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**Mitigated Negative Declaration
Parable Winery Use Permit Minor
Modification
P23-00230-MM**

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

**Initial Study Checklist
(form updated January 2019)**

1. **Project Title:** Parable Winery, Use Permit Minor Modification P23-00230-MM and Variance Application P23-00231
2. **Property Owner:** FTM Investments, L.P. c/o Trey Eppright. 3215 Steck Avenue, Suite 101, Austin, TX 78757. Phone: 707-330-4551 or email: trey@captexdev.com
3. **County Contact Person, Phone Number and email:** Trevor Hawkes, Supervising Planner. Planning, Building & Environmental Services, 1195 Third Street, Second Floor, Napa, CA 94559. Phone: 707-253-4388 or email: trevor.hawkes@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on an approximately 10.3-acre parcel within the AW (Agricultural Watershed) zoning district at 4300 Silverado Trail, Calistoga, CA 94515. APN 020-120-028.
5. **Project sponsor's name and address:** Joshua Devore & Tom Adams, DP&F, 1500 First Street, Suite 200, Napa, CA 94559. Phone: 707-261-7000 or email: jdevore@dpf-law.com & tadams@dpf-law.com
6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background/Project History:** On January 18, 1984, the Napa County Conservation, Development and Planning Commission approved Use Permit #U-278384 to establish a 20,000 gallon per year 2,600 sq. ft. winery at the project parcel. Use Permit #U-278384 also entitled a minimum of 13 parking spaces, a restriction on picknicking, and tasting and related activities required to be conducted inside the winery. Operating hours were set for 8am to 5pm, Monday through Friday. Additionally the Commission denied the applicant's request for public tours and tastings.

On December 15, 2004, Use Permit Modification P04-0338 and Variance P04-0339 were approved by the Napa County Conservation, Development and Planning Commission permitting the construction of a 2,400 sq. ft. winery cave for barrel storage and allow one cave portal to encroach 480 feet into the required 600 foot setback for Silverado Trail.

On November 26, 2007, Use Permit Minor Modification P07-00557 was approved by the Director of Conservation, Development and Planning. This modification allowed for a relocation of the previously approved cave and cave portal and an expansion of the cave area from 2,600 sq. ft. to 4,500 sq. ft.

The winery facility and much of its infrastructure was destroyed in the 2020 Glass Fire.
9. **Description of Project:** Approval of a Use Permit Minor Modification to a fire-destroyed 20,000 gallon per year Pre-WDO winery to allow the following:
 - a. Construction of a new 12,051 sq. ft. winery facility replacing the previous facility lost to fire. The new facility will consist of 9,137 sq. ft. of production space and 2,914 sq. ft. of accessory space, a 50,000 gallon fire water storage tank, a 30,000 gallon treated pre-wastewater storage tank, a 5,000 gallon domestic water tank, bio-retention facilities, landscaping, driveways, an entry gate and other winery improvements;
 - b. Conversion of the existing cave to a Type III Cave (Tasting Room and Guided Tours);
 - c. Installation of a new winery recycled process wastewater system;
 - d. Installation of a new winery domestic wastewater system;
 - e. Increase onsite parking spaces from 13 to 15;
 - f. Change the traffic direction of the existing looped driveway to flow west to east;
 - g. Installation of a Left-Turn lane on Silverado Trail at the Project entrance;
 - h. Increase in annual permitted wine production from 20,000 gallons to 30,000 gallons;
 - i. Increase employment from three (3) full-time employees to four (4) full-time employees and two (2) part-time employees;
 - j. Establish Tours and Tastings by appointment only for a total of 30 visitors per day and a maximum of 210 visitors per week;

- k. Establish a Marketing Program allowing the following;
 - i. 10 marketing events with total visitation not to exceed 12 vehicles;
 - ii. One (1) marketing event with total visitation not to exceed 20 vehicles;
- l. Addition of On-Premise consumption activities in conformity with AB 2004 (Evans Bill) within the patio area directly adjacent to the south cave portal

A Variance application (P23-00231) is also requested to allow the new winery within approximately 250 feet from the center line of Silverado Trail. Napa County code requires a 600-foot winery setback from Silverado Trail (N.C.C. § 18.104.230.A.1)

The project would be built out over two (2) phases in order to maintain Average Daily Trips (ADT) to the winery below 28 and not initially trigger the need to construct a Left-Turn Lane on Silverado Trail until phase two (2) is constructed. Phasing will be conditioned in the project's Conditions of Approval.

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

The project site is located on the Napa Valley Floor, approximately .3 miles north of the intersection of Silverado Trail and Dutch Henry Canyon Road.

The project parcel is approximately 10.3 acres in size. Access to the project is achieved from a driveway accessed from Silverado Trail. Where the project parcel immediately abuts Silverado Trail the terrain is generally flat, with slopes between zero (0) and 15 percent in the previous and proposed development areas. The terrain rises sharply in the northeastern corner of the project parcel, where slopes between 30 and 50 percent are achieved. The lowest elevation on the parcel is approximately 330 feet amsl while the highest elevation on the project parcel is approximately 500 feet amsl. State of California, Department of Conservation Farmland Mapping and Monitoring Program designates the vineyards on the parcel as 'prime farmland' while the remainder of the parcel is designated as 'Other land'. Napa County Environmental Resource Map (GIS layer; vegetation) designates the vineyard area as agriculture, while the remainder of the parcel beyond the loop road designated as Oak Woodland with a small segment of Urban/Built up where the parcel abuts a neighboring parcel owned by Upper Valley Disposal & Recycling Service (APN 020-120-011). The project parcel contains two main soil types; Hambright rock-Outcrop complex, 30 to 75 percent slopes in the western half of the project parcel and perkins gravelly loam, one (1) to 10 percent slopes in the eastern half. A blue line stream runs along the western boundary of the project parcel, although it is not identified as a significant stream for under the Napa County Groundwater Sustainability Plan. The entire parcel is within the Very High Fire Hazard Severity Zone for the State Responsibility Area.

There is an existing single-family residence on the project parcel. The winery cave is still intact after the 2020 Glass Fire. Land uses in the area are dominated by large lot residential properties, wineries, vineyards and Open Space. The closest residence to the proposed winery is approximately 1,500 feet to the northeast.

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

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

Responsible (R) and Trustee (T) Agencies

CDFW

Other Agencies Contacted

None

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.?

On September 27, 2024, 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 Middletown Rancheria responded by email to Staff on the morning of October 1, 2024, notifying staff that they had determined this project was within Middletown Rancheria's Area of Concern (AOC) and requesting an opportunity to enter into consultation with Staff. A virtual consultation meeting with Middletown Rancheria Staff was held later that afternoon. Tribal representatives requested project documents from Staff, such as the proposed Site Plan, as well as a brief summary of the proposed project. The meeting concluded with Middletown Rancheria representatives informing staff of their concerns with the potential upset of tribal culture resources due to the proximity to a blue line stream during grading of the project and requesting that a tribal monitor be onsite. No other responses were received within 30-days of the tribe's receipt of the invitations.

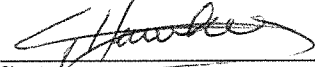
Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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



Signature

12/20/2024

Date

Name: Trevor Hawkes, Supervising Planner
Napa County
Planning, Building and Environmental Services Department

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

Discussion:

- a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the Environmental Setting and Surrounding Land Uses section above, this area is defined by a mix of wineries, vineyards, and large lot rural residential uses. The project consists of the development of a new 12,051 sq. ft. winery facility, a 50,000 gallon fire water storage tank, a 30,000 gallon treated pre-wastewater storage tank, a 5,000 gallon domestic water tank, bio-retention facilities, landscaping, driveways, an entry gate and other winery improvements. The project parcel is not within an area considered a scenic vista, nor does it preclude views of a scenic vista. The project does not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway. The project also does not substantially degrade the existing visual character or quality or public views of the site from Silverado Trail. The project is the development of a new winery facility and associated winery infrastructure, compliant with the County General Plan and typical of land uses in the surrounding area.
- d. The proposed project 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, the existing 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, 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.*

Mitigation Measures: None are required.

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

Discussion:

- a/b/e. As designated by the Farmland Mapping and Monitoring Program of the California State Department of Conservation, the project site includes areas designated as Prime Farmland (existing vineyards) and Other Land (remainder of project parcel). The project parcel has a zoning district designation of Agricultural Watershed (AW), which is a zoning district which recognizes wineries as a compliant land use upon grant of a Use Permit. No vineyards are planned for removal under the proposed project. 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 a result, this application will not result in the conversion of special status farmland to a non-agricultural use. The proposed project would not conflict with existing zoning for agricultural uses. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site.
- c/d. The proposed project does not contain any 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) nor will the project result in the loss of forest land or conversion to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits because this land type does not exist on the parcel.

Mitigation Measures: None are required.

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

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

Discussion:

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

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

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

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

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

There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

a/b. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the

northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, In Your Community: Napa County, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately 13,407 sq. ft. of production area (enclosed and outdoor production space) with 3,144 sq. ft. of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 square feet (general light industry) 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 well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- c/d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

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 nearest residence to the proposed new winery building is approximately 1,500 feet to the northeast. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are required.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a. The applicant proposes to develop a 12,051 sq. ft. winery facility on a 10.3 acre parcel in Napa County's Agricultural Watershed zoning district. A winery (Dutch Henry) previously existed on the parcel, with a looped driveway, a wine cave, water tanks, associated infrastructure, approximately 1.88 acre vineyard block and a residence. The winery facility was located between the looped driveway and Silverado Trail, adjacent to the vineyard block. The winery, much of its infrastructure and the vegetation on the parcel was destroyed in the 2020 Glass Fire, although the residence and wine cave survived.

According to Napa County Environmental Resource Maps (GIS; Vegetation layer) all land between the looped driveway and Silverado Trail, the existing residence, an olive orchard, cave portal and areas where the existing water tanks reside, is designated as agricultural land. Much of the remainder of the parcel, and primarily where the development of the new winery facility is located is designated as oak woodland. There is a small strip of land, where the western boundary of the project parcel abuts another parcel owned by Upper Valley Disposal Holding, Inc., that is designated as Urban/Built Up. Civil Plans submitted for the application indicate that approximately 35 trees will be removed from the site to build the project, 22 of these trees are identified as live or blue oak. A blue line stream runs north to south along the western edge of the project parcel. The California Natural Diversity Database (CNNDDB) has no records of candidate, sensitive, or special status species on the parcel, although there are several records of occurrence within approximately one mile of the project parcel including Cobb Mountain Lupine, Calistoga popcornflower, Townsend's big-eared bat, pallid bat and foothill yellow-legged frog. Site visits by County Planning Staff identified existing vegetation on the site and aerial photographs from prior to the 2020 Glass Fire indicate that vegetation canopy cover was once denser in the areas of proposed development.

The project proposes vegetation clearing and grading to clear areas for driveways, building pads, parking pads, and walkways. Considering the above the project would have the potential to impact candidate, special or sensitive plant and animal species that may be in the area during these activities. Removal of existing standing trees could also have the potential to impact nesting birds in the area. To reduce potentially direct and indirect significant impacts on candidate, special or sensitive plant or animal species to a less-than-significant level, Mitigation Measure **BIO-1**, **BIO-2** and **BIO-3** would be implemented.

- b. As previously mentioned the applicant proposes to develop a new 12,051 sq. ft. winery facility on a 10.3 acre parcel. Much of the area where ground disturbance would be conducted to develop building pads and infrastructure is in an area that according to Napa County Environmental Maps is designated as oak woodland. Much of the parcel's vegetation was destroyed in the 2020 Glass Fire. County aerial maps from prior to 2020 shows a dense canopy cover in and around the development area. According to the applicant's Civil Plans, UP2.0, the proposed project would remove approximately 35 trees in order to develop the buildings, driveways and infrastructure for the project. 26 of these trees have already been cut down due to fire damage from the 2020 Glass Fire. Nine (9) of these trees are currently standing. Approximately 14 of the 35 trees to be removed, either currently as stumps or standing, are identified as live oak, eight (8) are identified as blue oaks and the remainder are identified as olive trees.

Although the project proposes to develop the new winery facility adjacent to the existing developed driveway and much of the vegetation on the project parcel was destroyed in the 2020 Glass Fire, there is a chance that grading and vegetation removal to develop the project would remove oak woodland habitat. Oak woodland habitat would be considered sensitive habitat by the California Department of Fish and Wildlife and in the Napa County General Plan Conservation Element. Removal of oak woodland habitat without replacement or preservation could potentially cause a significant impacts. Napa County General Plan policy CON-24C requires the County to maintain and improve oak woodland, preserving to the extent feasible oak trees and other significant vegetation and providing for replacement or preservation of like habitat in the event a project would remove oak woodland habitat. For this reason the project is conditioned with mitigation measure **BIO-4**, which requires prior to permit issuance for the permittee to submit, and received approval for, an oak woodland restoration and preservation plan by the CDFW. The plan will delineate whether and to what extent oak woodland habitat is impacted by the project, demonstrate the permittee's ability to comply with Napa County General Plan policy CON-24, including identifying areas for replacement or preservation of like habitat and providing a plan for the maintaining and monitoring of replacement habitat should it be necessary. With inclusion of mitigation measure **BIO-4**, the project would be expected to be a less than significant impact to sensitive habitats.

- c. The National Wetlands Inventory identifies the blue line stream along the western boundary of the project parcel as Riverine habitat. There are no other identified state or federally protected wetlands located within or adjacent to the project. The project would not have a substantial adverse effect on the adjacent blueline stream. No development is proposed within the County stream setbacks for the creek and the applicant has proposed on their site plan to install construction fencing along the setback perimeter to limit impacts. There are no features to the project which would potentially remove, fill, or interrupt the creek hydrologically. The proposed project includes stormwater and sediment control measures to deter sediment from entering the creek. Impacts would be less than significant.

- d. There are no features of the project which would interfere substantially with the movement of 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. No development or disturbance activities are proposed within stream setbacks for the blue line stream on the western boundary of the project parcel. Given the project parcels configuration, its adjacency to Silverado Trail and the proposed project adjacency to previously disturbed areas it would be unlikely this project could interfere with movement of wildlife, movement corridors or wildlife nursery sites. Impacts would be less than significant.
- e. The project parcel has a Agricultural Watershed zoning designation and is subject to Napa County's Water Quality and Tree Preservation Ordinance (WQTPO; Ordinance #1438). Under Ordinance 1438, for earthmoving activities within the AW zoning district, a minimum of 70 percent of vegetation canopy cover as configured on a particular date shall be maintained. Removal of any vegetation canopy cover shall also be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. The ordinance includes a list of priority locations for replacement or preservation in Napa County Code 18.108.020.D.
- The previous Dutch Henry Winery and most of the vegetation on the parcel was destroyed in the 2020 Glass Fire. Many fire damaged trees that remained on the parcel have been cut down and removed. Page 2 of the applicant's Civil Plans demonstrate that approximately 9 existing standing trees and 26 tree stumps would be removed to develop the project. Some of these 35 trees consist of ornamental olive trees, but, according to the plans, a number of these trees are also Live Oaks and Blue Oaks.
- Although the property was damaged in the 2020 Glass Fire and much of the canopy cover that would have been removed by the project is not existing at this time, the project is still subject to the Vegetation Retention and Removal Mitigation of the WQTPO because removal depends on how the canopy cover was configured on the parcel at a prior date. For fire damaged properties that date is June 19, 2018 (NCC 8.80.130.B). A project that does not maintain a minimum of 70 percent of the vegetation canopy cover for the parcel as it was configured on that date and does not mitigate any of that removal with permanent replacement or preservation of comparable vegetation canopy cover would be in violation of the WQTPO. Napa County aerial mapping from 2018 shows the parcel heavily vegetated compared to existing conditions. Considering that the winery coverage is nine (9) percent of the total parcel area, and much of this coverage is existing driveway area, it would appear that the project as currently configured would not violate the 70 percent retention requirement. However replacement and preservation for what is removed would still be required. For this reason the project has been conditioned with **BIO-5**, which requires, prior to the issuance of any grading or building permits associated with the Use Permit modification, the permittee to submit to the Director of Planning, Building and Environmental Services a plan detailing how much vegetation canopy cover, as configured on the parcel on June 19, 2028, would be removed by the proposed project, and provides a plan to replace and/or preserve vegetation canopy cover under the requirements of NCC 18.108.020.D.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures:

MM BIO-1; Pre-Project Special-Status Plant Surveys: A qualified biologist shall conduct a habitat assessment for special-status plants on and adjacent to the Project site, and if habitat is present, shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur, prior to the start of Project construction. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>). The habitat assessment and survey results must be accepted by CDFW in writing prior to Project construction. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If impacts cannot be avoided, the Project shall mitigate impacts at a minimum 3:1 mitigation to impact ratio through compensatory habitat, restoration, monitoring, and maintenance, or a combination thereof, following a plan approved in writing by CDFW. The plan may include preparing, funding, and implementing a long-term management plan in perpetuity.

Method of Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's approval of the habitat assessment and survey results.

MM BIO-2; Pre-Project Special-Status Animal Surveys: A qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of special-status animal species. The pre-construction survey methodology shall be cleared with CDFW before implementation. If any special-status species are discovered during the survey, Project activities shall not begin until CDFW has been consulted with regarding avoidance and minimization measures to avoid and minimize impacts to special-status species. Permittee shall implement the avoidance and minimization measures if required by CDFW.

Method of Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department the survey results.

MM BIO-3; Nesting Birds and Raptors: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

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 in 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 days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven 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.

After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

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 Conservation Division and the USFWS and/or CDFW.

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 should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.

MM BIO-4; Oak Woodland Habitat Evaluation: A qualified biologist shall evaluate if Oak Woodland habitat will be impacted by the Project and the evaluation must be approved in writing by CDFW prior to Project construction. Any permanently impacted Oak Woodland shall be mitigated through restoration of this habitat type at a minimum 2:1 mitigation to impact ratio for acreage impacted. Restoration shall occur on-site to the extent feasible. If off-site restoration is necessary, it shall be as close to the Project site as possible and within the same watershed, unless otherwise approved in writing by CDFW. Restoration shall occur in the same year as the impacts. The restoration area shall be monitored for a minimum of five years until success criteria are met.

Method of Monitoring: Prior to the issuance of grading permits the applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's review of the Oak Woodland impact evaluation and if impacts were identified the associated restoration plan review and approved by CDFW. Prior to issuance of a certificate of occupancy for the new winery facility evidence of any restored acreage will be provided to the Planning, Building & Environmental Services Department.

MM BIO-5; Water and Tree Preservation Ordinance: The permittee shall submit to the Director of Planning, Building and Environmental Services a plan detailing the project's compliance with the Water and Tree Preservation Ordinance (Ordinance #1438) in regards to the removal of vegetation canopy cover. The plan will demonstrate how much vegetation canopy cover, as it was configured on the parcel on June 19, 2018, would be removed by the proposed project and provides a plan for replacing or preserving the vegetation canopy cover as required under NCC 18.108.020.D.

Method of Monitoring: The permittee will submit the plan to the Director of Planning, Building & Environmental Services prior to the issuance of any grading or building permits associated with this project. If the plan calls for replacement of removed vegetation canopy cover the new vegetation will be planted prior to final occupancy. If the plans calls for preservation of comparable vegetation canopy cover any deed restrictions or protective easements will be recorded prior to final occupancy.

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

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

Discussion:

a/b. On September 27, 2024, 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 Middletown Rancheria responded by email to Staff on the morning of October 1, 2024, notifying staff that they had determined this project was within Middletown Rancheria's Area of Concern (AOC) and requesting an opportunity to enter into consultation with Staff. A virtual consultation meeting with Middletown Rancheria Staff was held later that afternoon. Tribal representatives requested project documents from Staff, such as the proposed Site Plan, as well as a brief summary of the proposed project. The meeting concluded with Middletown Rancheria representatives informing staff of their concerns with the potential upset of tribal culture resources due to the proximity to a blue line stream during grading of the project and requesting that a tribal monitor be onsite. A requirement that the permittee contact and include a tribal monitor from the Middletown Rancheria onsite during grading or any earth disturbing activities has been included as mitigation measures (see Section XVIII). No other responses were received within 30-days of the tribe's receipt of the invitations. With the inclusion of these mitigation measures the project would be expected to have a less than significant impact on tribal cultural resources.

Along with the inclusion of the Tribal Cultural Resource mitigation measures in the event that any archaeological materials are encountered during earth-disturbing activities when an archaeologist is not present the project would be expected to comply with standard Condition of Approval 7.2, listed below, and construction of the project would be required to cease, and a qualified archaeologist would be retained to investigate the site. Compliance with the Tribal Cultural Resource mitigation measures and the project's conditions of approval are expected to keep potential impacts to cultural resources from being potentially significant.

7.2 ARCHEOLOGICAL FINDING

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

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

- c. No human remains have been 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.

Mitigation Measures: None are required. See Section XVIII for Tribal Cultural Resource Mitigation Measures.

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

Discussion:

a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less

than significant.

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

Mitigation Measures: None are required

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

Discussion:

- a.
 - i) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
 - ii) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
 - iii) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The areas of disturbance on the project site is identified as having a medium liquefaction potential according to the

Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.

- iv) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are known landslide areas on the subject site.
- b. The proposed improvements would occur on slopes of zero to 15 percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. According to preliminary geologic mapping of the St. Helena Quadrangle performed by the California Geologic Survey (CGS-2004), the property is underlain by alluvial fan deposits of the Holocene era. There are no active faults or potentially active faults through the project site. No slope instability or unstable landforms are mapped beneath or near the vicinity of the project. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the project site has a medium susceptibility for liquefaction in the location where development will occur (other areas are rated as very low). Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to the maximum extent possible.
- e. According to the Winery Wastewater Feasibility Study for Parable Winery prepared by RSA+ in December 2023, the project site and proposed systems for domestic and process wastewater would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.
- f. In the event that any unique paleontological resources or unique geologic features are encountered during earth-disturbing activities when an archaeologist is not present the project would be expected to comply with standard Condition of Approval 7.2, listed below, and construction of the project would be required to cease, and a qualified archaeologist would be retained to investigate the site. Compliance with the project's conditions of approval are expected to keep potential impacts to cultural resources from being potentially significant.

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.

Mitigation Measures: None are required

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

Discussion:

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022).² The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency.

² <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204. There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

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

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

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

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

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

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

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO₂e)]. This threshold of significance is appropriate for evaluating projects in Napa County. During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are “peculiar to the project,” rather than the cumulative impacts previously assessed.) For the purposes of this analysis potential GHG emissions associated with winery ‘construction’ and ‘development’ and with ‘ongoing’ winery operations have been discussed.

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explain human effects on the atmosphere). Carbon Dioxide (CO₂) gas, the principal greenhouse gas (GHG) being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions (http://www.climatechange.ca.gov/glossary/letter_c.html). Equivalent Carbon Dioxide (CO₂e) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG (BAAMD CEQA Air Quality Guidelines, May 2017). In this case, carbon dioxide (CO₂) is used as the reference atom/compound to obtain atmospheric carbon CO₂ effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO₂e) by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (<http://www.nciasi2.org/COLE/index.html>)

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). These emissions also include underground carbon stocks (or soil carbon) associated with any existing vegetation that is proposed to be removed. As previously stated, this project includes the construction of a new winery facility and associated improvements.

In addition to the one time Construction Emissions, “Operational Emissions” of the winery are also considered and 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). See Section XVI, Transportation/Traffic, for anticipated number of operational trips. Operational Emissions from the proposed winery would be the primary source of emissions over the long-term when compared to one time construction emissions.

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. With the new winery facility totalling approximately 13,407 sq. ft. of floor area, with 3,144 sq. ft. of space dedicated to tasting/hospitality uses, compared to the BAAQMD’s GHG screening criteria of 121,000 square feet for general industrial, and compared to the BAAQMD’s screening criterion of 9,000 square feet for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO₂e/yr GHG threshold of significance.

Furthermore, the applicant intends to implement the following GHG reduction methods at the winery: Vehicle Miles Traveled reduction plan (the owners of the winery live and work onsite which will reduce VMT associated with employment), energy conserving lighting, installation of water efficient fixtures, water efficient landscape, planting of shade trees within 40 feet of the south side of the building, Electrical Vehicle charging stations, limiting the amount of grading and tree removal and use of recycled materials.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO₂e. GHG Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions below BAAQMD thresholds. As indicated above, the County is currently preparing a CAP and as the part of the first phase of development and preparation of the CAP has released Final Technical Memorandum #1 (2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016). Table 1 of the Technical Memorandum indicates that 2% of the County’s GHG emissions in 2014 were a result of land use change. The increase in emissions expected as a result of the project would be relatively modest and the project is in compliance with the County’s efforts to reduce emissions as described above.

Further, as stated above, per the OPR Technical Advisory, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact. As detailed in Section XVII (Transportation), harvest would generate up to approximately 40 average daily trips. Daily trips generated by the proposed project would be well below the Governor's Office of Planning and Research's recommended screening criterion threshold for small projects generating fewer than 110 trips per day; and therefore, less-than-significant impacts related to operational GHG emissions are anticipated.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less than significant impact.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the operation of a 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 environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed winery buildings. According to Google Earth, the nearest school

to the project site is the Palisades High in the City of Calistoga, located approximately 3.6 mile to the south. No impacts would occur.

- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards. Under the full operations of the proposed project a Left Turn Lane from Silverado Trail into the northern project driveway entrance would be required. The applicant has proposed to phase the project, initially maintaining visitation, marketing events and employment at levels that do not trigger the County's Left Turn Lane Warrant. Once the project constructs the Left Turn Lane on Silverado the project would then be granted the full requested operational levels. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed driveway improvements would provide adequate access to Lodi Lane. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None are required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
	i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan 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.

To assess potential impacts resulting from project wells located within 500 feet of a neighboring well, the County's WAA guidance requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater use compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways, 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."

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 complying with the Public Trust.

A Tier 3 review is the County's adopted method for complying with its duties under the Doctrine. As discussed herein, the existing project wells will comply with the WAA Guidance document because they have provided a Tier 3 analysis in their Water Availability Analysis (RSA+, August 2024) demonstrating that only one project well is within 1,500 feet of a significant stream (1,498 feet from Biter Creek) and that the well would meet the screening criteria for wells within 1,000 to 1,500 feet in the Napa County Water Availability Analysis Guidelines (May 2015). County has satisfied its duty to consider impacts to trust resources and no further analysis is required.

- a. The project would not violate any water quality standards or waste discharge requirements. According to the Winery Wastewater Feasibility Report (RSA+, August 2024), the applicant will replace both the existing domestic and process wastewater systems. The new domestic wastewater system will consist of a 1,200-gallon pump tank, a 1,000-gallon recirculation tank with two AdvanTex AX20 treatment pods, a 2,000-gallon septic tank and a Geoflow dispersal field. The dispersal field is planned to be located to the east of the proposed new winery building. The new process wastewater system will separately treat and disperse winery process wastewater onsite with a Biofiltro system or equivalent and consist of a 4,500 gallon pump tank, a control unit, a treatment system and a 30,000 gallon holding tank. The Winery Wastewater Feasibility Report has been provided to the Division of Environmental Health who reviewed the report and concurred with its findings. Impacts would be less than significant.
- b. The project seeks to establish a new winery on a parcel where a previous winery was lost to fire. Some existing infrastructure still exists from the previous winery, including three groundwater wells. Well #1 is used for the winery and domestic water supply, and well #2 is currently unused and planned to be abandoned. Well #3 has been used for vineyard irrigation in the past but is currently unused.

The parcel is bisected by the boundaries of the GSA Subbasin, and project wells are located outside of the GSA. Normally a project would need to provide an analysis demonstrating the amount of the project parcel that falls within the GSA and the amount of parcel that falls outside of the GSA, providing a parcel specific recharge analysis for the percent of project parcel outside the GSA boundary. The remainder area would be subject to the .3 acre feet per acre per year groundwater criteria of the GSP. The sum of these two areas would constitute the maximum groundwater recharge for the project. The project applicant has provided an analysis that utilizes the GSP criteria for the full area of the parcel in this case, and calculates the maximum groundwater recharge rate at 3.087 af/yr (based on a project parcel size of 10.3 acres). However the applicant has also calculated that groundwater use will decrease under the proposed

project from entitled conditions. Despite the increase in operation levels for the winery (wine production, employment, visitation and marketing events), this is achieved through the inclusion of a recycled process wastewater system utilized for a reduction in groundwater used for vineyard irrigation. Because the project would reduce groundwater use compared to the entitled conditions the project is expected to not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The applicant's analysis of existing and proposed groundwater use for the project is shown below.

Usage Types	Existing Usage (af/yr)	Proposed Usage (af/yr)
Irrigation – Well	0.815	0.815
Irrigation – Recycled Process Wastewater	0	-0.446
Landscaping	0.1	0.19
Existing Residence	0.5	0.5
Process Water	0.430	0.552
Domestic Water	.036	.169
Totals	1.881	1.78

The project will include the County's project specific Condition of Approval setting a limitation on groundwater use for the parcel to 1.78 af/yr and requiring well monitoring. The condition would also include the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Groundwater Management - The parcel shall be limited to 1.78 acre-feet of groundwater per year for all water consuming activities (utilizing wells) on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

In the event that changed circumstances or significant new information provide substantial evidence³ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Groundwater Demand Management Program
 1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, 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 all wells serving the parcel.
 2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
 3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
 4. As a groundwater consuming activity 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 modification.
 5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 1.78 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
 6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
 7. At the completion of the reporting period per 6.15(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

³ 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.

schedule:

- i. 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 meters during regular business hours.

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(a) and 6.15(a) above shall commence prior to issuance of a final certificate of occupancy.
- c. All proposed work would take place on areas with slopes of less than 15 percent. 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. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality.
- d. The project is not located in flood hazard, tsunami, or seiche zones and thus there is no danger due to project inundation. No impacts.
- e. As discussed above the project parcel is bisected by the GSA boundaries and the project wells are outside of this boundary. For these reasons the project is likely not subject to the GSP. Even in the event that the project did fall within the regulatory authority of the GSP the project proposes to implement a recycled process wastewater system for vineyard irrigation and has demonstrated that groundwater use on the parcel is estimated to decrease under the proposed project. Under that scenario the project would not result in an impact to groundwater use and would therefore comply with the GSP. 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.

Mitigation Measures: None are required.

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

Discussion:

- a/b. The project would not occur within an established community, nor would it result in the division of an established community.
 The project complies with the Napa County Code and all other applicable regulations governing placement and location of project features with the exception of a Variance application (P23-00231) requested to allow the construction of the winery 250 feet from the centerline of Silverado Trail. As shown in the Variance application materials, strict application of the required setbacks would restrict much of the project parcel, which is encumbered by the required 600 foot setback for wineries from Silverado Trail, such that in order to comply the winery would need to be constructed on slopes in excess of 30 percent.
 As discussed in Section IV, the project has not demonstrated compliance with NCC 18.108.020.C & D. These two sections of the Napa County Code were adopted as part of the County's Water Quality and Tree Preservation Ordinance (WQTPO; Ordinance #1438), and are intended to protect the county's forests, oak woodlands, and other native trees by requiring the permanent preservation or replacement of lost trees or preservation of comparable habitat at specified minimum ratios and by establishing a framework for how preservation or replacement will be implemented so as to maximize environmental protections and benefits. Implementation of Mitigation Measure **BIO-5**, was already discussed in Section IV, and would ensure that the applicant is in compliance with the entirety of Napa

County's Conservation regulations.

The subject parcel is located in the AW 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, including the Winery Definition Ordinance (WDO), with the exception of the required 600-foot setback from Silverado Trail (N.C.C. 18.104.230; Wineries located in open space areas – setbacks). The County has adopted the 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 designations are 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 consistent with the Napa County General Plan.

The continued 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 policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. Architectural concepts submitted with this minor modification application demonstrate that the project will be in compliance with these policies.

Mitigation Measures: See Section IV; MM BIO-5

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

Discussion:

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

Mitigation Measures: None are required.

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

Discussion:

- a/b. The project would result in a temporary increase in noise levels during grading and construction activities. However the nearest residence is approximately 1,500 feet to the northeast and beyond a rise in the terrain (no direct line of sight is possible). For this reason noise generated due to grading and construction for the project is not anticipated to be significant. 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.”

The proposed project would increase permanent ambient noise levels due to the increase in wine production levels, establishment of by appointment Tours and Tastings, establishment of a Marketing Program, and the designation of an outdoor area for on-premise consumption activities in conformity with AB 2004 (Evans Bill). As mentioned previously the nearest off-site residence to the proposed West Winery is approximately 1,500 feet to the northeast so impacts to sensitive receptors due to this permanent increase in ambient noise levels would be less than significant. Continuing enforcement of Napa County’s Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non- amplified music, including clean-up are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events.

“4.10 AMPLIFIED MUSIC

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

The proposed project would not result in long-term significant permanent noise impacts.

- c. The project site is not located within the influence area of either the Napa County or Angwin Airports. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

- a. 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. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

The proposed project would employ four (4) full-time and two (2) part-time employees. This small number is unlikely increase housing demand beyond what has been identified in local jurisdiction housing elements over the immediate housing cycle. No new infrastructure is proposed that might induce growth by extending service outside of the boundaries of the project site.

- b. The project does not displace any existing people or housing.

Mitigation Measures: None are required.

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

Mitigation Measures: None are required.

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

Discussion:

a/b. 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.

Mitigation Measures: None are required.

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

Discussion:

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

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

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

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

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

- a. The proposed project would not conflict with any plans, ordinances or policies addressing the circulation system. Existing pedestrian and transit facilities serving the site are limited, though given the rural location of the project site and anticipated demand for these modes, this is considered an acceptable condition. There is an existing Class II bike lane on Silverado Trail. CalFire and Engineering divisions have reviewed the proposed plans for access and circulation and found them to be in compliance with the Napa County Road and Street Standards.
- b. The proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). According to applicant's submitted Winery Trip Generation Worksheet the proposed project is expected to generate 40 average daily trips, an increase in 28 net new daily trips over existing conditions. As described above in the Discussion section, a project which is adding less than 110 daily trips is expected to have a less than significant impact on VMT.
- c/d. The proposed project does not contain any incompatible uses. Trip generation for the project would trigger the need for the Left-Turn Lane (LTL) from Silverado Trail at the project driveway. The applicant has decided to phase their project, allowing no more than three (3) vehicles for visitation to enter the property per day. Under phase 1 the project should proposed project would generate just under the maximum ADT before a LTL is triggered at the project driveway. The Department of Public Works has reviewed their proposal and agreed with the methodology, conditioning the project to monitor their ADT in their Traffic Demand Management and Monitoring Plan during phase 1 of the proposed project and maintaining it under 28 per day. If the project is approved the applicant will be further conditioned to not increase the hospitality operations, which in this case would be the amount of visitation vehicles allowed to access the property daily, until the LTL is constructed. The project has been reviewed by the Engineering and Fire divisions and conditioned as approved. Impacts would be less than significant.
- e. The project should be able to meet it's anticipated parking demand. The project, as proposed, would have a total of 15 parking spaces. To accommodate the daily parking demand for the winery and tasting room, there should be at least one space provided for every employee, as well as parking stalls for about 25 percent of the expected daily tasting room visitors. During harvest, there would be up to six (6) full- and part-time employees and a maximum of 30 daily visitors to the tasting room. Assuming the County's standard occupancy rate of 2.8 guests per vehicle, a total of 10 guests vehicles would visit the site over the course of the day. Therefore, the proposed project would need at least nine (9) parking spaces, consisting of six (6) for employees and three (3) for guests assuming one-quarter of the guests would be there at any one time. The proposed supply of 15 spaces would be adequate to accommodate the approximate day-to-day peak demand. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

- a/b. On September 27, 2024, 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 Middletown Rancheria responded by email to Staff on the morning of October 1, 2024, notifying staff that they had determined this project was within Middletown Rancheria's Area of Concern (AOC) and requesting an opportunity to enter into consultation with Staff. A virtual consultation meeting with Middletown Rancheria Staff was held later that afternoon. Tribal representatives requested project documents from Staff, such as the proposed Site Plan, as well as a brief summary

of the proposed project. The meeting concluded with Middletown Rancheria representatives informing staff of their concerns with the potential upset of tribal culture resources due to the proximity to a blue line stream during grading of the project and requesting that a tribal monitor be onsite. A requirement that the permittee contact and include a tribal monitor from the Middletown Rancheria onsite during grading or any earth disturbing activities has been included as mitigation measures (see **TCR-1** through **TCR-5**). No other responses were received within 30-days of the tribe's receipt of the invitations. With the inclusion of these mitigation measures the project would be expected to have a less than significant impact on tribal cultural resources.

Mitigation Measures:

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

MM TCR-1: Prior to ground disturbance activities, the applicant shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

Method of Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with communication between the permittee and the Middletown Rancheria Tribal Historic Preservation Department demonstrating that a Tribal Cultural Advisor has been identified and retained for monitoring activities during ground disturbance.

MM TCR-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.

Method of Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

TCR-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.

Method of Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

TCR-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.

Method of Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with acknowledgement that on-site personnel of the project have received cultural resource training approved by the project Tribal Cultural Advisor or his or her authorized designee.

TCR-5: The Project applicant must 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: This mitigation measure will continue during grading or ground disturbance activities.

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

Discussion:

- a. The prior winery's process wastewater system was damaged in the 2020 Glass Fire. The applicant proposes to replace the damaged system with a new recycled process wastewater system which is supplement vineyard irrigation. Previously a domestic wastewater system served both the destroyed winery and the existing residence. The existing domestic wastewater system will continue to serve the house onsite and a new domestic wastewater septic field system will be installed for the new winery. A Winery Wastewater Feasibility Report (RSA+, October 2024) was submitted to the Napa County Environmental Health division, who has concurred with the report and approved the project as conditioned.
- b. As discussed in Section X. Hydrology and Water Quality the parcel is bisected by the GSA Subbasin. Using the 0.3 acre-feet allocation, the 10.3 acre parcel the water availability allocation would be 3.09 af/yr. The entitled water use associated with the winery, vineyards, and residence is estimated to be approximately 1.88 af/yr. The proposed increases in production, employees, and hospitality operations is estimated to result in a decrease in water use of approximately .1 af/yr, totaling 1.78 af/yr. Impacts would be less than significant.
- c. Wastewater would be treated on-site and would not require a wastewater treatment provider. No Impact.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

- a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing driveway and proposed project will be designed and improved to meet commercial standards as defined in the Napa County Road and Street Standards (RSS). 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 buildings and cave would be equipped with sprinklers and fire suppression.
- b. The proposed project is located within a very high fire hazard severity zone and in the State Responsibility (SRA) district. The proposed project's driveway loops across the site and is situated on slopes ranging from zero (0) to five (5) percent. Both ends of the loop driveway provide access to Silverado Trail. The development area of the winery is situated on slopes ranging from zero (0) to 15 percent, while further back from the development area the slope of the parcel rises upwards to between 30 and 50 percent slopes. The proposed improvements would not result in a physical modification to the slope of the site, change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts of the project would be less than significant.
- c. The existing driveway will be improved to meet County RSS. The project also proposes build a 50,000 gallon fire water storage tank behind the proposed production facility. Neither of these two developments are considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. The proposed project has been reviewed by the Engineering Department, who has approved the project as conditioned. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. According to Napa County Environmental Maps (GIS; Landslides), there are no known previous landslides or areas of slope instability at higher elevations adjacent to the project. All project components are planned outside of stream setbacks for the blue line stream along the western boundary of the project parcel so no changes to this drainage channel are proposed. Impacts would be less than significant.

Mitigation Measures: None are required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a. 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. Development and ground disturbance activities associated with the proposed project are within an area that was previously destroyed by the 2020 Glass Fire and may qualify as oak woodland. Mitigation measures **BIO-1**, **BIO-2** and **BIO-3**, which require pre-construction surveys, have been proposed to prevent potential impacts to special-status plants, animals, nesting birds and raptors should habitat exist and the species are identified preceding ground disturbance. Because the area may qualify as oak woodland **BIO-4** & **BIO-5** have also been proposed which require assessments of the impacts to, and mitigation for, oak woodland habitat and pre-fire vegetation canopy coverage. These mitigation measures, along with the particular small scale of the proposed modification, will keep impacts to less than significant.
- As identified in Section V. above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory. In the event archaeological artifacts are found, a standard condition of approval and proposed mitigation measures associated Tribal Cultural Resources are incorporated into the project. Impacts would be less than significant.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, and VMT reduction strategies. The applicant intends to implement a number of greenhouse gas reduction strategies including a VMT reduction plan, installing energy conserving lighting, installing water efficient features, installing water efficient landscaping, planting of shade trees within 40 feet of the south side of the buildings, electrical vehicle charging stations, limited grading and tree removal, and optimizing heating, cooling and day lighting through site design. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in a decrease of 0.1 af/yr over the existing levels. The project includes appointment of a TDM Coordinator and TDM program to implement operational procedures to reduce daily and overall trips and resulting vehicle miles traveled. All records of the TDM activities will be kept and provided to the County as required. Potential cumulative impacts would be less than significant.
- c. All potential impacts identified in this Mitigated Negative Declaration are less than significant with the exception of Biological Resources, Land Use and Planning and Tribal Cultural Resources, for which Mitigation measures are proposed. The impacts to categories identified in this Mitigated Negative Declaration are not expected to cause substantial adverse effects on human beings and the impacts can be mitigated to a less than significant impact with the implementation of proposed Mitigation Measures. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.

**Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact BIO-1: Pre-Project Special-Status Plant Surveys. Because there is potential for certain species to occur in the Study Area, preconstruction surveys would confirm presence/absence of these species at the time of the proposed construction and ensure no adverse effect to any species encountered. The following measures are recommended to avoid or otherwise minimize potential impacts to these species.</p>	<p>MM BIO-1: A qualified biologist shall conduct a habitat assessment for special-status plants on and adjacent to the Project site, and if habitat is present, shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur, prior to the start of Project construction. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants). The habitat assessment and survey results must be accepted by CDFW in writing prior to Project construction. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If impacts cannot be avoided, the Project shall mitigate impacts at a minimum 3:1 mitigation to impact ratio through compensatory habitat, restoration, monitoring, and maintenance, or a combination thereof, following a plan approved in writing by CDFW. The plan may include preparing, funding, and implementing a long-term management plan in perpetuity.</p>	<p>Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's approval of the habitat assessment and survey results.</p>	P	PD	PC ____/____/____
<p>Impact BIO-2: Pre-Project Special-Status Animal Surveys. Because there is potential for certain species to occur in the Study Area a preconstruction raptor survey during the hawk's breeding period would reveal its presence or absence within the Study Area. Therefore, prior to issuance of a grading permit for development:</p>	<p>MM BIO-2: A qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of special-status animal species. The pre-construction survey methodology shall be cleared with CDFW before implementation. If any special-status species are discovered during the survey, Project activities shall not begin until CDFW has been consulted with regarding avoidance and minimization measures to avoid and minimize impacts to special-status species. Permittee shall implement the avoidance and minimization measures if required by CDFW.</p>	<p>Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department the survey results.</p>	P	PD	PC ____/____/____

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Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact BIO-3: Nesting Birds and Raptors. Because there is potential for Western Pond Turtle to occur in the Study Area, preconstruction surveys would confirm presence/absence of these species at the time of the proposed construction and ensure no adverse effect to any encountered. The following measures are recommended to avoid or otherwise minimize potential impacts to this species.</p>	<p>MM BIO-3: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <p>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 in 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 days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.</p> <p>After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.</p> <p>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 Conservation Division and the USFWS and/or CDFW.</p> <p>Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p> <p>Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with</p>	<p>If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.</p>	<p>P</p>	<p>PD</p>	<p>PC</p> <p>___/___/___</p>

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.				
<p>Impact BIO-4: Oak Woodland Habitat Evaluation. The applicant plans to remove prior unpermitted improvements (asphalt, a fence, drainage channels, sediment stockpiles and other various industrial detritus) and restore the Riparian area of Arroyo Creek adjacent to the project. Permits. Restoration work within Arroyo Creek will potentially require permits from applicable resource agencies such as California Department of Fish and Wildlife (CDFW), US Army Corps of Engineers (USACOE) and the Regional Water Quality Control Board (RWQCB).</p>	<p>MM BIO-4: A qualified biologist shall evaluate if Oak Woodland habitat will be impacted by the Project and the evaluation must be approved in writing by CDFW prior to Project construction. Any permanently impacted Oak Woodland shall be mitigated through restoration of this habitat type at a minimum 2:1 mitigation to impact ratio for acreage impacted. Restoration shall occur on-site to the extent feasible. If off-site restoration is necessary, it shall be as close to the Project site as possible and within the same watershed, unless otherwise approved in writing by CDFW. Restoration shall occur in the same year as the impacts. The restoration area shall be monitored for a minimum of five years until success criteria are met.</p>	<p>Prior to the issuance of grading permits the applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's review of the Oak Woodland impact evaluation and if impacts were identified the associated restoration plan review and approved by CDFW. Prior to issuance of a certificate of occupancy for the new winery facility evidence of any restored acreage will be provided to the Planning, Building & Environmental Services Department.</p>	P	PD	<p>PC ___/___/___ PCO ___/___/___</p>

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Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact BIO-5: Water and Tree Preservation Ordinance. Existing buildings on the site were constructed when the use of asbestos-containing materials (ACMs) and lead-bearing paint and coatings in construction was common.</p>	<p>MM BIO-5: The permittee shall submit to the Director of Planning, Building and Environmental Services a plan detailing the project's compliance with the Water and Tree Preservation Ordinance (Ordinance #1438) in regards to the removal of vegetation canopy cover. The plan will demonstrate how much vegetation canopy cover, as it was configured on the parcel on June 19, 2018, would be removed by the proposed project and provides a plan for replacing or preserving the vegetation canopy cover as required under NCC 18.108.020.D.</p>	<p>The permittee will submit the plan to the Director of Planning, Building & Environmental Services prior to the issuance of any grading or building permits associated with this project. If the plan calls for replacement of removed vegetation canopy cover the new vegetation will be planted prior to final occupancy. If the plans call for preservation of comparable vegetation canopy cover any deed restrictions or protective easements will be recorded prior to final occupancy.</p>	P	PD	PC ____/____/____
<p>Impact TCR-1. 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.</p>	<p>MM TCR-1: Prior to ground disturbance activities, the applicant shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.</p>	<p>Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with communication between the permittee and the Middletown Rancheria Tribal Historic Preservation Department demonstrating that a Tribal Cultural Advisor has been identified and retained for monitoring activities during ground disturbance.</p>	P	PD	PC ____/____/____
<p>Impact TCR-2. 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.</p>	<p>MM TCR-2: Ground disturbing activities occurring in conjunction with the Project shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.</p>	<p>This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.</p>	P	PD	OG ____/____/____

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Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact TCR-3. 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.</p>	<p>MM TCR-3: The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.</p>	<p>This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.</p>	P	PD	OG _ / _ / _
<p>Impact TCR-4. 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.</p>	<p>MM TCR-4: All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.</p>	<p>Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with acknowledgement that on-site personnel of the project have received cultural resource training approved by the project Tribal Cultural Advisor or his or her authorized designee.</p>	P	PD	PC _ / _ / _

Notes: P = Permittee, PD = Planning Division, B = Building Division, EH = Environmental Health Division, PC = Prior to Project Commencement, OG = Ongoing, PCO = Prior to Certificate of Occupancy
Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR

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

PROJECT REVISION STATEMENT

Parable Winery Use Permit Minor Modification #P23-00230-MM & Variance Request #P23-00231-VAR

I hereby revise Parable Winery Use Permit #P23-00230-MM and Variance Request #P23-00231-VAR for a 30,000-gallon approximately 12,051 sq. ft. winery (production and hospitality buildings) with tours and tastings and marketing program located on a 10.3 acre parcel (APN's 02-120-028) located at 4300 Silverado Trail, Calistoga, CA 94515 to include the measures specified below:

MM BIO-1: A qualified biologist shall conduct a habitat assessment for special-status plants on and adjacent to the Project site, and if habitat is present, shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur, prior to the start of Project construction. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>). The habitat assessment and survey results must be accepted by CDFW in writing prior to Project construction. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If impacts cannot be avoided, the Project shall mitigate impacts at a minimum 3:1 mitigation to impact ratio through compensatory habitat, restoration, monitoring, and maintenance, or a combination thereof, following a plan approved in writing by CDFW. The plan may include preparing, funding, and implementing a long-term management plan in perpetuity.

Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's approval of the habitat assessment and survey results.

MM BIO-2: A qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of special-status animal species. The pre-construction survey methodology shall be cleared with CDFW before implementation. If any special-status species are discovered during the survey, Project activities shall not begin until CDFW has been consulted with regarding avoidance and minimization measures to avoid and minimize impacts to special-status species. Permittee shall implement the avoidance and minimization measures if required by CDFW.

Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department the survey results.

MM BIO-3: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

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 in 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 days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven 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.

After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

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 Conservation Division and the USFWS and/or CDFW.

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 should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Monitoring: If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.

MM BIO-4:

A qualified biologist shall evaluate if Oak Woodland habitat will be impacted by the Project and the evaluation must be approved in writing by CDFW prior to Project construction. Any permanently impacted Oak Woodland shall be mitigated through restoration of this habitat type at a minimum 2:1 mitigation to impact ratio for acreage impacted. Restoration shall occur on-site to the extent feasible. If off-site restoration is necessary, it shall be as close to the Project site as possible and within the same watershed, unless otherwise approved in writing by CDFW. Restoration shall occur in the same year as the impacts. The restoration area shall be monitored for a minimum of five years until success criteria are met.

Monitoring: Prior to the issuance of grading permits the applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's review of the Oak Woodland impact evaluation and if impacts were identified the associated restoration plan review and approved by CDFW. Prior to issuance of a certificate of occupancy for the new winery facility evidence of any restored acreage will be provided to the Planning, Building & Environmental Services Department.

MM BIO-5:

The permittee shall submit to the Director of Planning, Building and Environmental Services a plan detailing the project's compliance with the Water and Tree Preservation Ordinance (Ordinance #1438) in regards to the removal of vegetation canopy cover. The plan will demonstrate how much vegetation canopy cover, as it was configured on the parcel on June 19, 2018, would be removed by the proposed project and provides a plan for replacing or preserving the vegetation canopy cover as required under NCC 18.108.020.D.

Monitoring: The permittee will submit the plan to the Director of Planning, Building & Environmental Services prior to the issuance of any grading or building permits associated with this project. If the plan calls for replacement of removed vegetation canopy cover the new vegetation will be planted prior to final occupancy. If the plans calls for preservation of comparable vegetation canopy cover any deed restrictions or protective easements will be recorded prior to final occupancy.

MM TCR-1:

Prior to ground disturbance activities, the applicant shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with communication between the permittee and the Middletown Rancheria Tribal Historic Preservation Department demonstrating that a Tribal Cultural Advisor has been identified and retained for monitoring activities during ground disturbance.

MM TCR-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.

Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

MM TCR-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.

Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

MM TCR-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.

Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with acknowledgement that on-site personnel of the project have received cultural resource training approved by the project Tribal Cultural Advisor or his or her authorized designee.

MM TCR-5:

The Project applicant must 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: This mitigation measure will continue during grading or ground disturbance activities.

Parable Winery 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.

Parable understands and explicitly agrees 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.

Trey Eppright

12/13/2024

Parable Winery
(Owner)

Date