analyzing GHG Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, CAPCOA, 2022, and the Napa Mobility Management VMT Reduction Calculator Tool, which			

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supports the goals of SB 743, as well as the location of the project site and knowledge of transportation characteristics of the area. The TDM strategies listed above are projected to result in a VMT reduction of 15 percent, accounting for the potentially overlapping effects of each strategy.			