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Initial Study / Subsequent Mitigated
Negative Declaration

AXR Napa Valley Winery Permit No. P22-00417-UP, P26-00045-VAR, & P26-
00044-VIEW
Planning Commission Hearing – June 3, 2026



Initial Study Checklist/Mitigated Negative Declaration

(form updated January 2019)

Pursuant to Section 15162 of the State CEQA Guidelines, this proposed Initial Study/Subsequent Mitigated Negative Declaration, the original 2005 Mitigated Negative Declaration adopted for Use Permit File No. P04-0541, and the 2008 Addendum adopted for Use Permit Modification File No. P08-00099, constitute the environmental review conducted by Napa County as lead agency for the proposed project described below.

- 1. Project Title:** AXR Napa Valley Winery - Major Use Permit Modification (File No. P22-00417), Variance (File No. P26-00045), and Viewshed (File No. P26-00044)
- 2. Property Owner:** Silverado Trail Wine Partners IV, LLC; P.O. Box 292, St. Helena CA, 94574
- 3. County Contact Permits, Phone Number and email:** Hannah Spencer, Planner III; (707) 253-4018, Hannah.spencer@countyofnapa.org
- 4. Project Location and Assessor's Parcel Number (APN):**
 - 3199 N. St. Helena Highway (SR 29), St. Helena, CA 94574; APN 022-080-025
 - Section 22, Township 08 North, Range 06 West, Mt. Diablo Principal Meridian
 - Latitude 38°31'49.1"N / Longitude 122°30'17.1"W
- 5. Project Sponsor's name and address:** Land Use Planning Services, Attn: Jeff Redding; 2423 Renfrew Street, Napa, CA 94558
- 6. General Plan description:** Agriculture, Watershed and Open Space (AWOS)
- 7. Zoning:** Agricultural Watershed (AW)
- 8. Background/Project History:** The project site is the former August Hirsch Winery (main residence, cellar, and barn) built in the late 1800's. From 1930 to 1950 the Hirsch residence and cottages were used as a restaurant and lodging resort facility historically known as, "The Madrones". Between 2001 and 2003, the previous owner converted the property's abandoned walnut orchard of approximately 3 acres to vineyard (#01222-ECPA and #03100-ECPA). During this time, the owner also obtained legal nonconforming certificates for the property's residential structures that were constructed in 1928 or earlier in accordance with Sec.

18.132.050(C) of the Napa County Code (#00516-CLN). These structures included a second unit attached to the Hirsch residence and five cottages (Buildings #4-8). Other nonconforming residential structures on the property were determined to be unpermitted and were eventually demolished.

In 2005, the Planning Commission adopted a Mitigated Negative Declaration (SCH No. 2005082087) and approved Use Permit File No. P04-0541 for “V Madrone Cellars” which re-established the historic pre-prohibition winery within the Hirsch residence, cellar, and barn and converted their uses to winery operations as allowed under Sec. 18.104.245 (exceptions for pre-prohibition wineries). The 2005 Use Permit approved the following:

- 20,000-gallon maximum annual wine production capacity.
- Use of the Hirsch residence as office, conference, shipping/receiving, equipment and dry storage, employee break room, and lobby uses (2,547 square feet).
- Use of the Hirsch residence cellar and basement as barrel, bottle and bulk storage (2,555 square feet).
- Relocation and conversion of the 798 square foot historic barn and attached 136 square foot outbuilding to barrel storage, storage, and restroom use.
- Conversion of the 425 square foot unenclosed outbuilding to covered work areas.
- Construction of a new 1,204 square foot outdoor tank and crush pad behind the Hirsch residence.
- 15 parking spaces.
- Two full-time and two part-time employees.
- Hours of operation - seven (7) days a week from 8:00 a.m. to 6:00 p.m. for production; 8:00 a.m. to 4:00 p.m. for visitation (retail until 4:30 p.m.); and 10:00 a.m. to 10:00 p.m. for events provided they are scheduled outside of peak traffic hours.
- By-appointment only tours and tastings for 20 people per day (with an average of 90 per week) and 12 annual marketing events with attendance ranging from 20 to 75 people.

The 2005 Use Permit Conditions of Approval required the owner to designate the attached second unit as the main residence and complete various site improvements and protection measures for historic resources onsite. These measures included installation of a left-turn lane for ingress and egress to the winery on Highway 29, and listing the historic structures on the California Register or National Register.

In 2007, the Planning Commission designated the historic Hirsch residence and site as a Napa County Local Landmark (#P07-00656). Two cottages, a historic rock wall and cistern, and a redwood grove and oak trees were included in the local landmark designation as contributing

accessory structures and landscape features. In 2008, the owners applied for a modification to the winery use permit under File No. P08-00099 to allow for changes to the site plan and previous Conditions of Approval. On May 7, 2008, the Planning Commission adopted an Addendum to the 2005 Mitigated Negative Declaration (SCH No. 2005-082087) and approved the use permit modification for the following requests:

- Substitute the original left-turn lane condition of approval requirement with an equivalent “No Left Turn” arrangement as accepted by Caltrans. This included the elimination of two non-historic cottages (Buildings #5 and 6), installation of two “No Left Turn” signs at the winery driveway, and other driveway changes to make turning left in and out of the project difficult.
- Modify a use permit condition to reflect that the local landmark designation completed in 2007 met the intent of the original use permit’s requirement to list the Hirsch residence and barn on the California Register or National Register.
- Convert the agricultural barn and outbuildings into a single, slightly larger Winery Barrel Storage building of 1,492 square feet in size.
- Allow the proposed 1,204 square foot outdoor tank/crush pad to be built behind the barrel storage building instead of next to the Hirsch residence/winery.

No changes were made to the previously approved wine production capacity, employee count, visitation, marketing, parking, or hours of operation. Years later, the Board of Supervisors approved the property for a Mills Act Historical Preservation Agreement (#P12-00417) to ensure the preservation of the Hirsch residence and the cottages in exchange for a reduced property tax assessment. The Mills Act contract recorded on November 26, 2013 (Official Record No. 2013-0032878) and has a rolling 10-year term that automatically renews each year unless non-renewed.

The current owners, Silverado Trail Wine Partners IV, LLC, acquired the property in 2017 and subsequently rebranded the facility as V Madrone Cellars. Under previous ownership, the parking lot was expanded and reconfigured to provide 22 standard spaces and one accessible space; modifications were also made to the winery’s main floor.

Silverado Trail Wine Partners IV, LLC submitted the subject Use Permit Modification application (File No. P22-00417). Although the application initially sought to increase annual production from 20,000 to 35,000 gallons, the applicant withdrew that request in December 2025. Consequently, this Initial Study does not analyze changes to the winery’s existing production capacity.

To date, two public comments have been received in support of the project, with no other comments submitted prior to the publication of this initial study.

9. Description of Project: Request for a Winery Use Permit Major Modification to File No. P08-00099-MOD and P04-0541 to allow the following:

- **New Production Cave** - Construct a new 17,190+/- square foot Type I production cave and three portals; with 11,993+/- square feet for barrel storage and 5,197+/- square feet for crush pad, tank farm and related wine production uses.
- **Existing Barrel Storage Building** - Convert the existing 1,492 square foot barrel storage building to a tasting room and the adjacent 1,204 square foot outdoor crush/tank pad to tasting and hospitality uses.
- **Existing Winery Building (historic Hirsch residence)** - Maintain winery storage/production uses in the cellar (2,555 square feet of production) and reconfigure the main level to convert the entire floor (4,147 square feet- includes attached 2-bedroom residence) to accessory uses (tasting rooms, offices, restrooms, breakrooms, etc.).
- **Water Systems and Storage** - Use existing well and storage tanks, and install a new public water system, fire pump house, and five replacement 10,500-gallon water tanks for fire protection.
- **Wastewater Systems** - Use the existing domestic septic system to serve employees and guests and install a separate process wastewater treatment system.
- **Parking** - Formalize the previous parking lot expansion to include 17 standard and one accessible space, while removing five existing spaces for the cave portal access road. Daily operations will be supported by these stalls, while medium and large events will utilize valet services, onsite overflow, and employee shuttles.
- **Driveway/Internal Circulation** - Upgrade existing driveway to comply with Napa County Road and Street Standards (NCRSS) and construct a new road connecting the existing interior access road to the new cave portals.
- **New Left Turn Lane** - Widen SR 29 to accommodate a new left-turn lane and remove up to six oak trees from the Caltrans right-of-way.
- **Production Volume** - Maintain the existing permitted production capacity of 20,000 gallons per year.
- **Landscaping** - Use existing landscaping and install new screening vegetation for cave portals #2 and #3.
- **Employees** - Increase the number of employees to the following:
 - Weekdays: 6 full-time employees during harvest; 4 full-time employees outside of harvest; and 2 part-time employees year-round.

- Weekends: 12 full-time employees and 5 part-time employees year-round.
- **Hours of Operation -**
 - Maintain existing production hours of 8:00 a.m. to 6:00 p.m., seven days a week.
 - Modify visitation hours to 10:00 a.m. to 6:00 p.m. (including retail), seven days a week.
 - Maintain marketing event hours of 10:00 a.m. to 10:00 p.m. and clarify quiet clean-up to complete by 11:00 p.m. and all events to avoid the peak traffic hours which are considered to be from 4:00 p.m. – 5:00 p.m. on weekdays and 2:00 p.m. – 3:00 p.m. on weekends.
- **Visitation and Marketing -**
 - Increase daily visitation to 60 people per day during harvest, except from December 1 to March 31 visitation will reduce to 40 people per day.
 - Establish on-premises consumption of wine (Business and Professions Code sections 23358, 23390 and 23396.5) in three outdoor areas (north and south of hospitality building and the attached patio).
 - Provide pre-packaged food service for daily visitors and catered food service for marketing events (no commercial food facility proposed).
 - Increase the number of annual marketing events from 12 to 31 per year as follows:
 - Twenty-four (24) events with 25 guests, occurring twice per month (tours/tastings limited to 35 visitors on event days)
 - Four (4) events per year with 75 guests (tours/tasting closed on event days)
 - Three (3) events per year with 150 guests (tours/tasting closed on event days)

The project proposes 14,150 cubic yards of net grading and the addition of 11,484 square feet of impervious surface area (winery coverage). Consequently, winery coverage would expand from 0.80 to 1.14 acres, while the winery development area (employee-exclusive footprint) would increase from 0.10 to 0.12 acres.

Variance Request:

As the entire parcel is encumbered by overlapping setbacks (300 feet from Bea Lane and 600 feet from SR 29), there is no alternative location to construct new aboveground winery accessory structures. Therefore, the project includes a variance to the 600-foot highway setback to allow the new winery process wastewater treatment system within 415+/- feet from St. Helena Highway/State Route 29 (SR-29). Aboveground structures associated with this system include two 5,000-gallon tanks and/or a 900 square foot treatment unit (see further discussion in Section VII. below). Standard Conditions of Approval for the project require that

the proposed structures are substantially screened by vegetation and use of non-reflective, earth tone exterior materials and colors.

Viewshed Permit Request:

The project also includes a viewshed permit to allow the cave portals and structures associated with water and wastewater systems on slopes ranging from 15% to 18% in locations that are visible from SR-29, a County-designated Viewshed Road. As mentioned above, standard Conditions of Approval for the project require structures are substantially screened by vegetation and use of non-reflective, earth tone exterior materials and colors.

10. Describe the environmental setting and surrounding land uses. The 7.85-acre project parcel is located about 1.3 miles north of the City of St. Helena and has over 500 feet of frontage along State Highway 29, a designated viewshed road. Access to the property is provided via an existing looped driveway with separate ingress and egress points. Bea Lane, a private paved road, crosses through the northwestern corner of the property. As such, the entire project property is within the established winery road setbacks from Highway 29 and Bea Lane. Existing land uses onsite consist of a 3.5+/- acre vineyard, a historic 20,000-gallon pre-prohibition winery that was reestablished through a 2005 use permit (currently AXR Napa Valley winery), an attached apartment (currently the main residence), a barrel storage building with an outdoor tank/crush pad, three legal nonconforming cottages (dwelling units), four parking spaces used by residents, and 22 standard parking spaces and one accessible space used by ongoing winery operations. As discussed above, AXR Napa Valley winery operates seven days a week with four employees, offers daily tastings and tours by appointment, and hosts up to 12 marketing events per year.

Surrounding land uses include vineyard to the south and east across Highway 29, forest/open space to the west and northwest, wineries (Metzger Vineyards, Brasswood Napa Valley, Ehlers Estate Winery), and scattered residences. The two closest neighboring residences are within 200 feet of the winery.

The project parcel is located on the edge of the valley floor and a northeastern facing wooded hill. Slopes gradually increase from gentle to steep as you head west (approximately 6% to over 50%), with elevation ranging from 300-350+/- feet above mean sea level (above msl). County GIS Environmental Maps show the site is composed predominantly of Perkins Gravelly Loam (168) and Boomer Gravelly Loam (109). Primary vegetation cover onsite and, in the area, includes vineyard and landscaping, Douglas-fir and Ponderosa pine forest, as well as oak woodland. According to the Napa County GIS Environmental Maps (CNDDDB layer), the site is within range of Northern Spotted Owl. Additionally, the site is designated as a Napa County

Landmark and is located within an archaeologically sensitive area (CA-Nap-360). An archeological report prepared for development of the vineyard in 2002 surveyed the entire site. Obsidian flake scatters were encountered and monitoring during construction activities has been required for both the vineyard and winery development projects.

Hirsch Creek, a designated significant stream, flows easterly through the northern border of the parcel, onto the adjacent northern parcel, and ultimately to the Napa River. The creek contains substantial riparian cover though portions of the stream bank within vicinity of the project have been modified over time.

There are three existing water supply wells on the property, one of which currently supplies all water use onsite (constructed in 2018 under #E18-00508). The other two wells are no longer in use. Of these two, one well is proposed to be destroyed via a well demolition permit and the other well (located near Highway 29) is proposed to remain as a potential backup well or be destroyed. A fourth well on the property was destroyed in 2007 as documented under #E07-00318. The site also contains a historic spring that is no longer in use (located within Hirsch Creek). A 2004 baseline water demand for the site's agricultural and residential water usage is documented in the Water Availability Analysis (WAA) prepared for the original winery use permit (#P04-0541) which reflected 3.62-acre feet of groundwater per year (AFY). Since 2004, two cottages have been removed, and the original 3.3+/- acre vineyard expanded to 3.5+/- acres in size.

11. Other agencies whose approval is required.

The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, water supply permits, and an encroachment permit, in addition to meeting CalFire standards. Permits are required by the California Department of Transportation, the Department of Alcoholic Beverage Control, Alcohol and Tobacco Tax and Trade Bureau, the San Francisco Regional Water Quality Control Board, and the Division of Drinking Water.

Responsible (R) and Trustee (T) Agencies

- California Department of Transportation (R)
- Alcoholic Beverage Control (R)
- San Francisco Regional Water Quality Control Board (R)
- California State Water Resources Control Board – Division of Drinking Water (R)

Other Agencies Contacted

- Middletown Rancheria

- Mishewal Wappo Tribe of Alexander Valley
- Yocha Dehe Wintun Nation

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

Notice of the proposed project was sent certified mail to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on May 12, 2025. The County received a response letter from the Yocha Dehe Wintun Nation on June 12, 2025 (Identification Number YD-050122025-02) indicating that the project area was not within their aboriginal territories. On September 29, 2025, the County replied to the Yocha Dehe Wintun Nation and closed the consultation invitation because the Tribe did not request consultation. On September 29, 2025, the County also sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County coordinated with Middletown Rancheria during meetings held in October 2025 and January 2026. The County agreed to incorporate additional mitigation measures for the protection of tribal cultural resources in response to new information and concerns raised by the Middletown Rancheria. This is discussed in detail in **Section XVIII (Tribal Cultural Resources)**.

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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa

County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with #P22-00417, #P26-00045, and #P26-00044 as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or on the County's website at: [Current Projects Explorer | Napa County, CA \(countyofnapa.org\)](#)

- 2005 Adopted MND for VMadrone Cellars (#P04-0541-UP), SCH No. 2005-082087 **(Exhibit A)**
- 2008 Adopted Addendum for V Madrone Cellars / Tilley Winery (#P08-00099) **(Exhibit B)**
- Signum Architecture, LLP, November 14, 2025, AXR Napa Valley Architectural Plans **(Exhibit C)**
- Summit Engineering Inc., November 14, 2025, Preliminary Civil Engineering Plans **(Exhibit D)**
- Studio 1515 Landscape Architecture, March 7, 2024, Cave Portal Visibility Analysis **(Exhibit E)**
- Summit Engineering, Inc., April 2024, Wastewater Feasibility Study **(Exhibit F)**
- EBA Engineering, July 25, 2024, Water Availability Analysis **(Exhibit G)**
- GHD Inc., December 12, 2025, Traffic Study Report **(Exhibit H)**
- Summit Engineering, Inc., June 12, 2025, Left Turn Lane Concept Plan **(Exhibit I)**
- Summit Engineering, Inc., November 14, 2025 Event Guest Parking Plan **(Exhibit J)**
- Evans & De Shazo, Inc., August 9, 2025, A Historic Resource Evaluation, Local Assessment, and Secretary of the Interior's Standards for the Treatment of Historic Properties Review **(Exhibit K)**
- Stephen P. Rae of MUSCI, April 20, 2002, Biological Resources Reconnaissance Report Special Status Plant Report Chris Tilley Vineyard Conversion (prepared for #01222-ECPA) **(Exhibit L)**
- Archeological Resource Service, January 25, 2002, A Cultural Resources Evaluation of the 8-acre Vineyard Lot Within Property at 3199 St. Helena Highway North, Napa County, California (prepared for #01222-ECPA) **(Confidential)**
- Site inspections conducted by Napa County Planning Division staff (Kelli Cahill, Planner III, April 2024; Hannah Spencer, Planner III, January 2026)
- Napa County Geographic Information Systems (GIS) Environmental Maps/Layers.
- Napa County Permit History Records for 3199 N St. Helena Hwy, St. Helena, CA 94574; APN 022-080-025.

ENVIRONMENTAL FINDING:

On the basis of this initial evaluation, I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A SUBSEQUENT MITIGATED NEGATIVE DECLARATION will be prepared.

Hannah Spencer

April 20, 2026

Signature

Date

Name: Hannah Spencer, Planner III

Napa County Planning, Building, and Environmental Services Department (PBES)

EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses is given:

- **No Impact:** The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.
- **Less Than Significant Impact:** The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.
- **Less Than Significant with Mitigation Incorporation:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.
- **Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of

insignificance where feasible. All references and sources used in this Initial Study are listed above and are incorporated herein by reference.

Mark Schratz, on behalf of Silverado Trail Wine Partners IV, LLC, has agreed to accept all mitigation measures listed in this Initial Study as Conditions of Approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

1. AESTHETICS:

Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

Discussion:

Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the Environmental Setting and Surrounding Land Uses section, above, the project parcel is located on the edge of the valley floor and a northeastern facing wooded hill. Slopes gradually increase from gentle to steep as you head west (approximately 6% to over 50%), with elevation ranging from 300-350+/- feet above mean sea level (above msl). Primary vegetation cover onsite and, in the area, includes vineyard and landscaping, Douglas-fir and Ponderosa pine forest, as well as oak woodland. The project parcel is accessed from and borders Saint Helena Highway (SR 29) - a County designated Viewshed Road. Development visible from designated viewshed roads are subject to the Napa County Viewshed Protection Program (discussed further below). Saint Helena Highway/State Route 29 is also an “eligible State Scenic Highway” according to California State Scenic Highway System Map. Within vicinity of the project site is California Bothe-Napa Valley State Park and Bale Grist Mill State Historic Park; yet the project is not visible from these trail systems or park roads.

Napa County Viewshed Protection Program:

According to NCC §18.106.010(A), a primary purpose of the Napa County Viewshed Protection Program is to provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the county. These standards include the protection of “substantial views” where 51 percent or more of the area facing the designated viewshed road can be seen, while NCC §18.106.030(A) states that the Viewshed Protection Program shall apply to all new structures located on slopes of 15% or more.

The project utilizes an existing historic winery building and accessory structures. No exterior building modifications are proposed to existing structures. See below for further discussion on historic resources. New structures associated with the project are related to the wine cave, water storage, and wastewater treatment systems. All new structures are proposed in the rear portion of the property, over 400 feet from the designated viewshed road, and will be substantially screened by a combination of existing topography and vegetation and new landscaping. New screening trees will be planted along

the southeastern property frontage, consisting of nine (9) 24-inch box ‘Swan Hill’ multi-trunk olive trees measuring 20-feet wide by 20-feet high. As proposed, the project has been designed in substantial conformance with the County’s viewshed protection manual because it would avoid grading on slopes more than 30% and is not sited near a ridgeline. Additionally, new structures are proposed in previously disturbed areas, within dirt roads and the vineyard. As a result, no trees are proposed for removal to accommodate new structures. By using existing structures and access features, minimizing alteration of existing contours, and preserving the vineyard and forested areas on the property, the project preserves views of hillsides and does not result in substantial changes to the natural landforms and topography of the site.

Viewshed assessment for new structures:

- The new fire pump house will be located on slopes less than 10%, in an area that is screened by existing structures and vegetation and as such, is not subject to the viewshed protection program.
- The replacement water storage tanks will be installed on and adjacent to the existing water tank pad. One of the five tanks may require leveling of an existing dirt road that exceeds 15% slope, however, this location is not visible from SR 29 due to surrounding topography and vegetation. Standard Conditions of Approval require that the landowner utilize earth tone and non-reflective materials and colors and that existing screening vegetation is maintained.
- The proposed cave portals are 13-feet, 8-inches tall. Cave Portal #1 is proposed on an approximate 16% slope, 567 feet from SR 29; and Cave Portals #2 and #3 are proposed on slopes averaging 18%, approximately 400 feet from SR 29. As demonstrated in the visibility analysis (Exhibit E), existing topography, trees and vineyard, as well as new landscaping would provide screening for all three cave portals from view from SR 29 and Bea Lane. As such, the proposed cave portals are also exempt from meeting the 300-foot and 600-foot County winery road setbacks (NCC § 18.104.230). Standard Conditions of Approval further reduce impacts to public views by requiring that these new structures utilize earth tone and non-reflective materials and colors, and that landscaping be installed and maintained as proposed. All exterior lighting will be designed to minimize nighttime light disruption and visual glare (see discussion under d. below).
- The proposed winery process wastewater system will be installed on an approximate 17% slope, at the edge of the vineyard in the southwest corner of the property. Adequate screening will be achieved from a combination of existing topography, vegetation, the neighbor’s residence, and installation of new landscaping along the property’s frontage. Standard Conditions of Approval further reduce impacts to public views by requiring that these new structures utilize earth tone and non-reflective materials and colors, and that landscaping be installed and maintained as

proposed.

Standard Conditions of Approval require that the landowner execute and record in the County Recorder's office a use restriction, in a form approved by County Counsel, to ensure building exteriors and existing and proposed screening vegetation be maintained by the owner or the owner's successors so as to "prevent the project from being viewed from any designated public road" in perpetuity pursuant to NCC §18.106.050(C). By incorporating standard Conditions of Approval, impacts to public views from SR 29 would be less than significant.

SR 29 Scenic Corridor:

To accommodate sight distance requirements for existing access and road widening for the new left turn lane, the project would result in removal of up to five (5) White Oak trees and one (1) Blue Oak tree ranging in size from seven (7) inches in diameter at breast height (DBH) to 24 inches DBH. Two of the oak trees proposed for removal are located just outside the property line of the project parcel; the remaining four trees are outside neighboring parcels to the south: 3169 N. St. Helena Highway (APN 022-080-013) and 3131 N. St. Helena Highway (APN 022-070-032). All six trees proposed for removal are within the Caltrans SR 29 right-of-way. Although there is no locally adopted Corridor Protection Program for SR 29, efforts should still be made to protect its scenic qualities as the highway remains an "eligible State Scenic Highway" which is considered as part of the scenic highway system. By requiring replacement trees or preservation of existing oak trees onsite through **Mitigation Measure VIS-1** below, the project would reduce impacts to the scenic quality of the SR 29 corridor. Preservation of the scenic quality of this corridor would also be achieved through Napa County's Viewshed Protection Program and related standard Conditions of Approval. Additionally, future signage for the property will continue to be regulated by the County's Sign Ordinance which includes standards designed to prevent impacts to the natural beauty and environment, and preserve and improve the appearance of the unincorporated areas of Napa County. As such, impacts to scenic quality of the SR 29 corridor would be less than significant.

Local Landmark Program:

The project site has been designated as a Napa County Local Landmark since 2007 (Landmark ID #141202) and is encumbered by a Mills Act Historical Preservation Agreement. The August Hirsch main residence, cellar, and barn were originally constructed in 1883. Two 19th-century cottages, rock wall ("Ehlers Lane Rock Wall" originally documented by Caltrans, P-28-000955), cistern, redwood grove, and oak trees onsite were considered contributing accessory structures and landscape features. The project would result in partial removal of Ehlers Lane Rock Wall to allow for road widening improvements along SR 29. No other exterior alterations to historic structures or contributing accessory features are proposed.

In August 2025, Evans & De Shazo, Inc. prepared an updated Historic Resources Evaluation of the property and proposed improvements (2025 HRE). The 2025 HRE determined that the existing structures and landscaping features were not eligible for individual listing on the California Register of Historic Resources (CPHR). Although the Property has been altered since the Historic Landmark designation in 2007 (prior to the current ownership), the 1883 house appears intact from when it was listed in 2007 and therefore remains eligible for Historic Landmark Designation. The 2025 HRE also notes that ca. 2009, the County approved the demolition of the 1883 barn and sections of the rock wall were replaced as well as elements of the landscape that were given landmark status. However, as the 1883 house (Hirsch Residence, now the AXR winery building) is currently listed as a Napa County Historic Landmark, the AXR winery building is considered a Historical Resource.

The 2025 HRE reviewed the proposed project improvements in accordance with the Secretary of Interior Standards for Rehabilitation Review and determined the project meets the Standards for Rehabilitation. **Mitigation Measure CUL-1** ensures impacts to the Local Historic Landmark will be significantly reduced as discussed further under Section 5 (Cultural Resources).

The project is consistent with the County General Plan and typical of land uses in the surrounding area, which consists of other scattered vineyards, wineries and rural residences, and forest land. For the reasons described above, the project would not result in substantial damage to scenic resources or historic resources, nor would the project substantially degrade the visual character or quality of the site and its surroundings. Additionally, there are no significant rock outcroppings or geologic features on the project site that would be impacted by the proposed project. By incorporating **Mitigation Measure VIS-1** below, the proposed project would have a less-than-significant impact on a scenic vista and scenic resources.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures:

Mitigation Measure VIS-1: Prior to issuance of building permits, the owner/permittee shall submit a tree replanting plan, prepared by a certified arborist or other qualified professional and subject to Planning Division approval, that includes replanting of at least six native oak trees (or other appropriate native species) to replace those removed. All replacement trees shall be a minimum size of 15-gallons and must be monitored for a minimum survivability period of five years. Any replacement trees that fail to survive during this period shall be replaced in-kind by the applicant. Alternatively, the owner/permittee may identify and permanently preserve the equivalent amount (or more) of native tree canopy through deed restriction or other means of permanent protection in a form approved by County Counsel.

Method of Monitoring: The owner/permittee shall schedule a site inspection with the Planning Division and/or submit documentation verifying that replacement trees have been installed, or that the deed restriction has been recorded, prior to final occupancy of building permits. The owner/permittee shall provide copies of the annual monitoring results to the Planning Division, while monitoring is in effect.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

Discussion: See response to Subsection 1(a) above.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure VIS-1.

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?

Discussion: See response to Subsection 1(a) above.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure VIS-1.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime view in the area?

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

6.3 *LIGHTING – PLAN SUBMITTAL*

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

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

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

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

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

6.15(g) COLORS

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

Significance Level: Less than significant impact.

Mitigation Measures: None required.

2. AGRICULTURE AND FOREST RESOURCES¹:

Would the project:

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

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion: The 7.85-acre AXR Winery property contains approximately 3.5 acres of vineyard. According to the Napa County Important Farmlands Map of 2020 prepared by the California Department of Conservation District, Division of Land Resource Protection, approximately 3.3 acres of the property is mapped as designated Prime Farmland and 0.9 acres as Unique Farmland. The California Department of Conservation’s “Important Farmland Categories”² define ‘Prime Farmland’ as farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. ‘Unique Farmland’ is defined as farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

The project is estimated to result in conversion of approximately 8,000 sq ft (0.18 acres) of the onsite vineyard in areas that are mapped as Prime and Unique Farmland. Converting approximately 0.18 acres of designated farmland (4% of the site’s vineyard) to develop wine caves and associated access is not considered a significant loss of land devoted to agricultural production. The primary use of the

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.

² California Department of Conservation, "Important Farmland Categories," Farmland Mapping and Monitoring Program, accessed February 10, 2026, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>

site (approximately 3.5 acres) will continue to be devoted to an actively farmed vineyard. Additionally, the proposed wine cave and access road are agricultural support uses to the onsite vineyard operation and other local vineyard operations in Napa County. The proposed project is consistent with the Agricultural Preservation and Land Use policies of the Napa County General Plan and the site's zoning designation of Agricultural Watershed. No change in the land use or zoning is proposed. No impact would occur.

Significance Level: No impact.

Mitigation Measures: None required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

Discussion: The project parcel has an Agriculture, Watershed and Open Space (AWOS) General Plan designation and is Zoned AW (Agricultural Watershed) which allows wineries upon the granting of a use permit. Napa County's General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As such, the proposed winery project does not conflict with existing zoning for agricultural uses. Additionally, the project parcel is not encumbered by a Williamson Act contract. No impact would occur.

Significance Level: No Impact.

Mitigation Measures: None required.

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)?

Discussion: 'Forest Land' is defined in California Public Resource Code Section 12220(g) as "land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." According to Napa County GIS Sensitivity Layers (Vegetation Map), the property contains approximately 3.5 acres of mapped Douglas fir forest and mixed oak woodland. As discussed previously, the project utilizes existing structures and access features. To accommodate wine cave construction and access, approximately 0.18 acres of vineyard would be removed. To allow for SR 29 road widening, up to six oak trees are proposed for removal from along the property's frontage, outside of any mapped forest land. No other trees are proposed for removal; thus, the project would not result in conversion of forest land.

Additionally, the project site is zoned as AW and is not zoned as forest land as defined in Public Resource Code Section 12220(g), timberland as defined in Public Resource Code Section 4526, or a Timberland Production Zone (TPZ) as defined in Government Code Section 51104(g). No impacts will occur.

Significance Level: No impact.

Mitigation Measures: None required.

- 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?**

Discussion: See response to Subsection 2(c) above.

Significance Level: No impact.

Mitigation Measures: None required.

- 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 or conversion of forest land to non- forest use?**

Discussion: See response to 2(a) above.

Significance Level: No impact.

Mitigation Measures: None required.

3. AIR QUALITY:

Background information³:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) (now known as the Bay Area Air District) (BAAD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which BAAD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAD's website and included in BAAD's updated CEQA

³ CEQA Thresholds and Guidelines Update (baaqmd.gov): <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>

Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

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

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

See Section 8 (Greenhouse Gas Emissions) for the greenhouse gas (GHG) emissions disclosure and impact assessment.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Discussion: 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 (BAAD, *In Your Community: Napa County*, April 2016).

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

BAAD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAD provides as a reference for determining appropriate thresholds is the California Environmental Quality Act Air Quality Guidelines developed by its staff in 2010 and as updated through 2022. These guidelines outline substantial evidence supporting a variety of thresholds of significance. As mentioned above, in 2010, the BAAD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAD through 2022. Given the size of the entire project, which is approximately 17,200 square feet of new floor area dedicated to production uses and conversion of approximately 1,492 square feet of production space to tasting/hospitality uses and 1,600 square feet of residential use to winery office

use, compared to the BAAD's screening criterion of 998,000 square feet (general light industry) and 105,000 square feet (high quality restaurant) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high-quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls below the screening criteria as noted above and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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?

Discussion: See response to Subsection 3(a) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Discussion: Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project parcel include rural residential, agriculture (primarily vineyard), wineries, and two state parks. The closest school (St Helena Unified – Robert Louis Stevenson Intermediate) is over two (2) linear miles to the south of the project site in St. Helena. The closest residence to proposed construction activities (wine cave and access road) is about 150 feet from the project site to the southeast. The City of St. Helena is approximately one (1) mile south of the project area.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. These sources would generally be temporary and/or seasonal in nature and would occur at least 2 miles from the closest school and one (1) mile from the nearest residential community (City of St. Helena), providing dilution of pollutants and odors. However, proposed construction activities for the wine cave and access road are in proximity to sensitive receptors (neighboring residences). 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 Approval, construction-related impacts are considered less than significant.

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

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

8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

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

7.1 *SITE IMPROVEMENTS*

b. *DUST CONTROL*

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

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The project proposes to move the majority of wine production activities into the new wine caves while maintaining the current permitted production volume of 20,000 gallons per year. Construction-phase pollutants to neighboring residences would be reduced to a less than significant level by the above-noted standard Condition of Approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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

Discussion: See response to Subsection 3(c) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

4. BIOLOGICAL RESOURCES:

Would the project:

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

Discussion: As previously discussed, the project parcel is located on the edge of the valley floor and a northeastern facing wooded hill. Slopes gradually increase from gentle to steep as you head west (approximately 6% to over 50%), with elevation ranging from 300-350+/- feet above mean sea level (above msl). County GIS Environmental Maps show the site is composed predominantly of Perkins Gravelly Loam (168) and Boomer Gravelly Loam (109). Primary vegetation cover onsite and, in the area, includes vineyard and landscaping, Douglas-fir and Ponderosa pine forest, as well as mixed oak woodland. Hirsch Creek flows easterly through the northern border of the parcel, onto the adjacent northern parcel, and ultimately to the Napa River. The creek contains substantial riparian cover though portions of the stream bank within vicinity of the project have been modified over time. The existing winery and residential building complex are within portions of the property that are mapped as Douglas fir forest and mixed oak woodland. According to the Napa County GIS Environmental Maps (CNDDDB layer), the property is within range of Northern Spotted Owl activity sites.

The project utilizes an existing winery and residential building complex consisting of two winery buildings, pump houses and water tanks, three residential cottages, and associated graveled roads, pathways, and landscaping. The proposed locations for the new cave portals, fire pump house, replacement water tanks and winery process wastewater treatment system are within disturbed areas of the property that contain dirt roads and graveled areas, landscaped areas, and vineyard. All new structures are proposed outside of the Hirsch Creek stream setbacks and riparian areas. No trees are proposed for removal to accommodate the new winery structures; however, up to six oak trees would be removed from the SR 29 right-of-way to accommodate road widening for a new left turn lane. Trees in the SR 29 right-of-way consist of five (5) White Oak trees and one (1) Blue Oak tree ranging in size from seven (7) inches DBH to 24 inches DBH.

In 2002, MUSCI conducted a biological reconnaissance of the property to establish the property's vineyard (Exhibit L). MUSCI did not identify any known candidate, sensitive, or special status species as occurring within the project boundary. The 2005 MND included a discussion of biological resources

and found that since the 2005 Use Permit project proposed to utilize existing structures and develop a small outdoor fermentation pad adjacent to the main residence, impact of the development on the existing open space would be minimal. No mitigation was required.

Special Status Plants and Wildlife:

According to the Napa County GIS Environmental Maps (CNDDDB layer), the project site is not within range of any documented occurrences of special status plants. The nearest documented occurrences of special status plants (within one-mile of the site) consist of Narrow-anthered brodiaea (approx. 0.25 miles to the west and 0.36 miles to the south), Sebastopol meadowfoam (approx. 0.4 miles to the north), Calistoga ceanothus (0.6 miles to the south), Napa false indigo and Clara Hunt's milk-vetch (0.75 miles to the northwest). The 2002 MUSCI report found that the project area and the immediate contiguous area already dedicated to residential use (now winery and residential), contained no unique or unusual habitat that could support special status plants which have been reported elsewhere in the County. As discussed above, the project utilizes areas of the property that are actively managed in vineyard, winery, and residential uses. All proposed new structures are located outside of the 55-foot to 65-foot setbacks along Hirsch Creek, consistent with Napa County's Conservation Regulations. No wetlands, vernal pools or other hydrological features were observed within the development area or are mapped by Napa County GIS Environmental Maps. For these reasons, the project has a low potential to support occurrences of any special-status plant species found within the area. Impacts would be less than significant.

According to the Napa County GIS Environmental Maps (CNDDDB layer), the project site is within range of Northern Spotted Owl habitat – specifically activity center sites #NAP0001, NAP0005, and NAP0033. The California Department of Fish and Wildlife's "Spotted Owl Observations Database"⁴, describes spotted owls as being characterized as central-place foragers, where individuals forage over a wide area and subsequently return to a nest or roost location that is often centrally-located within the home range. Activity centers are a location or point within the core use area that represent this central location. Nest sites are typically used to identify activity centers, or in cases where nests have not been identified, breeding season roost sites or areas of concentrated nighttime detections may be used to identify activity centers. According to the U.S. Department of the Interior's Draft Revised 2010 Northern Spotted Owl Recovery Plan⁵, spotted owls generally rely on older forested habitats because such

⁴ California Department of Fish and Wildlife, "Spotted Owl Observations Database – Frequently Asked Questions", accessed February 10, 2026, <https://wildlife.ca.gov/Data/CNDDDB/Spotted-Owl-FAQ>

⁵ U.S. Fish and Wildlife Service. (2010). *Draft revised recovery plan for the northern spotted owl (Strix occidentalis caurina)*. U.S. Department of the Interior

forests contain the structures and characteristics required for nesting, roosting, and foraging. Features that support nesting and roosting typically include a moderate-to-high forest canopy closure; a multi-layered, multi-species forest canopy with large overstory trees; a high incidence of large trees with various deformities (large cavities, broken tops, mistletoe infections, and other evidence of decadence); large snags; large accumulations of fallen trees and other woody debris on the ground; and sufficient open space below the forest canopy for spotted owls to fly. Foraging habitat generally has attributes similar to nesting and roosting habitat, but may also include areas with less structural diversity and lower canopy cover.

The nearest documented occurrences of other special status wildlife (within one-mile of the site) consist of Fringed myotis (approx. 0.7 miles to the north) and Steelhead – central California coast (approx. 1.0 mile from to the south). As described in the 2002 MUSCI report and 2005 MND, the management history of the project property has resulted in a significantly disturbed site which exhibits little natural biological habitat features. There are no unique or special status animals known on the site. Additionally, no disturbance, modifications or grading is proposed in proximity to Hirsch Creek and as discussed in the project Water Availability Analysis (Exhibit G), pumping from the project well is not expected to contribute to streamflow depletion in Hirsch Creek.

- Northern Spotted Owl:
The 2002 MUSCI report determined that the northern spotted owl (NSO) has little likelihood of using the project area due to the lack of potential habitat. Since preparation of the 2002 report, the property has been managed for a combination of vineyard, residential, winery and tasting room uses. The project will continue to use the existing developed landscape and limit tree removal to six white and blue oak trees located in a highly disturbed area between the vineyard and SR 29, ranging in size from seven (7) inches DBH to 24 inches DBH. However, due to the proximity of the NSO activity centers and adjacent forested land to the west, noise generated during the project's cave excavation/construction phase has the potential to pose a disturbance to NSO. To mitigate any potentially significant impacts to owls, Mitigation Measure BIO-1 requires NSO surveys and coordination with CDFW and USFW as needed, prior to any on site construction activities and vegetation removal that would occur during the NSO nesting season: February 1 to July 31.
- Nesting Birds/Raptors and Roosting Bats:
Although the project utilizes a developed landscape, there is still potential for nesting raptors and other native birds, as well as roosting bats in the oak trees, mixed oak woodland, and Douglas fir forest on the property. All nesting native bird species are protected from harm under the Migratory Bird Treaty Act of 1918 (MBTA). Proposed tree and vegetation removal and the temporary and intermittent increases in noise levels due to project construction may cause

nest abandonment and death of young or loss of reproductive potential at active nests that could be located near project activities, resulting in potentially significant indirect and cumulative impacts to migratory birds and raptors. Implementation of Mitigation Measure BIO-2 will require preconstruction surveys for nesting birds and raptors and coordination with CDFW as needed. Additionally, roosting bats are protected from harassment under California Fish and Game Code §4150 and regulations regarding non-game animals. In an abundance of caution, in order to mitigate any potentially significant impacts to bat species, Mitigation Measure BIO-3 requires bat habitat assessments and coordination with CDFW as needed, to reduce this impact to less than significant level.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures:

Mitigation Measure BIO-1 (Pre-construction NSO nesting surveys): The owner/permittee shall implement the following measures to minimize potential impacts to Northern Spotted Owls (NSO): A qualified biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall provide an assessment of potential NSO nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment.

Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between February 1 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline>. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between February 1 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

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

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

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

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

Method of Monitoring: The above measures shall be incorporated as Conditions of Approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Mitigation Measure BIO-3 (Pre-construction bat tree habitat assessment and surveys): Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Method of Monitoring: The above measures shall be incorporated as Conditions of Approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

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

Discussion: As mentioned above, the property contains a variety of sensitive biotic communities which consist of Douglas fir forest (coniferous forest) and mixed oak woodland. These forested areas are

mostly disturbed by the property's existing winery and residential structures, associated pathways and landscaping, and graveled and paved roads. Hirsch Creek, a seasonal blue line stream, borders the northern portion of the project property and ultimately flows into the Napa River. Hirsch Creek and ephemeral streams onsite are all considered sensitive natural resources under Section 404/401 of the CWA and Section 1602 of the CFGC. These streams are mapped as USGS streams and therefore meet the Napa County stream definition pursuant to NCC Section 18.108.025. The Napa County General Plan Conservation Element's Policy CON-17 requires that the County preserve and protect sensitive biotic communities. As such, the project has been designed to avoid Hirsch Creek (discussed further below) and all remaining undisturbed Douglas fir forest and oak woodland on the property. Proposed tree removal is limited to the SR 29 right-of-way, outside of these sensitive biotic communities.

The project would not result in significant impacts to riparian habitat or on-site streams or tributaries as there is no proposed removal of riparian habitat or new ground disturbing activities within the designated Hirsch Creek 55-foot and 65-foot stream setbacks (Napa County Conservation Regulations - Code Section 18.108.025(B) General provisions – Intermittent/perennial streams). Per the Napa County Conservation Regulations, streams with a slope from top of bank ranging between 5-15% receive a 55-foot to 65-foot setback. As mentioned above, Hirsch Creek contains substantial riparian cover though portions of the stream bank within vicinity of the project have been modified over time. Portions of existing buildings, internal roads and landscaping are partially within the designated setback. These include Cottage #4 and its associated parking and landscaped areas which pre-date Napa County's Conservation Regulations. Also, partially within the setbacks are the barrel storage building, attached crush pad, and an internal road which were all approved in the original 2005 use permit. The 2005 MND included a discussion on riparian habitat and stream setbacks and required the historic barn, previously located within 20 feet from top of bank, to be demolished and rebuilt outside of stream setbacks applicable at the time. The barn was demolished in 2007 and was rebuilt in its current footprint several years later as a barrel storage barn through the prior use permits. Per the Conservation Regulations, legally constructed uses and structures, as well as existing landscaping, are allowed to be maintained within designated stream setbacks.

The project proposes to relocate wine production activities to the new caves and use the barrel storage barn and adjacent patio for hospitality uses, including outdoor tasting and AB 2004 onsite consumption use. No exterior modifications are proposed to this existing building and patio to accommodate the change in use. Another AB 2004 onsite consumption area is proposed within the existing landscaped area located in the stream setback, next to the driveway. As stated above, the project does not propose any new structures or new ground disturbance within stream setbacks and therefore is consistent with the Napa County Conservation Regulations which prohibits construction of main or accessory structures, earthmoving activity, grading or removal of vegetation or agricultural uses of land as defined by Section 18.08.040.

Further, the project utilizes existing structures and their adjacent patios, driveways and parking areas which will minimize the overall grading and disturbance activities on the property. Proposed grading activities onsite are limited to constructing the wine cave, associated access road, and improvements to the property's driveway entrance and SR 29 road widening. These activities require coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm water Pollution Prevention Plan (SWPPP). Adherence to the design criteria of these policies and Napa County's Grading Regulations ensure all work will include extensive erosion control measures in order to avoid erosion and the potential for transport of sediments to Hirsch Creek. Project design and standard Conditions of Approval prevent stream encroachment, ensuring that impacts on riparian habitats and sensitive communities remain less than significant.

According to the 2002 MUSCI report, County GIS layers, and staff inspection of the site, the project development area does not contain vernal pools, wetlands, or seasonal wetlands. Therefore, no impacts to vernal pools or wetlands are expected.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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?**

Discussion: See response to Subsection 4(b) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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?**

Discussion: The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to the Napa County of Environmental Mapping (GIS CNDDDB layer) and the 2002 MUSCI report, there are no wildlife corridors on the parcel. The project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. The site is currently developed with residential, winery, and vineyard uses on a 7.85-acre parcel within 600-feet of SR 29. The proposed improvements would

occur on, or adjacent to, previously disturbed areas of the property. As such, the proposed project would result in a less than significant impact on wildlife movement.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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

Discussion: Based on the property zoning of Agricultural Watershed (AW) the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code Section (NCC) 18.108.020. This section requires 70% retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County. Vegetation canopy cover subject to NCC Section 18.108.020 is defined as “the biotic communities classified as oak woodland, riparian oak woodland, or coniferous forest based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended).” As discussed above, the project would result in the removal of six (6) oak trees consisting of six white and blue oak trees ranging in size from seven (7) inches DBH to 24 inches DBH; however, all six trees are within the SR 29 right-of-way, immediately adjacent to the highway in areas mapped as “Agriculture” per Napa County Environmental Mapping (GIS vegetation layer - based on the Manual of California Vegetation classification system and updated versions/information). Because the oak trees proposed for removal are not within areas classified as oak woodland, riparian oak woodland, or coniferous forest, the project does not trigger Napa County’s Conservation Regulations’ canopy retention mitigation requirements.

Significance Level: No Impact.

Mitigation Measures: None required.

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

Significance Level: No Impact.

Mitigation Measures: None required.

5. CULTURAL RESOURCES:

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?**

Discussion: The project site is the former August Hirsch Winery, built in 1883. In 2005, the Napa County Planning Commission granted a Use Permit to re-establish a winery facility within the historic, 19th century residence, cellar and barn. The main residence is a historic structure constructed in 1883 by August Hirsch. The barn was built in the 1890's and was demolished/reconstructed outside of stream setbacks in accordance with the 2005 Use Permit Conditions of Approval and Secretary of the Interior Standards. In 2007, the Planning Commission designated the 1883 house, barn, two 19th-century cottages, a rock wall ("Ehlers Lane Rock Wall" originally documented by Caltrans, P-28-000955), a cistern, redwood grove, and oak trees onsite a Local Historic Landmark (Landmark ID #141202). Several years later, the landowner entered the property into a Mills Act Historical Preservation Agreement with Napa County to ensure the preservation of the Hirsch residence and the cottages in exchange for a reduced property tax assessment. Though historic and of local significance, neither the residence nor the contributing accessory structures and landscape features on the property are designated on the California Register of Historic Resources or the National Register of Historic Places. The 2005 MND (Exhibit A) included a discussion of historic resources and found that while the property was not eligible for the California or National Register based on the criterion, the main residence and barn retained historical integrity and local significance. To ensure that the 2005 Use Permit project did not result in any significant impacts to historic resources, mitigation measures were adopted to prohibit alterations/removal of the rock wall along the property's frontage, including the stone pillars, and for any further alterations and restoration of the property to comply with the Secretary of the Interior Standards.

Subsequently, the owners applied for a modification to the winery use permit (P08-00099) to allow for changes to the site plan and previous Conditions of Approval/Mitigation Measures. On May 7, 2008, the Planning Commission adopted an Addendum to the 2005 MND (Exhibit B) and approved the modification request for the following changes: substitute the original left-turn lane requirement with an equivalent "No Left Turn" arrangement as accepted by Caltrans (resulting in no changes to the rock wall); modify a condition to reflect that the 2007 Local Landmark Designation met the intent of the

original use permit's requirement to list the Hirsch residence and barn on the California Register or National Register (while still requiring verification of eligibility for listing); convert the agricultural barn and outbuildings into a single, slightly larger Winery Barrel Storage building; and allow the outdoor tank/crush pad to be built behind the Winery Barrel Storage building instead of next to the Hirsch residence/winery. Previous Conditions of Approval/Mitigation Measures related to historic structures are provided below.

2005 Adopted MND for P04-0541 - Cultural Resources Mitigation Measure:

- *“All site work, including rehabilitation, restoration, or modification of the main residence and barn shall Comply with the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. An historic architect shall review all proposed building construction plans for compliance and his/her written report shall accompany any plans submitted for a building permit.*
- *The stone wall, including the pillars, along the frontage of the subject property shall not be altered or removed to accommodate any required road improvements.*
- *A monitoring plan shall be prepared and implemented for archaeological resources. The plan shall include the name of the archaeological firm and schedule, and be submitted to the Planning Department for concurrence prior to commencement of any earthmoving activities.”*

2008 Adopted MND Addendum for P08-00099: The MND Addendum resulted in amended Conditions of Approval and removal of the above listed Cultural Resources Mitigation Measure from the project’s Mitigation Measure Monitoring and Reporting Program. Amended Conditions of Approval included the following:

- Conditions of Approval Section “1. SCOPE” modified to include: *“Conversion and reconstruction pursuant to the Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties of the 798 square foot barn, attached 136 square foot outbuilding and 425 square foot enclosed outbuildings totaling 1,359 square feet to a 1,492 square foot barrel storage building with a storage room and ADA restroom.”*
- Conditions of Approval Section “2. HISTORICAL STRUCTURES:” modified to state: *“Prior to the issuance of any Temporary Certificate or Final Certificate of Occupancy for the barrel storage building for the project the following shall be provided:*
 - a. A letter of Intent submitted to the Planning Department setting forth a timeline outlining specific steps for the timely completion of the conversion of the historic main residence to the historic winery;*

- b. *Verification by a qualified historic architect that the main residence is eligible for listing on the California Historic Register; A historic architect's report confirming the construction plans, location, materials & color are in compliance with the Secretary of Interiors Guidelines for the Treatment of Historic Properties;*
- d. *Written agreement from the property owner that a deed for a Notice of Use Restriction will be signed by said property owner and recorded with the Napa County Recorder's Office (prior to issuance of the Certificate of Final Occupancy of the winery / residence) stating that winery operations must occur within the converted main historic residence/winery for winery operations to continue on site and,*
- e. *Visitation and Marketing shall not commence until the Letter of Intent (as described in the above section 2. (a.)) is received by the Planning Department, the "No Left Turn" alternative has been completed and signed off by Caltrans, and a Final Certificate of Occupancy for the barrel storage building has been issued."*

The proposed Use Permit Modification project does not change the winery building (1883 Hirsch residence) or barrel storage building exteriors, however, the Left Turn Lane improvements on SR 29 would result in partial removal of Ehlers Lane Rock Wall (contributing landscape feature) and relocation of stone pillars at the driveway entrance. Additionally, minor alterations to existing structures may be necessary to comply with the Building Code, such as for meeting any applicable accessibility and fire safety requirements. In August 2025, Evans & De Shazo, Inc. reviewed the proposed project and prepared an updated Historic Resources Evaluation of the historic structures and contributing accessory structures and landscape features on the property (Exhibit K). The 2025 Historic Resources Evaluation (2025 HRE) updated documentation and completed a California Register of Historic Resources (CRHR) evaluation to determine if there are any CRHR eligible resources within the Property, as well as an updated local assessment to determine the status of the built environment resources within the 2007 Historic Landmark Designation. The methods used to complete the CRHR evaluation and local assessment included extensive research and an intensive level historic architectural survey conducted by EDS Principal Architectural Historian Stacey De Shazo, M.A., and Nicole Wyton, M.S., who exceed the Secretary of the Interior's qualification standards in Architectural History and History, and researcher Bee Thao, M.A.

As discussed in the 2025 HRE, the primary contributing elements of the Historic Landmark include the 1883 house and cellar (AXR Winery building), and the 1883 barn (no longer extant, replaced), and the secondary contributing elements consist of two 19th-century cottages (extant⁶), the rock wall

⁶ The 2025 Historic Resources Evaluation prepared by Evans & De Shazo, Inc. (Attachment K) mistakenly lists these two historic cottages as 'no longer extant'. Per County building permit and

(altered), cistern (no longer extant), redwood grove (extant), and oak trees (extant). None of the existing structures and landscaping features were determined to be eligible for individual listing on the CPHR. For a property to qualify for listing in the CRHR, it must possess significance under one of the four criteria and have historical integrity. The 2025 HRE did not complete a CPHR integrity analysis as the property did not meet any of the four CRHR criteria.

The 2025 HRE finds that although the Property has been altered since the Historic Landmark designation in 2007 (prior to the current ownership), the 1883 house appears intact from when it was listed in 2007 and therefore remains eligible for Historic Landmark Designation. However, it should be noted ca. 2009, the County approved the demolition of the 1883 barn (reconstructed as part of P04-0541 and P08-00099), and sections of the rock wall were replaced. As the 1883 house is currently listed as a Napa County Historic Landmark, this building is considered a Historical Resource under the CEQA.

According to the Secretary of Interior Standards for Rehabilitation, “some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include changes to the site or setting, such as the selective removal of buildings or other features of the building site or setting that are intrusive, not character-defining or outside the building’s period of significance. (2025 HRE)”

Secretary of Interior Standards for Rehabilitation Review:

The 2025 HRE reviewed the proposed project in accordance with the Secretary of Interior Standards for Rehabilitation Review to assess potential impacts on the Historic Landmark. The proposed project was determined to meet the Standards for Rehabilitation based on findings summarized below: The Project includes the construction of new wine caves, which are located away from the historic resources that characterize the property. The caves or access road, which will not be visible from the street view, will not alter or diminish the historic integrity of the Property.

- The rock wall section (proposed for removal) is modern, and the removal or reconstruction, if rebuilt later, would not impact the integrity of the Historic Landmark Designation.

Landmark records, and staff inspection of the site, the two ca. 19th-century cottages remain on the property. As discussed in the Background/Project History and Transportation sections of this initial study, two non-historic cottages (#5 and #6) were demolished per requirements of use permit modification file no. P08-00099.

- The Project does not include any new additions or exterior alterations to the 1883 house, changes to historic sections of the rock wall, or the landscape that would impact the Historic Landmark Designation.
- The project utilizes materials and construction techniques that are modern and are thus easily distinguishable from the historic materials.

In summary, the Property, including the 1883 house, historic sections of the rock wall (late 19th to early 20th century), and elements of the landscape, including the redwood and oak trees, are present and remain eligible as a Napa County Historic Landmark. As such, the property continues to be a Historical Resource under CEQA, though some of the buildings and elements of the Property within the Historic Landmark listing are no longer present. The 2025 HRE's Standards review determined that the proposed Project meets the Standards for Rehabilitation and supports the continuing designation of the Property as eligible for the Mills Act.

To ensure impacts to the Local Historic Landmark are significantly reduced, all site work, rehabilitation, or modifications to the site, including the rock wall and stone pillars, shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and Napa County's Landmark Preservation Ordinance in accordance with Mitigation Measure CUL-1 below. Additionally, a Condition of Approval has been incorporated into the project to ensure the local Landmark designation listing is updated to reflect the existing setting as recommended in the 2025 HRE. Lastly, the proposed project does not conflict with the property's Mills Act Agreement recorded under Official Record No. 2013-0032878. During the term of the Mills Act Agreement, the owner is required to preserve and maintain the main residence and cottages and land as a qualified historic property, in such a condition that it continues to meet the standards for a qualified historic property.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures:

Mitigation Measure CUL-1:

1. Construction resulting from the project shall not include any new additions or exterior alterations to the 1883 house, changes to historic sections of the rock wall, or the landscape that would impact the Historic Landmark Designation.
2. Modifications to the rock wall are limited to modern sections and relocation of the stone pillars at the driveway entrance. The historic sections (late 19th to early 20th century) along the frontage of the property shall not be altered or removed, excepting the proposed relocation of stone pillars, to accommodate road improvements.

3. All site work, including rehabilitation, restoration, or modifications to existing structures and contributing accessory structures and landscape features shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings as well as Napa County's Landmark Preservation Ordinance (Chapter 15.52). A historic architect shall review all proposed construction plans, including modifications to the rock wall and stone pillars, for compliance with Mitigation Measure CUL-1 and his/her written report shall accompany any plans submitted for grading and building permits.

Mitigation Monitoring CUL-1: Prior to issuance of any grading or building permit for the project, the Planning Division shall review the historic architect's report and confirm the project is in compliance with Mitigation Measure CUL-1.

Mitigation Measure TCR-1: See Section 18 Tribal Cultural Resources

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?**

Discussion: The subject property is located in an archaeologically sensitive area (CA-Nap-360). An archaeological evaluation prepared by Archaeological Resource Service, dated January 25, 2002 (*CONFIDENTIAL*) was completed in conjunction with the development of the on-site vineyard permitted through Erosion Control Permits #01222-ECPA and #03100-ECPA. Scatters of obsidian flakes were encountered. The 2005 MND (Exhibit A) included a discussion of archaeological resources and required mitigation measures requiring monitoring for archaeological resources during ground disturbing activities.

On May 12, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded on June 12, 2025, confirming the project is not within their aboriginal territories and declined to comment on the project. The County sent consultation closure notices to the Middletown Rancheria and Mishewal Wappo Tribe of Alexander Valley on September 29, 2025, because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County coordinated with Middletown Rancheria during meetings held in October 2025 and January 2026. The County agreed to incorporate **Mitigation Measure TCR-1** to protect archaeological and tribal cultural resources in response to new information and concerns raised by the Middletown Rancheria. See Section 18 (Tribal Cultural Resources) for further discussion.

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

7.2 ARCHEOLOGICAL FINDING

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

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure TCR-1

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

Discussion: No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

6. ENERGY:

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?

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

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

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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

Discussion: The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Significance Level: No impact.

Mitigation Measures: None required.

7. GEOLOGY AND SOILS:

Would the project:

- 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.**

Discussion: There are no known active faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. According to Napa County GIS Environmental Maps (Fault layers), the project is over 10 miles from the two nearest Alquist-Priolo Earthquake fault zones (West Napa and Green Valley faults). Construction of new structures and change in use of the existing structures will need to comply with standard County building permit policies which require geotechnical reports and appropriate structural design considerations as a part of the building permit application. Geotechnical reports are prepared by a California licensed geotechnical engineer and include recommendations for appropriate setback widths from fault traces that may exist on a property. As such, impacts would be reduced to a less than significant level.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

ii. Strong seismic ground shaking?

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

Significance Level: Less than significant impact.

Mitigation Measures: None required.

iii. Seismic-related ground failure, including liquefaction?

Discussion: No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The project site is identified as having a very low liquefaction potential according to the Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

iv. Landslides?

Discussion: According to the Napa County GIS Environmental Maps (Landslides line, polygon, and geology layers), the project site is not in proximity to any landslide areas. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

b) Result in substantial soil erosion or the loss of topsoil?

Discussion: The total proposed grading for development of the proposed wine cave, access road, and accessory structures (water tank replacement, fire pump house, wastewater disposal system) is estimated to be less than 14,150 cubic yards. Based upon the Soil Survey of Napa County, Ca prepared by the United States Department of Agriculture (USDA) the soils are composed of Perkins Gravelly Loam (168) and Boomer Gravelly Loam (109). Soils from the Perkins Gravelly Loam series (2-5 percent slope) consist of gently sloping soil on old terraces and alluvial plains, runoff is slow and erosion hazard is slight. Soils from the Boomer Gravelly Loam series (30- 0 percent slope) consist of steep soil on uplands, runoff is rapid and erosion hazard is moderate.

All on site civil improvements are required to be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards (RSS), Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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?

Discussion: As discussed above, the project parcel is composed predominantly of Perkins Gravelly Loam (168) and Boomer Gravelly Loam (109). Soils from the Perkins Gravelly Loam series consist of gently sloping soils on old terraces and alluvial plains. Runoff is slow and erosion hazard is slight. Soils from the Boomer Gravelly Loam series consist of steep soils on uplands. Runoff is rapid and erosion hazard is moderate. The 2005 MND included a discussion on soil stability and determined that there is no presence of any landslides or soil creep areas on or within proximity of the project site. There are no

areas of critical concern or areas with serious erosion potential present. Additionally, the 2005 MND found that the soils onsite were not considered to be expansive.

Prior to issuance of project related grading and building permits, a geotechnical report must be submitted for review and acceptance by the Building Division. Requirements to obtain building permits for new structures and change in occupancy will ensure the project complies with the latest edition of the California Building Code; and that any potential instability related to construction of the project will be addressed so that no on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse occurs. Additionally, proposed earthwork will be designed in accordance with Engineering Division Conditions of Approval to ensure that grading and construction activities do not create unstable slopes. Erosion control measures would be implemented in accordance with the Napa Countywide Stormwater Pollution Prevention Program which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite. Thus, potential impacts relating to soil stability will be addressed through appropriate structural design and construction standards and as a result, will be reduced to less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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.**

Discussion: See response to Subsection 7(c) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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?**

Discussion: A Wastewater Feasibility Study, dated April 2024, was prepared by Summit Engineering Inc. (Exhibit F), which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. Note: In December 2025, the applicant withdrew their request to increase the annual production volume, however technical reports

predating this change, including the wastewater feasibility study, still contain information/analyses of a 35,000-gallon winery.

Currently, AXR Winery's sanitary sewage (employees, visitors, residents) and winery process wastewater is combined in a 1,500-gallon pump tank prior to being pumped to a conventional leachfield for disposal. The existing process wastewater treatment system is sized for a capacity of 1,000 gallons per day (GPD). The existing sanitary sewage system was designed for a flow rate of 420 GPD. The project proposes to segregate the process waste and sanitary sewage treatment systems so that process wastewater will no longer be sent to the existing wastewater treatment system. The project would result in increased sanitary sewage flow which is proposed to continue to be treated and disposed of via the existing septic/settling tanks and leachfield system. The Wastewater Feasibility Study estimates the project will generate 1,260 gallons of sanitary sewage on a weekend day with a 25-person marketing event. The current system is estimated to provide a total septic/settling tank volume of 5,700 gallons, or 4.5 days of retention time at peak flow rate on a day with a 25-guest event. The existing septic tanks are anticipated to provide sufficient capacity for the anticipated sanitary sewage flows and no additional volume is anticipated to be required. The plumbing will need to be reconfigured in some areas so that sanitary sewage flows into the tanks that are currently functioning as process wastewater settling tanks. These estimates are based on assumptions that full meals are not provided to tasting room visitors and all events are catered with all food preparation occurring offsite. To accommodate the proposed larger events and avoid excessive loading on the domestic wastewater system, Conditions of Approval require the winery to provide portable restroom facilities for the 75-person and 150-person events.

According to the Wastewater Feasibility Study, the existing disposal system includes 1,080 linear feet of conventional leach lines. There are nine 70-foot long lines and nine 50-foot long lines. The trenches are 36" deep, with 18" rock under pipe, and have an effective surface area of 4 square feet (sf)/linear foot (LF). Soils evaluation records indicate an acceptable soil depth of 72 inches; therefore the Wastewater Feasibility Study finds that the existing system provides the necessary 36" of acceptable soil below the bottom of the trench. Depending on the test pit, the soils evaluation reports a combination of silt loam with moderate to strong blocky structure and silty clay loam with moderate to strong blocky structure. An average hydraulic loading rate of 0.33 gal/sf/day was used in the system design calculations. The existing leachfield is evaluated to have a disposal capacity of 1,425 GPD and is anticipated to provide sufficient capacity for disposal of the anticipated sanitary sewage flows. To accommodate the ongoing wine production of 20,000 gallons per year, a new process wastewater treatment system is proposed to be installed onsite. The winery is estimated to generate less than 1,200 GPD of process wastewater during peak flows (based on estimates for a 35,000-gallon wine production). As described in the Wastewater Feasibility Study, the new system would include a new

gravity collection system with screens on floor drains for solids removal in any new production areas, a process wastewater pump station (if needed to transfer process water from the collection system to the treatment system), and treatment and disposal through one of the following alternatives:

1. Treatment through a new package treatment system and disposal via a new subsurface drip disposal system.
2. Treatment through a new package treatment system, storage of treated PW, and reuse for vineyard irrigation.
3. Hold-and-haul.

The new process wastewater treatment system will be designed and installed in accordance with all necessary Napa County Planning, Building and Environmental Services (PBES) and Regional Water Quality Control Board (RWQCB) criteria and permits. It will also comply with the requirements of the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water (“General Order”). The Wastewater Feasibility Study demonstrates the site’s existing soil characteristics would accommodate a peak process wastewater flow rate of 1,200 GPD and that there is sufficient space to accommodate a subsurface disposal field of approximately 3,000 square feet as well as a 200% reserve area (Option 1). The Study also demonstrates that the existing vineyard is larger than the approximate one-acre area required for the compliant land-application of treated process wastewater (Option 2). Finally, the study includes a hold-and-haul option (Option 3) which would utilize storage tanks and off-haul process wastewater to a facility such as East Bay Municipal Utility District (EBMUD) as the disposal option. The County’s hold and haul guidelines require the holding tank to be sized to store seven days of peak process wastewater flow. Environmental Health Division Conditions of Approval have been included to ensure compliance with County and State requirements for disposal of wastewater, resulting in a less than significant impact.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion: As discussed in the 2005 MND, no paleontological resources or unique geological features have been identified in the project area. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

8. GREENHOUSE GAS EMISSIONS:

Background information:

*On April 20, 2022, the BAAD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAD April 2022)⁷. The updated thresholds evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.*

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

⁷ <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

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

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

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (LCI) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the LCI Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact. The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County

roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

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

Would the project:

- 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?**

Discussion: Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared.

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery ‘construction’ and ‘development’ and with ‘ongoing’ winery operations have been discussed. GHG emissions from construction represent a very small portion of a project’s lifetime GHG emissions. The BAAD recommended thresholds do not include a construction-related climate impact threshold at this time. One time “Construction Emissions” associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include use of existing structures and the construction of approximately 17,200 square feet of new floor area dedicated to production uses (wine cave) and related access roads and driveway improvements. As discussed in Section III. (Air Quality), construction emissions would have a temporary effect and BAAD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAD and the County’s standard Conditions of Approval, construction-related impacts are considered less than significant. See Section III. (Air Quality) for additional information.

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

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAD 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 Approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The new construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards. See section VI. (Energy) for additional information on energy usage.

Specifically for transportation, the project must:

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

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

As discussed above and in Section 17. (Transportation), the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. According to the Traffic Impact Study prepared by GHD Inc. in December 2025 (Exhibit H), the project would generate less than 110 net new daily passenger vehicle and truck trips and is presumed to have a less-than-significant impact for VMT according to the LCI Technical Advisory and Napa County TIS Guidelines. However, the Traffic Impact Study recommends a Transportation Demand Management Plan to reduce the demand of vehicles to/from the site consistent with County General Plan policies and guidelines. See Section 17 (Transportation) for further discussion.

According to the checked Voluntary Best Management Practices Measures submitted with the project application, the applicant plans to implement the following GHG reduction strategies: exceed Title 24 energy efficiency standards and build to CALGREEN Tier 1, utilize energy conserving lighting, provide bicycle incentives, install water efficient fixtures, implement low-impact development principles and practices, comply with the Water Efficient Landscape Ordinance, install an electric vehicle charging

station, and limit the amount of grading and tree removal. GHG reduction strategies that are already being implemented on the property include composting 75% of food and garden material, recycling 75% of all waste, and utilizing electric vehicles in the winery's fleet. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application.

The proposed tree removal is subject to GHG analysis required by General Plan Policy CON-65(e), as the proposed total tree removal would result in a loss of carbon sequestration capacity of the site. Tree removal associated with the project includes removal of up to five (5) White Oak trees and one (1) Blue Oak tree ranging in size from seven (7) inches in diameter at breast height (DBH) to 24 inches DBH from the Caltrans right-of-way, which collectively amounts to approximately 0.15 acres of canopy. Implementing Mitigation Measure VIS-1 (canopy retention) and standard tree protection conditions reduces the impacts of tree removal to a less-than-significant level.

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

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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: See response to Subsection 8(a) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Discussion: The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels.

However, in the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project, some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less than significant impact.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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?

Discussion: Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the continued operations of an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Discussion: There are no schools located within one-quarter mile from the proposed winery buildings. According to Google Earth, the nearest school to the project site (St Helena Unified – Robert Louis Stevenson Intermediate) is over 2 miles south of the project site in St. Helena. No impacts would occur.

Significance Level: No impact.

Mitigation Measures: None required.

- 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?**

Discussion: 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.

Significance Level: No impact.

Mitigation Measures: None required.

- 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?**

Discussion: No impact would occur as the project site is not located within an airport land use plan.

Significance Level: No impact.

Mitigation Measures: None required.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion: 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 modifications to the use permit. Proposed modifications to the driveway entrances will meet Napa County and California Department of Transportation (Caltrans) standards. The proposed winery modifications would not obstruct an emergency response or evacuation plan. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?

Discussion: The project is within the Moderate and High Fire Hazard Severity Zones and abuts the 2020 Glass Fire perimeter. Although the project would increase employees and visitation for by appointment tours and tastings, as well as the size and frequency of marketing events, resulting in a larger amount of people on site; the project will be designed to comply with applicable State and County Fire Codes. These include but are not limited to, a minimum 100-foot defensible space around all structures and a minimum 10-foot defensible space on both sides of the driveway, fire sprinklers in buildings, emergency vehicle access, and adequate on-site water supply dedicated to fire-fighting. The project also includes upgrading the existing driveway entrance to improve access and meet the Napa County Road and Street Standards (NCRSS) and California Fire Safe Regulations (FSR). Proposed access improvements aid in the safe ingress and egress of visitors and emergency personnel to and from the site. By requiring strict adherence to County Building and Fire Codes, and State Fire Safe Regulations, potential impacts would be reduced to less than significant. See Section 20 (Wildfire) for additional detail.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

10. HYDROLOGY AND WATER QUALITY:

Background information:

The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

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

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County’s WAA guidance⁸ requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the County’s WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated “Significant Streams.”⁹

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

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

Would the project:

⁸ The County’s Water Availability Guidelines (adopted May 2015)

⁹ Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The “Significant_Streams” and “Significant_Streams_1500ft_buffer” GIS layers are published as publicly-available open data through the County’s ArcGIS Online Account.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Discussion: As discussed in Section 7 (Geology and Soils) the project would not violate any water quality standards or waste discharge requirements. The project proposes to segregate the existing process waste and sanitary sewage treatment systems so that process wastewater will no longer be sent to the existing wastewater treatment system. A Wastewater Feasibility Study, dated April 2024, was prepared by Summit Engineering Inc. (Exhibit F) which concludes the existing wastewater treatment system will provide sufficient capacity for disposal of the anticipated sanitary sewage flows from the proposed number of employees, guests, and existing residents. To accommodate the proposed larger events and avoid excessive loading on this domestic wastewater system, Conditions of Approval require the winery to provide portable restroom facilities for the 75-person and 150-person events.

To accommodate the ongoing wine production of 20,000 gallons per year, a new process wastewater treatment system is proposed to be installed onsite. As described in the Wastewater Feasibility Study, the new system would include a new gravity collection system with screens on floor drains for solids removal in any new production areas, a process wastewater pump station (if needed to transfer process water from the collection system to the treatment system), and treatment and disposal through one of the following alternatives: treatment through a new package treatment system and disposal via a new subsurface drip disposal system (Option 1); treatment through a new package treatment system, storage of treated process water, and reuse for vineyard irrigation (Option 2); or hold-and-haul (Option 3). See Section 7 (Geology and Soils) and Exhibit F for additional detail. The new process wastewater treatment system will be designed and installed in accordance with all necessary Napa County Planning, Building and Environmental Services (PBES) and Regional Water Quality Control Board (RWQCB) criteria and permits. The facility will also have to enroll for coverage under of the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water (“General Order”) and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Impacts would be less than significant. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion: A Water Availability Analysis (WAA) was prepared by EBA Engineering on July 25, 2024 (Exhibit E). As directed by the County’s WAA Guidance Document dated May 2015 and the Interim Standards, the report includes Tier 1 calculations for the existing and proposed water uses, a groundwater recharge analysis, a Tier 2 well and spring interference analysis, and a Tier 3 groundwater/surface water interaction analysis. Details on the Tier 1, 2 and 3 analyses are provided below.

Background:

This summary accounts for project site modifications since the original 2004 winery use permit (#P04-0541) and the applicant’s withdrawal of the request to increase annual wine production from 20,000 to 35,000 gallons. Technical reports predating this withdrawal—including the WAA—still contain data regarding the proposed increase. Additionally, the WAA (Exhibit E) utilizes the 2004 baseline water demands; however, following the 2008 removal of two cottages, current water demands are assumed to be lower than this 2004 baseline. Additional site changes include a minor 0.2-acre vineyard expansion.

There are three existing water supply wells on the property, one of which currently supplies all water use onsite. The other two wells are no longer in use. Of these two, one is proposed to be destroyed via a well demolition permit and the other well is proposed to remain as a potential backup well or be destroyed. Per Engineering Division Conditions of Approval, a backup well is allowed pursuant to Napa County Code 13.12.460(B), however it cannot be used for the project without first submitting a Tier 2 and Tier 3 analysis to the PBES Engineering Division for review. A fourth well on the property was destroyed in 2007. The property also has a historic spring water right that is no longer in use (located offsite, within Hirsch Creek).

Summary of wells and springs on-site:

- Project Well – Located in southwestern portion of the property and supplies all water uses onsite. The well has a completed depth of 699 feet, an annular seal of 62 feet, and a 6-inch casing. At the time of completion in 2018, the well yielded 125 gallons per minute during a 2 hour air lift pump test. Permit #E18-00508; State Permit WCR e0367373.
- Proposed Backup Well - Located near SR 29. Engineering Division Conditions of Approval require a Tier 2 and Tier 3 Analysis prior to utilizing this well for the project.

- Well to be Destroyed - Located in winery building complex. Engineering Division Conditions of Approval require a well destruction permit.
- Destroyed Well – Located adjacent to barrel storage building. Destroyed in 2007 under permit #E07-00318.
- Historic Spring – Located on the adjacent parcel at 3131 St. Helena Hwy. N.; approximately 600 feet west of the project well within Hirsch Creek. No longer in use.

Tier 1 (Water Use / Parcel Specific Recharge Analysis):

The Tier 1 analysis refers to the 2004 WAA baseline for existing water demands and considers existing uses onsite to include residential, winery uses (production, visitation, marketing), vineyard, and landscaping. As mentioned previously, the property’s current water demands are estimated to be lower than the 2004 WAA as two of the cottages were removed in 2008 through the winery’s use permit modification process. The summary provided below summarizes the existing and proposed total groundwater usage based on a combination of information presented in the WAA, revisions made to AXR Winery’s use permit application, and permit history/County records.

The project proposes to change existing water use demands by 1) converting an existing 2-bedroom residence to winery office use; 2) increasing the number of winery employees and visitation as well as marketing event size and frequency; and 3) planting olive trees and manzanita shrubs for cave portal screening. No changes are proposed to the existing three residential cottages nor the previously approved wine production volume.

Water Usage Assumptions:

Residents (three 2-bedroom residences, one 1-bedroom residence):

- Existing: 7 residents based on bedrooms
- Proposed: 5 residents based on bedrooms
- Units: 150 gallons of water per resident per day

Landscaping:

- Existing: Domestic and Winery Landscaping throughout property
- Proposed: Cave portal screening vegetation consisting of 9 olive trees and approximately 2,000 square feet of manzanita shrubs
- Units: 0.5 AFY of water per 100,000 gallons of wine produced for winery landscaping; 2.5 gallons of water per olive tree per week, and 0.1 AFY of water per 2,000 square feet of shrubs

Vineyard:

- Existing: 3.5+/- acres

- Proposed: Removal of 0.18+/- acres of vineyard
- Units: 0.24 AFY of water per acre of vineyard

Wine Production:

- Existing: 20,000 gallons per year
- Proposed: no change
- Units: 6 gallons of water per gallon of wine produced (industry standard)

Employees:

- Existing: 2 full-time and 2 part-time employees
- Proposed: 12 full-time (7 days per week average) and 5 part-time employees (2 days per week average)
- Units: 15 gallons of water per employee per day

Visitation:

- Existing: 20 people per day
- Proposed: 60 people per day
- Units: 3 gallons of water per person per day

Marketing Events:

- Existing: 570 event guests per year
- Proposed: 1,350 event guests per year
- Units: 15 gallons of water per event guest

Existing and Proposed Groundwater Usage:

Residents:

- Existing: 1.1761 AFY (383,250 gal.)
- Proposed: 0.8401 AFY (273,750 gal.)
- Difference: -0.336 AFY (-109,500 gal.)
- Note: This estimate includes the existing main residence and proposed conversion to winery office use. The WAA inadvertently omitted the existing 2-bedroom main residence that is attached to the winery.

Landscaping:

- Existing: 0.175 AFY (57,023 gal.)

- Proposed: 0.278 AFY (90,586 gal.)
- Difference: +0.103 AFY (+33,563 gal.)
- Note: This estimate includes the project's proposed cave portal screening vegetation. Water use assumptions are based on typical gallonage for olive trees and the County's WAA Guidelines. The WAA assumes no changes to landscaping; however, the applicant modified the application to include nine (9) 24-inch box 'Swan Hill' olive trees and 15-gallon manzanitas 'sunset' shrubs (estimated to cover approx. 2,000 square feet).

Vineyard:

- Existing: 0.85 AFY (276,973 gal.)
- Proposed: 0.85 AFY (276,973 gal.)
- Difference: No change
- Note: The WAA finds that the 2004 WAA estimate of 0.85 AFY for the vineyard remains valid for the existing vineyard. Since approval of the 2004 WAA, the vineyard was expanded by approximately 0.2 acres in size, from 3.3-acres to approximately 3.5 acres. Applying 0.85 AFY to a 3.5-acre vineyard results in approx. 0.24 AFY of groundwater used per acre of vineyard, which is within the County's WAA Guidelines range of 0.2 AFY to 0.5 AFY.

Wine Production:

- Existing: 0.368 AFY (120,000 gal.)
- Proposed: 0.368 AFY (120,000 gal.)
- Difference: No change
- Note: This estimate reflects no change in existing production as requested in the applicant's modified proposal statement submitted in December 2025. The WAA predates this modification and as such, still contains information/analyses of increased wine production.

Employees:

- Existing Full-Time: 0.0336 AFY (10,950 gal.)
- Proposed Full-Time: 0.2016 AFY (65,700 gal.)
- Existing Part-Time: 0.0095 AFY (3,120 gal.)
- Proposed Part-Time: 0.0239 AFY (7,800 gal.)
- Difference: +0.1824 AFY (+59,430 gal.)

Visitation:

- Existing: 0.0672 AFY (21,900 gal.)

- Proposed: 0.2016 AFY (65,700 gal.)
- Difference: +0.1344 AFY (+43,800 gal.)

Marketing Events:

- Existing: 0.0262 AFY (8,550 gal.)
- Proposed: 0.0621 AFY (20,250 gal.)
- Difference: +0.0359 AFY (+11,700 gal.)
- Note: This estimate is conservative as it does not reflect the proposed tasting room closures/reduced service on event days. During 25-person events, tasting room visitation will be limited to 35 people, thereby not exceeding 60 people per day. On days with larger events, the tasting room will be closed.

GROUNDWATER USAGE TOTAL:

Existing: 2.7056 AFY. Note: This estimate does not include water demands for Cottage #5 and Cottage #6 as these cottages were removed in 2008 (Demo Permit #B8-00562). The WAA relies on the 2004 WAA baseline for existing total water demands which was estimated to be 3.62 AFY prior to demolition of the cottages.

Proposed: 2.8253 AFY

Difference: +0.1197 AFY

Parcel Specific Recharge: The project well is approximately 650 feet west of the Napa Valley Subbasin (GSA). As the entire project parcel is outside of the GSA, a parcel specific recharge calculation was prepared. In calculating the recharge for the 7.85-acre parcel, the project WAA quantifies the amount of average annual rainfall infiltrating to the underlying aquifer based on the average rainfall data collected from 2012 to 2021 provided by the Oregon State University PRISM Climate Group (34.35 inches per year), estimated losses to runoff, and estimated losses to evapotranspiration. The WAA estimates the recharge rate for this 7.85-acre property to be 28.6% (or 0.8 AFY per acre of land), resulting in a total annual recharge rate of 6.42 AFY for the property. Based on the project's estimated groundwater demand of approximately 2.82 AFY, the WAA finds that the total project groundwater usage equates to approximately 47% of the water available for recharge and therefore passes the Tier 1 screening criteria.

Tier 2 (Well and Spring Interference Analysis):

The latest Interim Napa County Well Permit Standards and WAA Requirements require an interference analysis for any proposed increase in groundwater use occurring from project wells within 500 feet of any offsite well or 1,500 feet from any off-site spring. The nearest offsite well (WCR 119541) is

approximately 345 feet east of the project well and was used in the WAA's Tier 2 analysis in accordance with County Guidelines. The WAA finds that the total project estimated groundwater demand (approximately 2.82 AFY) is equivalent to a maximum daily water demand of approximately 6,278 GPD¹⁰.

According to the WAA, the pumping duration required to meet the maximum daily water demand was estimated based on an average corrected yield (42 GPM) from the data collected from the WCRs of water supply wells located in close proximity to the project site. At an average conservative pumping rate of 42 GPM, approximately 149 minutes (approximately 2.5 hours) of pumping is required to reach the maximum daily water demand.

Well Interference: Based on the aquifer characteristics described in the WAA and the pumping duration required to meet the proposed project maximum daily water demand (149 minutes), the distance-drawdown model used in the WAA predicts approximately ten feet of drawdown at a distance of 22 feet, and zero drawdown at 50 feet from the project well. According to Table 2B of the WAA Guidance document and Napa County Well Permit Standards – Applicability Tables, any neighboring well(s) (≤6-inch diameter casing) within 500 feet of a project well, screened within the same aquifer as the project well, must have an estimated drawdown of 10 feet or less. The WAA demonstrates that the project well must be located no less than approximately 22 feet from any nearby groundwater well(s) to be in conformance with Napa County Guidelines. The project well is over 300 feet from the nearest well, thereby passing the Tier 2 well interference screening criteria.

Spring Interference: Four or more springs are within 1,500 feet of the project well with the closest spring located approximately 600 feet west of the project well, within Hirsch Creek. According to the WAA, the project property has a historical water right to this spring. The WAA finds that, given the lack

¹⁰ The WAA prepared by EBA Engineering Inc. (Exhibit G) analyzes an increase in wine production from 20,000 to 35,000 gallons per year and omits the project's proposed screening vegetation. As mentioned throughout this initial study, the project no longer proposes to increase wine production. Additionally, new landscaping is required to screen cave portals from public views. By removing the wine production increase (15,000 gallons of wine), the maximum daily water demand for winery process water is estimated to be 5,785 GPD (a 493 GPD decrease). By adding the proposed screening vegetation, the maximum daily water demand for landscaping is estimated to be 248 GPD (a 92 GPD increase). These adjustments demonstrate the project's total maximum daily water demand can be lowered to 5,877 GPD; however, to assess potential worst-case impacts, this study utilizes the more conservative estimate of 6,278 GPD.

of stream depletion in Hirsch Creek as a result of pumping from the project well for the proposed project (discussed further in the Tier 3 analysis below), no spring interference is anticipated for any natural spring in the area. The WAA further concludes that there is no drawdown from pumping the project well at a distance of 155 feet which correlates with no anticipated spring interference, thereby passing the Tier 2 spring interference screening criteria.

Tier 3 (Groundwater/Surface Water Interaction):

A Tier 3 review is the County's adopted method for complying with its duties under the Public Trust Doctrine. As discussed herein, the existing project will comply with the WAA guidance document. The latest Interim Napa County Well Permit Standards and WAA Requirements require an analysis of potential groundwater to surface water interaction for new, altered, or increased groundwater use occurring from project wells within 1,500 feet of any County-identified Significant Stream inside the Napa River Watershed. As discussed above, the project well is approximately 400 feet from Hirsch Creek, the nearest Significant Stream. The WAA includes a stream interference analysis which finds that drawdown from the pumping of the project well should not extend past a linear distance of 155 feet when pumping at a rate of 42 GPM for approximately one day. The streamflow depletion model used in the WAA does not indicate stream depletion at a distance of 400 feet from the project well to Hirsch Creek.

Because the project well is within 1,500 feet of a designated significant stream, Napa County has conditioned the project to limit the project to 2.82 AFY that may be pumped from the project well at a maximum rate of 42 gallons per minute, which aligns with the project's WAA and satisfies the County's Public Trust duties.

Additionally, impacts to water resources are further reduced by standard Conditions of Approval which require new landscaping exceeding 2,500 square feet complies with the County's Water Efficient Landscaping Ordinance (Chapter 18.118 of the County Code).

Based on the analysis presented in the WAA and recommended Conditions of Approval, the project well presumptively meets Napa County's Tier 3 WAA guidelines for groundwater-surface water interaction. County has satisfied its duty to consider impacts to trust resources and no further analysis is required. Impacts would be less than significant.

The project, if approved, would be subject to the following Conditions of Approval:

4.9 *GROUND WATER MANAGEMENT – WELLS*

This condition is implemented by the Planning, Building and Environmental Services (PBES) Department:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water withdrawn no less than monthly). Such data will be provided to the County, if the Director of Planning, Building, and Environmental Services (PBES Director) determines that substantial evidence¹¹ indicates that water usage at the project is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

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

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in this use permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

6.15(e) Groundwater Demand Management Program:

- 1. The owner/permittee shall install a flow regulation device on the project well limiting the pumping capacity to not exceed 42 gallons per minute. Documentation of the installation of the flow regulation device shall be provided to the County prior to building permit final occupancy.*
- 2. The permittee shall install a meter on the project well (WCR e0367373). The meter shall*

¹¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

be placed in a location that will allow for the measurement of groundwater used from the project well. Prior to the issuance of building permits for the winery and associated structures, as approved under this permit, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on the project well.

- 3. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.*
- 4. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.*
- 5. As groundwater consuming activities already exists on the property, meter installation and monitoring shall begin immediately, and the first monitoring report is due to the County within 120 days of approval of this permit.*
- 6. For the first twelve months of operation under this permit, the permittee shall read the meter at the beginning of each month and provide the data to the PBES Director monthly. If the water usage from the project well exceeds, or is on track to exceed, 2.82 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.*
- 7. The permittee's well shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.*
- 8. At the completion of the reporting period per 6.16(a)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:*
 - On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meter during regular business hours. Upon continued increases in operations approved under this permit, the PBES Director, or the Director's designated representative, has the right to revise the data submittal schedule.*

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:**
- i. result in substantial erosion or siltation on- or off-site?**
 - 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; or**
 - iv. Impede or redirect flood flows?**

Discussion: The project site is not located within a Federal Emergency Management Agency (FEMA) 100-year flood zone, in a dam or levee failure inundation area, or in an area subject to seiche or tsunami (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan - Safety Element. pg. 10-20.) The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. An estimated 14,150 cubic yards of cave spoils are proposed to be disposed of in the onsite vineyard and by hauling offsite. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion: See response to Subsection 10(c) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion: In January 2022 the Groundwater Sustainability Agency (GSA) submitted a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR). DWR approved the GSP on January 26, 2023 with a few minor corrective actions. The GSP must be updated every five years. The first five-year update is due to DWR in 2027. Annual reporting is required to demonstrate implementation actions and progress towards either achieving or maintaining groundwater sustainability.

As discussed above, the project is outside of the GSA and would result a total groundwater use approximately 2.82 AFY which represents less than 50% of the property's estimated total annual recharge rate. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would therefore be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

Discussion: The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to

regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” The property’s General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows “agriculture, processing of agricultural products, and single-family dwellings.” More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan.

The proposed use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 (“The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...”) and General Plan Economic Development Policy E-1 (The County’s economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two complimentary policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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: See response to Subsection 11(a) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

12. MINERAL RESOURCES:

Would the project:

- 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?**

Discussion: 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.

Significance Level: No impact.

Mitigation Measures: None required.

- 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: See response to 12(a) above.

Significance Level: No impact.

Mitigation Measures: None required.

13. NOISE:

Would the project result in:

- 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?**

Discussion: The project would result in a temporary increase in noise levels during grading and construction activities for the proposed wine cave, cave portal access road, and SR 29 road widening. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to proposed construction activities is about 150 feet from the project site to the southeast at 3169 St.

Helena Hwy (APN 022-080-013). Due to the existing vineyard management activities and winery operations, as well as the ambient noise levels from St. Helena Hwy (SR 29), construction activities are not expected to result in substantial temporary or long-term construction noise impacts. Further, construction activities would occur during the period of 7 a.m. – 7 p.m. on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of Approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

“7.3 CONSTRUCTION NOISE

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

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County.

As described in the Project Setting, above, land uses within vicinity of the project are rural residential properties, vineyards, wineries, and undeveloped parcels with forestland to the west. Of those land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.), the timeframe within which the winery would have visitation and marketing events. Noise impacts of the project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment,

bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes.

The project proposes to relocate wine production from the barrel storage building into new wine caves. This move increases the distance from the nearest northern residence (3225 St. Helena Hwy 022-080-026) by approximately 190 feet, shifting activity from its current location 95 feet away to a total distance of 285+/- feet. Existing topography and vegetation will provide shielding between the cave portals and residences located approximately 200-220 feet to the south and southeast (3131 N. St. Helena Hwy, APN 022-070-032 and 3169 St. Helena Hwy, APN 022-080-013, respectively). Additionally, the existing winery production capacity will remain at a maximum of 20,000 gallons per year and production hours of operation will remain between 8:00 a.m. to 6:00 p.m., seven days a week (excluding harvest), which is during normal hours of human activity. Noise generated by winery production activities is limited and intermittent and will be further reduced by managing all production activities and locating mechanical equipment inside the new wine caves, excepting the preapproved storage space in the winery building. Noise resulting from winery truck traffic is expected to remain unchanged as the project does not result in increased wine production. Based on the Winery Trip Generation form included in the County's Traffic Impact Study Guidelines, truck traffic trips generated from a 20,000-gallon winery do not typically exceed more than an average of one truck trip per day during normal operations and two truck trips per day during harvest. Furthermore, no new permanent parking areas are proposed; employees will continue to park in existing parking stalls onsite. For these reasons, noise impacts resulting from relocating production activities onsite would be considered insignificant.

Other noise-generating sources include increases in staffing, visitation, and the size and frequency of marketing events, along with their associated parking demands. The project's potential noise impacts on the three nearby residences are analyzed in detail below.

Nearby noise-sensitive receptors:

- Residence to the North (3225 St. Helena Hwy): Located approximately 80 feet from the nearest proposed outdoor tasting area (northern tasting area), 95 feet from the proposed Hospitality building (currently the Barrel Storage building), 140 feet from the nearest existing parking area, and 85 feet from the nearest proposed overflow parking area.

- Residence to the South (3131 N. St. Helena Hwy): Situated approximately 270–300 feet from the proposed southern outdoor tasting area and patio (adjacent to the Hospitality building), over 300 feet from the proposed Hospitality building and northern outdoor tasting area, and 225–250 feet from the nearest existing and proposed parking areas.
- Residence to the Southeast (3169 St. Helena Hwy): Located approximately 530–550 feet from proposed outdoor tasting areas and Hospitality building, and 300-400 feet from the nearest existing and proposed parking areas.

Noise generating uses (visitation/marketing) proposed:

- **Northern Outdoor Tasting Area:** The northern outdoor tasting area (approximately 950 square feet) would accommodate daily tastings, onsite consumption, and marketing events for groups of approximately 30 people. Although it is situated nearest to the closest offsite residence (approximately 80 feet) acoustic analyses from comparable projects indicate that 30 people in raised conversation with non-amplified background music typically generate 56 dBA at a 50-foot distance. Following the 'inverse square law', where noise attenuates by 6 dBA for every doubling of distance (e.g., 56 dBA at 50 feet, 50 dBA at 100 feet, 44 dBA at 200 feet), sound levels from this northern tasting area would be expected to reduce to approximately 52 dBA at an 80-foot distance in an unobstructed environment. However, noise from this tasting area is expected to be further reduced by existing riparian vegetation along Hirsch creek, which provides a natural sound buffer, and softened by ambient traffic noise from SR 29 (estimated at 50–55 dBA based on County GIS Noise Contour layers).

Sound levels from the northern tasting area are projected to dissipate well below the 50 dBA daytime threshold at the other nearby residences to the south and southeast due to distance (exceeding 300 feet) and buffering provided by intervening buildings, natural topography and vineyards.

To ensure compliance with daytime noise standards, recommended Conditions of Approval limit the northern tasting area to a 30-person capacity and prohibit outdoor amplified music. Daily visitation is restricted to 6:00 p.m., while marketing events must conclude by 10:00 p.m. to facilitate quiet cleanup by 11:00 p.m.

- **Hospitality Patio and Southern Outdoor Tasting Area:** Two outdoor tasting areas are proposed: the Hospitality building's patio and an area immediately to its south. These spaces will accommodate groups for daily tastings, onsite consumption, and marketing events, and are expected to comply with the Noise Ordinance. The hospitality building provides structural shielding for the northern neighbor (approximately 130 feet away), while mature vegetation,

vineyards, and topography buffer residences to the south (over 270 feet away). Even at a maximum capacity of 150 guests (largest event proposed), generating an estimated 64 dBA at 50 feet (based on acoustic analyses from comparable projects), noise is projected to dissipate below the 50 dBA threshold before reaching any residence. As previously noted, Conditions of Approval prohibit outdoor amplified music and restrict activities to daytime hours to ensure continued compliance.

- **Hospitality Building:** The project proposes converting the existing Barrel Storage building to hospitality uses, including tastings and marketing events. The structure is approximately 95 feet from the nearest residence to the north and over 300 feet from neighbors to the south. Acoustic analyses from comparable projects indicate that typical amplified music (72 dBA at 50 feet) can be reduced by 12 dBA with open windows and doors, or 20 dBA when they remain closed. Under a worst-case scenario—a 150-guest event with doors and windows open—indoor amplified music would be expected to generate 54-55 dBA at the nearest residence in an unobstructed environment. While riparian vegetation and SR 29 traffic noise provide some buffering, amplified music could still exceed the 50 dBA daytime threshold. Accordingly, the Conditions of Approval require that the Hospitality building’s doors and windows remain closed during marketing events with amplified music.
- **Parking:** Noise levels from increased vehicle traffic are not expected to rise significantly, as the existing parking lot configuration will remain unchanged except for the removal of five spaces. Furthermore, the project does not propose the use of buses (i.e. full-size tour bus, motorcoach) which generate higher decibel levels than passenger and sprinter-van style vehicles. Operational measures, such as staggered daily wine tastings and a 10:00 p.m. event cutoff, will further minimize impacts.

Acoustic analyses from comparable projects indicate that typical parking lot activities such as engine starts, door slams and low speed vehicle movements typically produce maximum sounds levels ranging from 53 dBA (e.g. car idling) to 63 dBA (e.g. car horn) at 50 feet. Potential noise impacts resulting from parking lot activities are discussed further below.

- The preliminary Event Parking Plan in Exhibit J proposes a new overflow area for 5–6 vehicles along the winery driveway, roughly 85 feet from the northern residence. In an unobstructed environment, noise levels at this distance are estimated at 48–58 dBA. Although riparian vegetation and SR 29 traffic provide some buffering, parking noise may still exceed the 50 dBA daytime threshold at the northern residence. Consequently, the Conditions of Approval prohibit parking in this location.

- The existing parking lot immediately behind the winery (historic Hirsch residence) is approximately 140 feet from the northern residence. In an unobstructed environment, noise levels at this distance are estimated at 44–54 dBA; however, existing riparian vegetation and ambient traffic from SR 29 (estimated at 50–55 dBA) will provide further attenuation. Although the project will increase overall site traffic, the applicant proposes reducing this specific lot from ten (10) spaces to five (5). As such, noise levels are not expected to change significantly from existing conditions. To ensure ongoing compliance with noise standards, the Conditions of Approval restrict visitation and marketing event activities to daytime hours.
- The third nearest parking area, located south of Cottage #7, provides 5–6 new overflow spaces approximately 160 feet from the northern offsite residence. In an unobstructed environment, noise levels at this distance are estimated at 43–53 dBA. However, existing riparian vegetation and ambient traffic from SR 29 (estimated at 50–55 dBA) will further attenuate these impacts. To ensure compliance with noise standards, the Conditions of Approval restrict visitation and marketing event activities to daytime hours.
- All other existing and proposed parking areas are located more than 225 feet from neighboring residences. At this distance, noise levels in an unobstructed environment are estimated at 40–50 dBA. These impacts will be further attenuated by a combination of intervening vineyards, vegetation, topography, buildings, and ambient traffic from SR 29. To ensure continued compliance with the Noise Ordinance, the Conditions of Approval restrict visitation and marketing event activities to daytime hours.

Since the original use permit was approved and built out (ca. 2013), the existing facility has generated noise from winery production, parking, visitation and marketing activities with no formal complaints received from neighbors (per County Code Enforcement records). Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that the proposed changes to visitation and marketing events do not create a significant noise impact. As discussed above, project Conditions of Approval require events and non-amplified music to finish by 10:00 p.m., with quiet cleanup finished by 11:00 p.m. in accordance with the Exterior Noise Limits Table under Section 8.16.070 of the County Code. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Conditions of Approval also require doors and windows of the Hospitality building remain closed during marketing events involving amplified music to ensure compliance with the County Noise Ordinance. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

“4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.”

Significance Level: Less than significant impact.

Mitigation Measures: None required.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Discussion: See response to Subsection 13(a) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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: The project site is not located within the influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan: the closest airport to the subject parcel is the Angwin Airport located over 4-miles to the northeast. No impacts would occur.

Significance Level: No impact.

Mitigation Measures: None required.

14. POPULATION AND HOUSING:

Would the project:

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)?

Discussion: 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.

The Association of Bay Area Governments’ Plan Bay Area 2050 Growth Pattern figures indicate that the total households for Napa County are projected to increase some 10% by the year 2050, increasing from 50,000 to 56,000. Unincorporated Napa County, along with the cities of American Canyon, Napa, St. Helena, Calistoga and the town of Yountville all have existing compliant 6th Cycle Housing Elements certified by the State Department of Housing and Community Development. For the 6th Cycle, which runs from 2023 – 2031, Napa county jurisdictions have identified and have rezoned or are in the process of rezoning land to accommodate 3,844 dwelling units, more than half of the households projected by ABAG to develop in Napa County by 2050. Thirteen (13) additional employees are requested as part of the project which could lead to negligible population growth in Napa County. Relative to the County’s projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County’s housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

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

Additional employees and visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other businesses supporting the winery’s requested operations is uncertain, unquantifiable, and speculative. The policies and programs identified in the General Plan Housing Element, in combination with the County’s housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With limited staffing proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have less than significant impact on population growth.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion: This application will displace a two-bedroom residence on the property by converting this space to winery office use. The proposed project will not displace a substantial number of people and will not necessitate the construction of replacement housing elsewhere. A less than significant impact would occur.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

15. PUBLIC SERVICES:

Would the project result in:

- 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?**
 - iii. Schools?**
 - iv. Parks?**
 - v. Other public facilities?**

Discussion: Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshal conditions and there will be no foreseeable impact to emergency response times with the adoption of standard Conditions of Approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with

capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

16. RECREATION:

Would the project:

- 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?**

Discussion: The project would not significantly increase the use of recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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: No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed project would not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. The proposed project would have no impact.

Significance Level: No impact.

Mitigation Measures: None required.

17. TRANSPORTATION:

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Discussion: 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 dated February 2022, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. Prior to 2022, the County's TIS Guidelines required a Traffic Impact Study if the total net new daily trips exceeded 40 trips.

The project proposes to increase the winery's existing full-time (2) and part-time employees (2) as follows:

- Weekdays – 6 full-time employees during harvest; 4 full-time employees outside of harvest; and 2 part-time employees year-round.
- Weekends – 12 full-time employees and 5 part-time employees year-round.

Additionally, visitation would increase by 40 guests per day during harvest, from 20 visitors to 60 visitors for a maximum of 420 guests per week. Outside of harvest, daily visitation would increase by 20 guests per day to a maximum of 40 visitors, resulting in 280 guests per week. Finally, the requested marketing activities would include 31 annual events (ranging in size from 25 – 150 guests) with a total annual attendance of 1,350 guests. Based on the County's Trip Generation worksheet, the winery currently generates an average of 18 (non-harvest) to 28 (harvest) Weekday Daily Trips and 25 (non-harvest) to 27 (harvest) Weekend Daily Trips. Per the Trip Generation worksheet¹², the proposed increase in employees, visitation and marketing events would result in a maximum of 62 new Weekday Daily Trips and 82 new Weekend Daily Trips. Although the estimated trip generation does not exceed 110 net new daily trips, the project was required to prepare a full Traffic Impact Study under the previously adopted TIS Guidelines.

Project History:

¹² On February 25, 2026, the applicant shifted the schedule to increase weekend employee trips and reduce weekday trips. Despite these changes, the GHD, Inc. Traffic Impact Study (Exhibit H) remains conservative, as its analysis is based on a higher total trip volume than what is currently proposed.

As discussed previously, the Planning Commission adopted an MND for the original 2005 winery use permit. The 2005 MND (Exhibit B). At that time a left turn lane on SR 29 was required. Subsequently, the requirement for a left turn lane was replaced with an equivalent “No Left Turn” arrangement as accepted by Caltrans. The “No Left Turn” arrangement was approved under Caltrans encroachment-permit #04-06 6MC 2098 which resulted in elimination of two non-historic cottages (to reduce trips), installation of two “No Left Turn” signs at the winery driveway, and other driveway changes to make turning left in and out of the project difficult. Thus, the winery’s two driveways are currently restricted to one for entering and the other for exiting, with only right-turns on SR 29 allowed. The winery commenced operations between 2010 and 2013 after fulfilling all mitigation measures and Conditions of Approval regarding SR 29 access from the 2008 use permit modification.

Proposed Project/Traffic Impact Study:

According to the updated Traffic Impact Study prepared by GHD Inc. on December 12, 2025 (Exhibit H), the proposed project would generate up to 92 net new daily passenger vehicle and truck trips¹³. The Traffic Impact Study (TIS) found that all four SR 29 study intersections (Bale Lane, AXR Napa Valley north and south driveways, and Lodi Lane) experience accident rates slightly lower than the State average for similar facilities based on the number of “rear-end” and “broadside” accidents. According to the TIS, a five-year collision analysis conducted for the segment of State Route 29 adjacent to proposed project driveways indicates that there is not a vehicle collision issue associated with vehicle access to/from the highway. The roadway segment collision analysis evaluated SR 29 1,000 feet north and south of the AXR Napa Valley driveways. None of the four study intersections qualify for the peak hour signal warrant under any “with project” scenarios including Existing, Near-Term, and Cumulative Year 2040 conditions. With proposed project traffic, the study intersections would remain unchanged from “No Project” levels under Existing, Near- Term, and Cumulative Year 2040 conditions.

To reduce the demand of vehicles to/from the site consistent with Napa County General Plan policies, the VMT/Travel Demand Transportation reduction plan proposed by GHD Inc. has been incorporated into project Conditions of Approval. To improve overall project circulation improvements, the project proposes a new northbound left-turn lane on St. Helena Highway to serve the winery’s south driveway entrance. The TIS finds that significant improvements in intersection Level of Service (LOS) and safety

¹³ The GHD, Inc. Traffic Impact Study (Exhibit H) assumes an increase in wine production (to 35,000 gallons) and more part-time employees than currently proposed. In contrast, this project maintains production at 20,000 gallons and limits weekday part-time staff to five. While removing these extra trips would reduce the total net daily trips from 92 to 82, this initial study utilizes the more conservative 92-trip estimate to assess the potential worst-case impact.

at the project's south driveway would be realized due to the proposed construction of the northbound left-turn on SR 29.

To meet current County and State standards, the project will result in widening of the existing driveway and construction of a new northbound left-turn lane on SR 29 at the winery's south driveway entrance. The updated left turn lane warrant analysis for the project utilized 2023 Caltrans traffic flow volumes for State Route 29¹⁴ which report 15,700 Average Annual Daily Trips. The TIS finds that, based on the "Left Turn Lane Warrant Graph" in the County's TIS Guidelines, any driveway along SR 29 with an Average Annual Daily trip over 20 would require a left turn lane. As the project is estimated to generate 92 new daily trips at the south driveway, installation of the proposed northbound left-turn lane is required. To accommodate the new left turn lane, SR 29 will need to be widened which will cause removal of non-historic portions of the rock wall and up to six (6) oak trees from the existing right-of-way (see Sections V. Cultural Resources, I. Aesthetics and IV. Biological Resources for further discussion on rock wall and tree removal). Approximately 10 feet of the SR 29 right-of-way would expand into the project parcel.

Proposed signage for the site will direct inbound vehicles to the south driveway, circulate and/or park on the site, then exit outbound from the north project driveway thus limiting the south project driveway to inbound access only for northbound left-turns and southbound right-turns. The north project driveway will be limited to outbound access only for eastbound right-turn movements from the site (south on SR 29). The south project driveway will be signed for outbound flow "Do Not Enter" for internal traffic flow with sign(s) facing west towards the main Winery on-site building to prevent outbound flow. For the north project driveway, current driveway signage and limited vehicle access (right-turns-only) outbound would remain unchanged from existing conditions. The north project driveway is currently signed for "No Left-Turn" and "Do Not Enter" for vehicles on SR 29. In addition, outbound motorists are instructed for "Right-Turns Only".

The TIS prepared by GHD Inc. demonstrates that Caltrans' sight distance recommendations will be met for the SR 29 speed limit and measured vehicle speeds. Additionally, GHD Inc. finds that the project design as proposed will result in the following benefits:

1. Disperse project-generated daily and peak hour vehicle trips;

¹⁴ The Left-Turn Lane Warrant Analysis is based on State Route 29 traffic volumes as shown on the Left Turn Lane Warrant Graph and subsequent Tables in Appendix F of the Traffic Impact Study prepared by GHD, Inc. (Exhibit H). Note: This study contains several typos that refer to "Deer Park Road" instead of "State Route 29" (see pages 5 and 29; and Appendix F page 2).

2. Improve vehicle safety and access at the south project driveway for northbound left-turn movements from the primary access highway (SR 29) by providing a dedicated left-turn lane;
3. Provide more uniform one-way traffic flow within the project site with clear inbound/outbound directions

To reduce traffic impacts to a less-than-significant level, Mitigation Measure TRANS-1 requires completion of the left-turn lane before increasing daily site trips. Installation of the left-turn lane will ensure the safety of turning movements onto the site and maintain the existing flow of traffic so that the traffic flow is not impeded. Standard Conditions of Approval for the project also require daily visitation and marketing activities to continue avoiding the peak hours, and for the winery to implement the recommended VMT/Travel Demand Transportation reduction plan. As such, the previously adopted mitigation measures pertaining to peak hour trips will be addressed by Mitigation Measure TRANS-1 and standard Conditions of Approval.

Internal circulation changes to the site include removal of five parking spaces to accommodate construction of a new access road connecting the driveway to cave portals #2 and #3. Access to cave portal #1 requires a short extension of the internal road adjacent to cottage #8, by approximately 75 feet. Winery guests can continue to be picked-up/dropped off from the driveway area in front of the main Winery building, but no vehicle parking is allowed in this area. Vehicle parking is provided off the north project driveway as well as between the two Winery buildings. See discussion in e) below for additional details on parking.

The Napa Countywide Bicycle Plan has been completed and adopted by the Napa Valley Transportation Authority (NVTA) and the County. The plan encourages new developments to incorporate bicycle friendly designs. St. Helena Highway is proposed as a Class II bike lane past the proposed project site therefore some visitors are expected to arrive by bicycle to access the proposed project. The project would provide bicycle racks for visitors in accordance with General Plan policies, as conditioned.

Caltrans reviewed the proposed project site plans, driveway improvements, and the left turn lane concept plan and recommended the project be conditioned to 1) ensure the driveway entrance and left turn lane design complies with current Highway Design Manual Standards, 2) vehicles are prevented from exiting the property via the south driveway, and 3) that an Encroachment Permit is obtained prior to any work within the Caltrans right-of-way. Any proposed features that do not meet the Highway Design Manual standards will require preparation and Caltrans approval of a Design Standards Decision Document to be submitted concurrently with the Encroachment Permit application package. The proposed design plans were also reviewed by the Engineering Division and

Department of Public Works and determined to meet County Road and Street standards, as conditioned. Final plans will be reviewed and approved by the Department of Public Works in coordination with Caltrans. Prior to the establishment of a visitation and employee program generating a traffic volume of 20 or more round trips per day through the project driveway (including all uses), recommended Conditions of Approval require the landowner/permittee to construct the left turn as proposed.

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

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures:

Mitigation Measure TRANS-1: Prior to building permit issuance and increasing daily trips to the site as a result of the project (from all uses – employees, visitation, marketing events), a left turn lane shall be constructed on State Highway 29 in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity during the construction phase of the project and later post construction for winery operations.

Method of Monitoring: The above measures shall be incorporated as Conditions of Approval of the project (if approved). Prior to the approval of any permit for construction of the project and increasing daily trips to the site, Caltrans and the Napa County Public Works Department shall verify all requirements for the left turn lane and associated driveway improvements have been completed.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

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

The County’s General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to

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

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

The TIS Guidelines include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. According to the Traffic Impact Study (Exhibit H), the project is estimated to generate less than 110 net new daily passenger vehicle and truck trips and is presumed to have a less-than-significant impact for VMT according to the LCI Technical Advisory and Napa County TIS Guidelines. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

c) Substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion: See response to Subsection 17(a) above.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure TRANS-1.

d) Result in inadequate emergency access?

Discussion: See response to Subsection 17(a) above.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure TRANS-1.

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: Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity is discouraged. The project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest and marketing event conditions. The existing parking supply consists of one space for each residential cottage (three spaces); and 22 standard spaces and one existing accessible space for winery uses. Five (5) parking spaces will be removed to construct the cave access road, resulting in a total of 17 standard parking spaces (and one accessible space) available for daily winery and tasting room operations. To accommodate larger events, the project proposes use of unimproved overflow event parking and shuttling services for employees. Proposed parking management strategies are summarized below.

- **Daily Visitation and Employee Parking**: Visitors to the Winery will continue to be by-appointment only. As such, typical operations would include up to 60 visitors arriving in potentially 24 vehicles (based on 2.6 people per vehicle calculation) in a staggered arrangement so that there should never be more than seven (7) guest vehicles at the site at any one time. Occasionally, visitors could arrive in a higher-occupancy vehicle such as an SUV, minivan or smaller shuttle bus. The project anticipates up to 10 employees onsite at any one time; regardless, the winery will manage the availability of parking spaces based on the number of visitors per appointment and employee shift scheduling.
- **Marketing Events**: The project anticipates requiring the maximum number of employees (17) to support the largest marketing events. To accommodate this parking demand the winery proposes to shuttle all employees from offsite parking locations, use the existing 17 parking spaces for event guests, and accommodate the remaining parking demand of 37 guest vehicles (based on 2.8 people per vehicle calculation) via valet parking in unimproved overflow parking areas located along internal roads on the property, as shown on the Event Parking Plan

prepared by Summit Engineering, Inc., dated November 14, 2025 (Exhibit J). To address noise concerns, the Conditions of Approval prohibit the use of the northern parking area shown in Exhibit J, located adjacent to the northern outdoor tasting area. The applicant is required to submit an updated event-specific parking plan, which may incorporate additional shuttle services. All event parking plans remain subject to Fire Marshal review to ensure emergency access is maintained.

Furthermore, Conditions of Approval require the winery to implement the proposed Transportation Demand Management Plan to reduce the demand of vehicles to/from the site consistent with County policies and guidelines. There would be no conflicts with General Plan Policy CIR-14 the project has demonstrated there is adequate onsite parking through the use of the above-described parking management strategies.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

18. 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:

- 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:**

Discussion: As discussed in Section 5 (Cultural Resources) above, the site was re-evaluated in 2025 and determined not to be eligible for listing in the California Register of Historical Resources. However, the 1883 house, historic sections of the rock wall (late 19th to early 20th century), and elements of the landscape, including the redwood and oak trees, are present and remain eligible as a Napa County Historic Landmark (designated in 2007). To ensure impacts to the Local Historic Landmark are significantly reduced, all site work, rehabilitation, or modifications to the site, including the rock wall, shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and Napa County's Landmark Preservation Ordinance in accordance with Mitigation Measure CUL-1.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure CUL-1.

- 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: On May 12, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. Staff received a response from the Yocha Dehe Wintun Nation on June 12, 2025, confirming the project is not within their aboriginal territories. On September 29, 2025, the County sent consultation closure notices to the Middletown Rancheria and to the Mishewal Wappo Tribe of Alexander Valley because no request for consultation was received, and more than 30 days had elapsed since the County's consultation invitation was provided. Subsequently, the County received new information and concerns raised by Middletown Rancheria. In response, the County incorporated additional mitigation measures for the protection of tribal cultural resources as discussed further below.

On October 28, 2025, Middletown Rancheria of Pomo Indians of California ("Middletown Rancheria") concluded the project site is in Middletown Rancheria's Area of Concern. The County met with Middletown Rancheria in October 2025 and, after conducting a follow-up inspection of the site on January 14, 2026, determined the project site and its surrounding area is a site of cultural, historical, and religious significance for the Tribe. The project was determined to have the possibility of unearthing tribal cultural resources which include, but are not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria during ground disturbance activities. As such, **Mitigation Measure TCR-1** has been incorporated into the Project to ensure the preservation or mitigation of significant impacts to tribal cultural resources. Additionally, would be subject to the standard Conditions of Approval identified in Section V. (Cultural Resources) above to protect cultural resources that may be discovered accidentally.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures:

Due to the possibility of unearthing tribal cultural resources which include, but is not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria ("Tribe"), during ground disturbance

activities, the following mitigation measures shall be incorporated into the Project for preservation or mitigation of significant impacts to tribal cultural resources.

Mitigation Measure TCR-1: Tribal Cultural Resources

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

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

Method of Monitoring: The above measures shall be incorporated as Conditions of Approval of the project (if approved) and apply to associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00417, the Owner/Permittee shall provide documentation to the Napa County Planning Division that they have established a monitoring agreement with the Middletown Rancheria and have provided Project details to the Tribe including, but not limited to, the scope of work, dates and timelines of any Project activities, and that that cultural sensitivity training has been provided to site workers.

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

- 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?

Discussion: As discussed in detail in Section 7 (Geology and Soils), a Wastewater Feasibility Study, dated April 2024, was prepared by Summit Engineering Inc. (Exhibit D) which outlines the required wastewater system to meet the needs of the proposed project. The existing wastewater treatment system will provide sufficient capacity for disposal of the anticipated sanitary sewage flows from the proposed number of employees, guests, and existing residents. A new process wastewater treatment system is proposed including treatment and disposal through one of the following alternatives: treatment through a new package treatment system and disposal via a new subsurface drip disposal system (Option 1); treatment through a new package treatment system, storage of treated process water, and reuse for vineyard irrigation (Option 2); or hold-and-haul (Option 3). The process wastewater treatment system will be designed per RWQCB and PBES requirements. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditioned that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required.

Based on the proposed uses, the onsite water system will be classified as a new public water system per the State of California Drinking Water Requirements. Typical infrastructure required for a public water system includes, but is not limited to, a well with a minimum 50-foot annular seal, water storage tanks that meet design and construction standards, UV light treatment (usually located in a pumphouse), and water lines that meet setbacks. As mentioned previously, the existing project well has a 62-foot annular seal and is proposed to be used for the public water system serving the project. Prior to occupancy, the owner/permittee is required to submit a technical report completed by a licensed engineer with experience in designing water systems. The technical report must be submitted to the Regional Water Quality Control Board prior to beginning any water-related improvements. Additionally, the owner/permittee must obtain an annual operating permit for the water system from County Environmental Health and comply with all required monitoring and reporting. Impacts would be less than significant.

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

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

Significance Level: Less than significant impact.

Mitigation Measures: None required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Discussion: As discussed in Section 10 (Hydrology and Water Quality) a Water Availability Analysis was prepared by EBA Engineering Inc. on July 25, 2024 (Exhibit E). The report includes calculations for the existing and proposed water uses and a groundwater recharge analysis. Based on the review of the WAA, the application and County records, the existing water use associated with the winery, residential, landscaping, and vineyard use is estimated to be 2.82 AFY. The project proposes to convert one 2-bedroom residence to winery office use and increase employees, visitation, and marketing event frequency and size, and install screening vegetation. These proposed operational changes are estimated to result in an increase in groundwater use by approximately 0.1197 AFY. Due to the parcel location outside of the GSA boundary, a parcel-specific recharge calculation was prepared. In calculating the recharge for the 7.85-acre parcel, the project WAA quantifies the amount of average annual rainfall infiltrating to the underlying aquifer based on the average rainfall date collected from 2012 to 2021 provided by the Oregon State University PRISM Climate Group (34.35 inches), estimated losses to runoff, and estimated losses to evapotranspiration. EBA Engineering Inc. calculated groundwater recharge rate for this property is 0.80 acre-feet of water per acre of land (or 28.6%), resulting in a total annual recharge rate of 6.42 AFY for the property which equates to approximately 47% of the water available for recharge. Additionally, Napa County has conditioned the project to limit the project to 2.82 AFY that may be pumped from the project well to align with the WAA findings and ensure that the project does not result in potentially significant impacts to groundwater availability.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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?

Discussion: Wastewater would be treated on-site and would not require a wastewater treatment provider; therefore, no impact would occur.

Significance Level: No impact.

Mitigation Measures: None required.

- 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?**

Discussion: According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed of have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

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

Discussion: See response to Section 19(d) above.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

20. WILDFIRE:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Discussion: There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing driveway will be designed and improved to meet the Napa County Road and Street Standards (RSS) and California Board of Forestry and Fire Protection State Minimum Fire Safe Regulations (FSR). Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed project. The new wine caves and converted residence would be equipped with

sprinklers and fire suppression equipment as required by the CA Building Code. No impacts would occur.

Significance Level: No impact.

Mitigation Measures: None required.

- 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?**

Discussion: Wildfire risk is dependent upon existing environmental conditions, including but not limited to the amount of vegetation present, topography, and climate. The proposed project is in a flatter, developed area of a 7.85-acre property located on the edge of the valley floor with direct access from SR 29. The site contains level to steep slopes surrounded by vineyards, residential, and winery uses, as well as Douglas-fir forest and oak woodland. The proposed development areas contain slopes ranging from 6% to 18% in areas of the property either planted in vineyard or adjacent to existing winery buildings and associated roads and landscaped areas. According to Napa County GIS Environmental Maps (Hazards and emergencies layer), the project is in within the Moderate and High Fire Hazard Severity Zones and in the State Responsibility (SRA) district. The proposed wine caves and associated road improvements would not result in a physical modification to the slope of the area, changes to prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. As discussed above in Section IX. (Hazards and Hazardous Materials), projects located in High Fire Severity Zones are required by State and County Code to establish and maintain defensible space and all construction must comply with County Fire Code, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site, all of which would reduce the potential hazard of wildfires. The proposed driveway and wine cave access road improvements will improve access, provide fire truck hammerhead turnaround areas and meet County standards and California Fire Safe Regulations (FSR), thereby aiding the safe ingress and egress of visitors and emergency personnel to and from the site. Impacts of the project would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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?

Discussion: As mentioned above, the existing driveway and new wine cave access road will be improved/constructed to meet County RSS and State FSR. Proposed utility improvements will be undergrounded, and the wine caves will contain fire suppression infrastructure, including fire sprinklers and dedicated water storage. During construction, the risk of igniting a fire would be low because vegetation would be cleared prior to development, and the risk would be temporary due to the limited duration of construction. Operation and maintenance activities would be similar to activities already occurring onsite and properties in the area. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant

Significance Level: Less than significant impact.

Mitigation Measures: None required.

- 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: The physical improvements are in an area of the site which is already developed, disturbed or planted in vines. The proposed earthwork will be designed in accordance with Engineering Division Conditions of Approval to ensure that grading and construction activities do not create unstable slopes. Erosion control measures would be implemented in accordance with the Napa Countywide Stormwater Pollution Prevention Program which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite. By incorporating Building and Engineering Division Conditions of Approval, the project would not physically alter the site in a way which would expose people or structure to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

21. MANDATORY FINDINGS OF SIGNIFICANCE:

- 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?

Discussion: The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community or substantially reduce the number or restrict the range of a rare or endangered plant or animal species. Mitigation Measure **VIS-1** requires the project preserve the scenic quality of the SR 29 corridor through replanting or preserving oak trees onsite. Mitigation Measures **BIO-1, BIO-2, and BIO-3** require the applicant to obtain preconstruction surveys for northern spotted owl, nesting birds and raptors, and bats to minimize impacts associated with construction related activities to northern spotted owl, nesting birds and raptors, and bat species. Through implementation of the aforementioned Mitigation Measures, the project is anticipated to result in less than significant impacts to special status plant and animal species. Additionally, the project does not have the potential to eliminate important examples of the major periods of California's history or prehistory. As discussed in Section V. Cultural Resources, Mitigation Measure **CUL-1** ensures construction resulting from the project does not include any exterior alterations to the 1883 house, changes to historic sections of the rock wall, or the landscape that would impact the Historic Landmark Designation. Prior to building permit issuance, the applicant is required to submit a report from a historic architect verifying construction complies with the Secretary of Interior's Standards for the Treatment of Historic Properties and Napa County's Landmark Preservation Ordinance. As discussed in Section 18 (Tribal Cultural Resources), the project has the possibility of unearthing tribal cultural resources during ground disturbance activities. Mitigation Measure **TCR-1** and the County's standard Archeological Finding Condition of Approval have been incorporated into the Project to ensure the preservation or mitigation of significant impacts to tribal cultural resources and prehistoric cultural resources that could be uncovered during ground disturbing activities.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measures VIS-1, BIO-1, BIO-2, BIO-3, CUL-1, and TCR-1.

- 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)?**

Discussion: The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. By incorporating Mitigation Measure **TRANS-1** and standard Conditions, a new left turn lane as well as driveway and signage improvements will be installed to improve traffic safety and access to/from the site. Potential impacts to air pollution and GHG emissions are being addressed through meeting BAAD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, VMT/Transportation Demand Reduction strategies, and standard Conditions of Approval. The applicant intends to implement a number of greenhouse gas reduction strategies, including but not limited to, exceeding Title 24 energy efficiency standards, installing water efficient fixtures and energy conserving lighting, employing low-impact development practices, providing bicycle incentives, and installing an electric vehicle charging station. Section 10 (Hydrology) includes details on the Water Availability Analysis which demonstrates that the project well, as conditioned, will be limited to 2.82 acre feet of groundwater per year (equivalent to approximately 47% of the property's annual recharge rate) to ensure there are no impacts to groundwater availability. For these reasons, potential cumulative impacts would be less than significant.

Significance Level: Less than significant with mitigation incorporation.

Mitigation Measures: See Mitigation Measure TRANS-1.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: All potential impacts identified in this Subsequent Mitigated Negative Declaration are less than significant with the exception of Aesthetics, Biological Resources, Cultural Resources, Transportation, and Tribal Cultural Resources, for which Mitigation measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Significance Level: Less than significant impact.

Mitigation Measures: None required.

PROJECT REVISION STATEMENT
AXR WINERY NAPA VALLEY WINERY
USE PERMIT MODIFICATION (P22-00417-MOD), VARIANCE (P26-00045-VAR),
AND VIEWSHED (P26-00044-VIEW)

I hereby revise the AXR Napa Valley Winery Use Permit (P22-00417-UP), Variance (P26-00045-VAR), and Viewshed Permit (P26-00044-VIEW), application for a major modification to an existing 20,000-gallon winery on a 7.85-acre parcel located at 3199 St. Helena Highway, St. Helena (APN 022-080-025), to include the following seven (7) mitigation measures specified below:

MITIGATION MEASURES:

Mitigation Measure VIS-1: Prior to issuance of building permits, the owner/permittee shall submit a tree replanting plan, prepared by a certified arborist or other qualified professional and subject to Planning Division approval, that includes replanting of at least six native oak trees (or other appropriate native species) to replace those removed. All replacement trees shall be a minimum size of 15-gallons and must be monitored for a minimum survivability period of five years. Any replacement trees that fail to survive during this period shall be replaced in-kind by the applicant. Alternatively, the owner/permittee may identify and permanently preserve the equivalent amount (or more) of native tree canopy through deed restriction or other means of permanent protection in a form approved by County Counsel.

Method of Monitoring: The owner/permittee shall schedule a site inspection with the Planning Division and/or submit documentation verifying that replacement trees have been installed, or that the deed restriction has been recorded, prior to final occupancy of building permits. The owner/permittee shall provide copies of the annual monitoring results to the Planning Division, while monitoring is in effect.

Mitigation Measure BIO-1 (Pre-construction NSO nesting surveys): The owner/permittee shall implement the following measures to minimize potential impacts to Northern Spotted Owls (NSO):

A qualified biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall provide an assessment of potential NSO nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment.

Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between February 1 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012, available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline>. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only

Projects. If breeding NSO are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between February 1 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

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

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

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division

and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.

- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

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

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Mitigation Measure BIO-3 (Pre-construction bat tree habitat assessment and surveys): Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only:

- a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or
- b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the

Project Revision Statement

AXR Napa Valley Winery; P22-0417-MOD, P26-00045-VAR, P26-00044-VIEW

project and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Mitigation Measure CUL-1:

1. Construction resulting from the project shall not include any new additions or exterior alterations to the 1883 house, changes to historic sections of the rock wall, or the landscape that would impact the Historic Landmark Designation.
2. Modifications to the rock wall are limited to modern sections and relocation of the stone pillars at the driveway entrance. The historic sections (late 19th to early 20th century) along the frontage of the property shall not be altered or removed, excepting the proposed relocation of stone pillars, to accommodate road improvements.
3. All site work, including rehabilitation, restoration, or modifications to existing structures and contributing accessory structures and landscape features shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings as well as Napa County's Landmark Preservation Ordinance (Chapter 15.52). A historic architect shall review all proposed construction plans, including modifications to the rock wall and stone pillars, for compliance with Mitigation Measure CUL-1 and his/her written report shall accompany any plans submitted for grading and building permits.

Mitigation Monitoring CUL-1: Prior to issuance of any grading or building permit for the project, the Planning Division shall review the historic architect's report and confirm the project is in compliance with Mitigation Measure CUL-1.

Mitigation Measure TRANS-1:

Prior to building permit issuance and increasing daily trips to the site as a result of the project (from all uses - employees, visitation, marketing events), a left turn lane shall be constructed on State Highway 29 in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity during the construction phase of the project and later post construction for winery operations.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project. Prior to the approval of any permit for construction of the project and increasing daily trips to the site, Caltrans and the Napa County Public Works Department shall verify all requirements for the left turn lane and associated driveway improvements have been completed.

Mitigation Measure TCR-1: Tribal Cultural Resources

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

Project Revision Statement

AXR Napa Valley Winery; P22-0417-MOD, P26-00045-VAR, P26-00044-VIEW

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

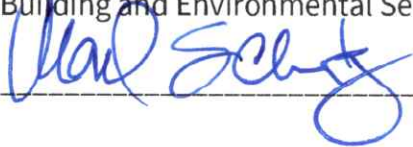
3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.
4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.
5. The owner/permittee shall meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with

appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

Method of Monitoring: The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00417, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers.

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

The Property Owners (Silverado Trail Wine Partners IV, LLC), understand and explicitly agree that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.



Mark Schratz
On behalf of Silverado Trail Wine Partners IV, LLC



Date



Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.napacounty.gov
Main: (707) 253-4417

Brian D. Bordona
Director

AXR Napa Valley Winery - Major Use Permit Modification (File No. P22-00417), Variance (File No. P26-00045), and Viewshed (File No. P26-00044)

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure VIS-1:

Prior to issuance of building permits, the owner/permittee shall submit a tree replanting plan, prepared by a certified arborist or other qualified professional and subject to Planning Division approval, that includes replanting of at least six native oak trees (or other appropriate native species) to replace those removed. All replacement trees shall be a minimum size of 15-gallons and must be monitored for a minimum survivability period of five years. Any replacement trees that fail to survive during this period shall be replaced in-kind by the applicant. Alternatively, the owner/permittee may identify and permanently preserve the equivalent amount (or more) of native tree canopy through deed restriction or other means of permanent protection in a form approved by County Counsel.

Monitoring and Reporting Actions and Schedule:

The owner/permittee shall schedule a site inspection with the Planning Division and/or submit documentation verifying that replacement trees have been installed, or that the deed restriction has been recorded, prior to final occupancy of building permits. The owner/permittee shall provide copies of the annual monitoring results to the Planning Division, while monitoring is in effect.

Implementation: P*

Monitoring: PD*

Reporting and Date of Compliance / Completion: PC* Date: _____

Mitigation Measure BIO-1 (Pre-construction NSO nesting surveys):

The owner/permittee shall implement the following measures to minimize potential impacts to Northern Spotted Owls (NSO):

A qualified biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall provide an assessment of potential NSO nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment.

Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between February 1 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline>. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between February 1 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

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PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing PI= Prior to Installation of infrastructure (i.e. trellis and irrigation) and planting.

Monitoring and Reporting Actions and Schedule:

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

Implementation: P*

Monitoring: PD* DFW*

Reporting and Date of Compliance / Completion: PC* Date: _____

Mitigation Measure BIO-2 (Pre-construction surveys for nesting birds and raptors):

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

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion

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buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.

- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

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

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated as conditions of approval of the project and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Implementation: P*

Monitoring: PD* DFW*

Reporting and Date of Compliance / Completion: PC* Date: _____

Mitigation Measure BIO-3 (Pre-construction bat tree habitat assessment and surveys):

Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only:

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- a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or
- b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated as conditions of approval of the project and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Implementation: P*

Monitoring: PD* DFW*

Reporting and Date of Compliance / Completion: PC* Date: _____

Mitigation Measure CUL-1 (Cultural Resources):

1. Construction resulting from the project shall not include any new additions or exterior alterations to the 1883 house, changes to historic sections of the rock wall, or the landscape that would impact the Historic Landmark Designation.
2. Modifications to the rock wall are limited to modern sections and relocation of the stone pillars at the driveway entrance. The historic sections (late 19th to early 20th century) along the frontage of the property shall not be altered or removed, excepting the proposed relocation of stone pillars, to accommodate road improvements.
3. All site work, including rehabilitation, restoration, or modifications to existing structures and contributing accessory structures and landscape features shall comply with the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings as well as Napa County’s Landmark Preservation Ordinance

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(Chapter 15.52). A historic architect shall review all proposed construction plans, including modifications to the rock wall and stone pillars, for compliance with Mitigation Measure CUL-1 and his/her written report shall accompany any plans submitted for grading and building permits.

Monitoring and Reporting Actions and Schedule:

Prior to issuance of any grading or building permit for the project, the Planning Division shall review the historic architect’s report and confirm the project is in compliance with Mitigation Measure CUL-1.

Implementation: P*

Monitoring: PD*

Reporting and Date of Compliance / Completion: PC* Date: _____

Mitigation Measure TRANS-1 (Transportation):

Prior to building permit issuance and increasing daily trips to the site as a result of the project (from all uses – employees, visitation, marketing events), a left turn lane shall be constructed on State Highway 29 in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity during the construction phase of the project and later post construction for winery operations.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated as conditions of approval of the project. Prior to the approval of any permit for construction of the project and increasing daily trips to the site, Caltrans and the Napa County Public Works Department shall verify all requirements for the left turn lane and associated driveway improvements have been completed.

Implementation: P*

Monitoring: PD* PW* CT*

Reporting and Date of Compliance / Completion: PC* Date: _____

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Mitigation Measure TCR (Tribal Cultural Resources):

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

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

Monitoring and Reporting Actions and Schedule:

The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00417, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers.

Implementation: P*

Monitoring: PD*

Reporting and Date of Compliance / Completion: PC* Date: _____

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