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Initial Study/Mitigated Negative Declaration

SCH: 2025080635

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:** Arrow and Branch Winery, Use Permit Major Modification (P23-00057-MOD)
2. **Property Owner:** Steven Contursi, 1042 North Pacific Coast Hwy, Laguna Beach, CA 92651; (949) 679-1222
3. **County Contact Person, Phone Number and email:** Matt Ringel, Planner III, Matthew.ringel@countyofnapa.org, (707) 299-1351
4. **Project Location and Assessor's Parcel Number (APN):** The 10.09 acre project site is located on the west side of Solano Avenue, approximately 0.2 miles south of the intersection of Solano Avenue and Darms Lane. APN: 034-190-040-000; 5215 Solano Ave, Napa, CA 94558
5. **Project sponsor's name and address:** Donna Oldford, Plans 4 Wine, 2620 Pinot Way, St. Helena, CA 94558; dboldford@aol.com; (707) 204-5794
6. **General Plan description:** Agricultural Resource
7. **Zoning:** Agricultural Preserve (AP) Zoning District
8. **Background/Project History:**

Arrow and Branch Winery was approved by the Napa County Planning Commission on November 6, 2013. Use Permit No. P12-00440-UP approved a new winery that includes the following: 1) Annual wine production of 30,000 gallons per year; 2) Construction of a winery building with approximately 3,191 square feet of barrel storage, 3,748 square feet of covered crush pad, and 1,584 square feet of accessory space; 3) An approximately 2,962 square feet second-story single-family dwelling with a 635 square feet entry area and an 844 square feet garage below (for residential purposes only); 4) Daily, appointment-only tours and tastings with 15-people/day; 5) A winery marketing plan with six annual 30-person events and one annual 60-person event; 6) Installation of a new process wastewater treatment system; 7) Seven days of operation from 6:00 AM-6:00 PM, daily, excluding marketing events; 8) Four employees; 9) 12 on-site parking spaces; 10) Installation of an automatic gate with a winery identification and "Tours and Tasting by Prior Appointment Only" signs at the Solano Avenue entrance; and 11) On-site sale and consumption of wine next to the winery entrance and pursuant to Business & Professions Code Sections 23358, 23390 and 23396.5. A modification (Permit No. P13-00435-VMM) was approved on August 25, 2015, to add 3 feet to the north side of the crush pad, add 3 feet to the south side of the tasting room and offices, relocate the project outside of the flood zone, and remove the residence from the winery footprint. A modification (Permit No. P16-00382-VMM) was approved on October 14, 2016, to relocate of the project to the southeastern portion of the project parcel. A modification (Permit No. P21-00087-MM) was approved by the Napa County Zoning Administrator on March 29, 2022, to relocate the project to the northeastern portion of the project parcel and increase the total square footage of the production facility from 6,975 square feet to 8,566 square feet and the total square footage of the accessory use space from 1,584 square feet to 2,067 square feet.
9. **Description of Project:** The proposal is to modify a Use Permit for an existing winery to allow the following:
 - a. Increase annual production capacity from 30,000 gallons per year to 45,000 gallons per year;
 - b. Expansion of an existing winery building by adding approximately 3,529 square feet of additional production space and conversion of approximately 1,721 square feet of space for accessory uses to production space, totaling 13,797 square feet of production space, and construction of approximately 4,308 square feet for additional accessory uses, totaling 4,687 square feet for accessory uses;
 - c. Excavation of approximately 1,500 cubic yards of spoils associated with the construction of proposed structural pads and exterior improvements;
 - d. Increase employment from four (4) full-time employees to five (5) full-time employees;
 - e. Increase tours and tastings by appointment only from 15 visitors per day (up to 105 visitors per week) to 34 visitors per day (up

to 238 visitors per week);

- f. Increase a marketing program, which may include catered events, as follows;
 - i. From six (6) Small Events annually to twelve (12) for up to 30 guests;
 - ii. From one (1) Large Event annually to two (2) for up to 125 guests (including bus/shuttle transportation for guests);
- g. On-premises consumption of wines produced on-site within the outdoor hospitality areas identified on Sheet A1.01 of the Site Plans, prepared by Taylor Lombardo Architects, dated August 3, 2023, in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004);
- h. Hours of operation seven days a week: production 6:00 a.m. to 6:00 p.m., visitation 10:00 a.m. to 6:00 p.m. and marketing events 10:00 a.m. to 10:00 p.m. (including cleanup);
- i. Relocation of onsite parking (no change in number of parking spaces);
- j. On-site domestic and process wastewater treatment systems, including the installation of an approximately 81,000 gallon process water storage tank; and
- k. Landscaping, and other improvements associated with wineries.

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

The 10.09 acre project site is located approximately 0.2 miles south of Darms Lane, at 034-190-040-000. The site is located on the valley floor and is generally flat and planted in six (6) acres of vines as are most of the surrounding properties, includes the existing Arrow and Branch winery, and two existing wells. Surrounding land uses include open space, agriculture/vineyard, winery and rural residential uses. Access to the property is provided via an access drive off Solano Avenue adjacent to Highway 29. The nearest residence to the proposed new winery building is approximately 195 feet to the northwest. Adjoining the project site to the east is a 10 acre lot with a shared access drive leading to Silenus Winery. Immediately to the south of the project site is approximately 90 acres of existing vineyard.

To the north of the project site is Dry Creek, a County designated Significant Stream, which runs from the west to the east. To the north of Dry Creek is Darms Lane, located within the Agricultural Watershed zoning district. Darms Lane is predominately composed of single-family homes and associated uses.

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

Discretionary approval required by Napa County consists of a use permit modification. The proposed project would also require various ministerial approvals by the County including, but not limited to a building permit. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Regional Water Quality Control Board standards and is administered by the Engineering Services Division.

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife (T)

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 June 2, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on July 1, 2025, and declined comment as the project site is not located within their aboriginal territories. No other comments were received and the consultation period closed on July 2, 2025.

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 visit(s) to the project site and proposed development area

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with Use Permit #P23-00057 as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or Current Projects Explorer | Napa County, CA (countyofnapa.org)

- Forest Ecosystem Management, August 11, 2021, Biological Assessment, Arrow and Branch Winery (Exhibit A)
- Forest Ecosystem Management, November 5, 2023, Biological Assessment Addendum, Arrow and Branch Winery (Exhibit B)
- Forest Ecosystem Management, July 28, 2021, Northern Spotted Owl Assessment, Arrow and Branch Winery (Exhibit C)
- Illingworth & Rodkin, Inc., October 18, 2023, Environmental Noise Assessment (Exhibit D)
- Applied Civil Engineering, July 7, 2025, Tier I Water Availability Analysis (Exhibit E)
- Richard C. Slade & Associates, July 8, 2025, Tier III Water Availability Analysis (Exhibit F)
- Applied Civil Engineering, September 9, 2024, Onsite Wastewater Disposal Feasibility Study (Exhibit G)
- Applied Civil Engineering, September 19, 2024, Transient Non-Community Water System Information (Exhibit H)
- Graphics (Exhibit I)

On the basis of this initial evaluation:

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

Matthew Ringel

Signature

August 9, 2025

Date

Name: Matt Ringel, Planner III, 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-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 vineyard, winery, and residential uses. The project would not result in substantial damage to scenic resources, including trees and rock outcroppings, or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently undeveloped and possesses vineyards, and associated infrastructure. External changes to the previously approved winery are square footage additions to the winery building and a new 81,000 gallon irrigation tank located on the western corner of the parcel, within a previously disturbed area. The proposed project would not be located in an area which would damage any known scenic vista, or damage scenic resources, trees, rock outcroppings, or historic buildings. Dry Creek, located north of the proposed winery, has mature riparian vegetation, including full-canopy trees, and intervening vineyards that separate the proposed winery from Darms Lane residences. Additional landscape screening will be installed between the new winery/single-family dwelling and property frontage.

This project would not substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. Impacts related to scenic resources will be less than significant.

d. The proposed improvements may result in the installation of additional lighting that may have the potential to impact nighttime views. Although the project is in an area that has a certain amount of existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As subject to the standard conditions of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

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

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

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

Pursuant to standard Conditions of approval for wineries, the winery will be prohibited from installing highly reflective surfaces. As designed, the operation is subject to the County's project specific condition of approval noted below, the project would not have a significant impact resulting from new sources of glare.

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

- c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

Mitigation Measures: None required

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

Discussion:

- a. The California Department of Conservation District map currently designates the site as "Prime Farmland." The proposed project would not conflict with existing zoning for agricultural uses. 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. Thus, the proposed project would not result in a significant impact with respect to conversion of farmland. The proposed project does not include the removal of vineyard. There are no agricultural contracts on the property. There are no other changes included in this proposal that would result in the conversion of Farmland. 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. Impacts

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.

would be less than significant.

- b. The County's zoning of the property is Agricultural Preserve (AP) and the General Plan land use designation of the property is Agricultural Resource. The winery and proposed modifications are consistent with the property's zoning, as Napa County Code Section 18.16.030 lists wineries and related, accessory uses as conditionally permitted in the AP District. General Plan Policies AG/LU-20 and AG/LU-21 also identifies processing of agricultural products (grape crushing/winemaking) as a use that is consistent with the Agricultural Resource land use designation. There is not a Williamson Act contract that is applicable to this property.
- c/d. The project site is zoned Agricultural Preserve (AP), which allows wineries upon grant of a use permit. The existing winery and associated improvements are located in an area of the site that is also developed with vineyards and other improvements. No vineyards would be required to be removed to accommodate the proposed building and covered crush pad additions. According to the Napa County Environmental Resource Maps (based on the following layers – Sensitive Biotic Oak woodlands, Riparian Woodland forest, and Coniferous forest) the parcel does contain lands classified as containing sensitive biotic communities. However, the project location will not require the removal of any trees or sensitive biotic communities. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.
- e. As discussed in item "a.", above, the winery and winery accessory uses are defined as agriculture by the Napa County General Plan and are allowed under the parcels' AP (Agricultural Preserve) zoning. Neither this project, nor any foreseeable consequence thereof, would result in changes to the existing environment which would result in the conversion of special status farmland to a non-agricultural use.

Mitigation Measures: None required

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

Discussion:

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

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

In view of the Supreme Court's opinion, local agencies may rely on thresholds designed to reflect the impact of locating development near areas

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

BAAD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

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

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

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

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

As mentioned above, in 2010, the BAAD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAD through May 2017. Given the size of the entire project (existing and proposed), which is approximately 13,797 square feet of floor area dedicated to production uses with 4,308 square feet of space dedicated to tasting/hospitality uses compared to the BAAD'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 below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- c/d. Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to

be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project parcel include rural residential, agriculture (primarily vineyard), and wineries. The closest school (Unidos Middle School) is located approximately 1.8 linear miles to the southeast of the project site in Napa (Google Earth). The closest residence is located approximately 195 feet to the northwest of the project area. The closest residential area (the City of Napa) is over 0.95 miles southeast of the project area.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. These sources would generally be temporary and/or seasonal in nature and would occur at least 1.8 miles from the closest school and 0.95 miles from the nearest residential community, providing dilution of pollutants and odors. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant. Additionally, for the reasons identified above, the proposed project will not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less than significant impact.

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAD 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 BAAD'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 BAAD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAD 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 195 feet to the northwest. 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 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. According to the Napa County GIS Sensitivity Maps (Natural Diversity Data Base and US Fish and Wildlife Critical Habitat) no known candidate, sensitive, or special status species have been identified as occurring within the proposed development area. The project would not have a substantial adverse effect on any special status species, or species of particular concern, as there are none identified within the project area. The project site is disturbed and developed with several agricultural use buildings, vineyards, an access drive, and associated improvements. No trees, native vegetation, or structures are proposed to be removed to accommodate the proposed project. The development area is located adjacent to Dry Creek, a known riparian area, but located outside of all defined stream setbacks. The site has not been identified in any local/regional or State plans as being a sensitive community. The applicant has consulted with Forest Ecosystem Management in partnership with Salix Natural Resource Management and a Biological Report was prepared on August 11, 2021, an addendum to the report was prepared on November 5, 2023, and a Northern Spotted Owl Assessment was completed on July 28, 2021. The biologists conducted site visits and reviewed the CNDDDB database for potential impacts to sensitive flora and fauna. The report highlighted four species:
- Western Pond Turtle (*Emys marmorata*) – California Species of Special Concern. There are known western pond turtles approximately 1.7 air-miles to the south of the Project located within private agricultural ponds. Western pond turtles are aquatic turtles of ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Basking sites and sandy banks or grassy open fields within 2,000' from water is needed for egg-laying. There are no known detections of western pond turtles in Dry Creek; however, there is suitable habitat during normal climatic years. No western pond turtles were identified during a field visit to the

Project Area. There was no water within this stretch of Dry Creek during the biologist's site visit.

- Foothill Yellow-Legged Frog (*Rana boylei*) – California Species of Special Concern. There are known foothill yellow-legged frogs approximately 1.6 air-miles to the north of this project located within Hopper Creek, a downstream tributary to Dry Creek. Foothill yellow-legged frogs are frogs that are rarely far from permanent rocky streams. Tadpoles need water for at least 3 to 4 months for development. There are no known detections of foothill yellow-legged frogs in the segment of Dry Creek within 5 miles of the Project Area. No foothill yellow-legged frogs were identified during the biologist's site visit.
- Crotch Bumble Bees and Western Bumble Bees – Potential threats: pesticide use, fire, agricultural intensification, urban development, and climate change. The project parcel possesses snowberry (*Symphoricarpos albus*), a floral preference for Western Bumble bees. The open areas on the project parcel are primarily vineyards and structures which do not possess the necessary habitat for bumble bees. The area proposed for the project scope has recently been graded when the winery was originally constructed or; therefore, it is not considered bumble bee habitat due to a lack of floral resources.

The proposed project does not request the removal of any native vegetation, including trees. While no tree removal is proposed, the proposed project is within close proximity of dense native vegetation and riparian habitat. Due to the project's proximity to dense vegetation and riparian habitat, and in the abundance of caution, implementation of Mitigation Measure **BIO-1** will require preconstruction surveys for nesting birds to reduce this potential impact to less than significant level.

The GIS CNDDDB Owl Habitat layer, shows the potential for owl habitat to occur on the subject parcel. The general attributes of Northern Spotted Owl (NSO) habitat include dense, multi-layered canopy of several tree species of varying size and ages with open spaces among the lower branches to allow flight under the canopy. NSO habitat also tends to include abundant logs, snags/cavity trees with broken tops or platform-like substrates. The Forest Ecosystem Management assessment concluded that the project area does not have suitable Northern Spotted Owl habitat due to absence of associated vegetation communities. In the abundance of caution and in order to mitigate any potentially significant impacts to owls, Mitigation Measure **BIO-2** requires Northern Spotted Owl surveys prior to any on site vegetation removal.

The CDFW CNNDDB database depicts that the proposed project is within close proximity of potential Pallid Bat predicted habitat. For this reason, and in the abundance of caution, in order to mitigate any potentially significant impacts to bats, Mitigation Measure **BIO-3** requires a bat habitat assessment and surveys prior to any on site tree trimming.

In the event that trees need to be trimmed, Mitigation Measure **BIO-4** implements tree trimming requirements. With the incorporation of Mitigation Measures **BIO-1 through BIO-4**, the potential for this project to have an impact on special status bird and raptor species is less than significant.

- c/d. According to the Napa County Environmental Resource Maps (based on the following layers – water bodies, vernal pools & vernal pool species), vernal pools and wetlands are not present. Dry Creek runs along the north property line. The proposed additions would be located outside the stream setbacks established in Napa County's Conservation Regulations (NCC 18.108) and would not interfere or be located within a wildlife corridor. To prevent inadvertent encroachment into specified stream setbacks during construction, Mitigation Measure **BIO-5** requires temporary construction fencing. Due to these factors, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. With the incorporation of Mitigation Measure **BIO-5**, impacts would be less than significant.
- e/f. This project would not interfere with any ordinances protecting biological resources. The proposed project does not propose the removal of any trees; therefore, there are no applicable tree preservation ordinances in effect in the County. 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:

Mitigation measure **BIO-1**: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence

later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

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

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

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

Mitigation measure **BIO-2:** Minimize potential indirect impacts to Northern Spotted Owls

- a. For project activities occurring between March 15 and July 31, prior to any vegetation removal or construction activities, a qualified biologist shall perform a NSO habitat assessment to determine the potential for this species to be present within the disturbance area as well as within a 0.25-mile buffer surrounding each disturbance area. The assessment shall include both a review of recent aerial photography and a field visit to review conditions directly. Additionally, the qualified biologist shall perform an on-site nocturnal calling survey for NSO from at least mid-March onward and prior to initiation of construction activities. Survey stations for the calling survey shall be sited to cover post-fire forest stands that are most suitable for NSO occupation. The results of the updated habitat assessment and survey shall be provided to the County for review prior to project initiation. If NSO is observed or otherwise believed to be present within the focal area described above, measures shall be implemented in consultation with CDFW to ensure that project activities would not result in a take of the species and that any potential impacts are otherwise minimized to the extent feasible.

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

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

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

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

Mitigation Measure **BIO-4:** Tree Trimming

- a. Prior to any earthmoving activities, the owner/permittee shall place temporary fencing at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50-feet of the development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of project construction.

- b. The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the winery development and water tank.
- c. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P23-00057-MOD shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before improvements obtain final occupancy. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the associated building permits.

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

Mitigation Measure BIO-5: Riparian Protection. The Owner/Permittee shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction:

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

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

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. On June 2, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on July 1, 2025, and declined comment as the project site is not located within their aboriginal territories. No other comments were received and the consultation period closed on July 2, 2025.

According to Napa County Environmental Sensitivity Maps (Archaeological Resources Layer, historical site, points & lines), no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. There is no information in the County's files that would indicate that there is a potential for occurrence of these resources. The site has been previously developed with a winery, vineyards, and two wells. It is therefore not anticipated that any cultural resources are present on the site, and the potential for impact is considered less-than-significant. However, if resources are found

during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project:

7.2 ARCHEOLOGICAL FINDING

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

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

- c. No human remains have been encountered on the property and no information has been encountered that would indicate that construction of this project would encounter human remains. Construction activities would occur on previously disturbed portions of the site. However, if resources are found during project grading, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

Mitigation Measures: None required.

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

Discussion:

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

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

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

Mitigation Measures: None required.

Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.

- c/d. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is composed of Pleasanton Loam, 0 to 2 percent slopes. According to the Napa County GIS Sensitivity Maps (Surficial Deposits layer), the site is underlain by Qhay deposits. Based on the Napa County GIS Sensitivity Maps (liquefaction layer) the property includes areas generally subject to high tendencies to liquefy. All proposed construction will be required to comply with all the latest building standards and codes at the time of construction. Compliance with the latest editions of the California Building Code for seismic stability would reduce any potential impacts to the maximum extent possible, resulting in less than significant impacts.
- e. The Napa County Division of Environmental Health has reviewed this application and recommends approval based on the submitted Onsite Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering, dated September 9, 2024. Soils on the property have been determined to be adequate to support the proposed on-site treatment and dispersal of wastewater generated by existing and proposed wine production as well as sanitary wastewater based on the proposed number of visitors and employees.
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing buildings were constructed or when the vines were planted. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the standard condition of approval 7.2 identified in **Section V** above.

Mitigation Measures: None required.

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

Discussion:

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

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential greenhouse gas (GHG) emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's

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

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

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project,"

rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared. GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include the construction of approximately 3,529 sq. ft. winery production space, 3,929 sq. ft. of accessory space, landscaping, and other winery related improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

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

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAD recommended minimum design elements.

Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The new construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards. See section VI. Energy for additional information on energy usage.

Specifically for transportation, the project must:

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

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

As discussed above and in section XVII. Transportation, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study or VMT analysis because new trips would be below the 110 daily trip threshold.

The applicant proposes implementing some GHG reduction strategies. These include the installation of solar panels; the preparation of a Vehicle Miles Traveled (VMT) reduction plan to reduce annual VMT by at least 15% by providing employee incentives, priority parking for efficient transportation, bike riding incentives, and bus transportation for large marketing events; installation of solar hot water heating; energy conserving lighting; installation of an energy star roof; installation of water efficient fixtures; low-impact development to manage

stormwater as close to its source as possible; install a water efficient landscape design; implementation of a sustainable purchasing and shipping program; installation of electrical vehicle charging station(s); public transportation will be available; the structure design will be oriented to maximize passive cooling, heating, and lighting; use of recycled materials for construction and operation; education to staff and visitors on sustainable practices; use of 70-80% cover crop; retention of biomass via pruning and thinning by chipping the materials and reusing it rather than burning on-site; and water conservation by use of processed wastewater for re-use as irrigation. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAD, the requirements of the California Building Code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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 continued operations of an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the 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 Unidos Middle School, located approximately 1.8 linear miles to the southeast of the project site in the City of Napa. 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 existing access driveway and on-site circulation configuration meets Napa County Road and Street Standards. 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 impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, or obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The existing driveway would provide adequate access to Solano Avenue. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None required.

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

Discussion:

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

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

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's Water Availability Analysis Guidance Document- May 2015 (WAA) requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the 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."³

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

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

- a. As discussed in Section VII. Geology and Soils a Wastewater Feasibility Study, dated January 6, 2023, was prepared by Applied Civil Engineering, which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The Wastewater Feasibility Study analyzes the existing system and reviews changes that are required to meet the winery's proposed new needs. The analysis found that the predicted Peak Winery Process Wastewater Flow exceeds the capacity of the existing system but the predicted Peak Winery Sanitary Wastewater Flow is within the capacity of the existing system. Due to this factor, design adjustments are needed to accommodate the new process wastewater flow increase. Improvements are not needed for the sanitary wastewater system as the existing design is adequate to handle the proposed flows. To accommodate the new process wastewater flow increase, process wastewater would be collected in an 81,000 gallon irrigation storage tank and then be used for vineyard irrigation rather than being disposed of in the in-ground system. No change is needed to the pretreatment system as it can adequately handle the proposed design flows and provide water of the quality needed for surface irrigation. All application of treated winery process wastewater must comply with the requirements of the Napa County Process Wastewater Guidelines for Surface Drip Irrigation. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditioned that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.
- b. A Tier I Water Availability Analysis was prepared by Applied Civil Engineering (ACE), dated July 7, 2025, and a Tier III Water Availability

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

Analysis was prepared by Richard C. Slade & Associates LLC (RCS), dated July 8, 2025. As directed by the County's Water Availability Analysis Guidance Document of May 2015 (WAA) and the Interim Well Permit Standards (January 2024), the reports includes Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis, a Tier 2 well interference analysis, and a Tier 3 surface water interference analysis.

Tier 1: The Tier 1 analysis considered existing uses onsite to include the winery, landscaping irrigation, vineyard irrigation, and the neighbor's well that is located on the parcel. The existing groundwater usage of the project parcel is estimated at 9.33 acre-feet per year (AFY). The proposed project would not increase groundwater use and would maintain no net increase of groundwater usage.

Source of Demand	Existing (AFY)	Proposed (AFY)	Difference (AFY)
Primary Residence	0	0	0
Vineyard Irrigation	3	2.59	-0.41
Landscape Irrigation	0.2	0.2	0
Winery (Visitation, Marketing, and Employees)	0.77	1.18	+0.41
Silenus Easement Well (Neighboring winery, vineyards, and residential uses)	5.36	5.36	0
Total	9.33	9.33	0

The project parcel currently contains two (2) wells and no new wells are proposed. The parcel contains "Well 1" and "Silenus Easement Well". The proposed winery project will only use Well 1. The next door neighbor (Silenus Winery) has an existing water easement to use the "Silenus Easement Well" and the associated well infrastructure, and no water from this well is used by the Arrow and Branch Winery project parcel. Both wells and all of the approximately 10.09 acres of the project parcel are within the GSA boundary. Napa County's WAA guidelines allot 0.3 AFY of water per acre of land within the GSA; therefore, the 10.09 acres of project parcel within the GSA has an estimated groundwater recharge of 3.027 AFY.

Currently, Well 1 is estimated to draw 3.97 AFY and Silenus Easement Well is estimated to draw 5.36 AFY of water from the GSA, which is higher than the parcel's recharge total of 3.027 AFY, as calculated using the County's Interim Well Standards. The proposed project with the use of reclaimed wastewater for vineyard irrigation would maintain its existing water use. As a whole, the total proposed groundwater demand is 9.33 AFY, equivalent to 308% estimated annual groundwater recharge values for parcel area. Due to this factor, a condition of approval would be imposed to cap Well 1 to the yearly groundwater extraction of 3.97 AFY, to cap the Silenus Easement Well to 5.36 AFY, and an overall cap on the parcel of 9.33 AFY. Additionally, the project would be required to install a well flow meter on Well 1 and the Silenus Easement Well, to verify that no more than the previously existing non-conforming volume of water is pumped from the GSA and that the parcel does not exceed 9.33 AFY of groundwater usage (see COA below).

6.15(d) Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel (Well 1 and Silenus Easement Well). 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 the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on the two 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 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 Use Permit.
5. For the first twelve months of operation under this permit, the permittee shall read the meters of 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, the maximum groundwater usage values in i through ii below, 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 to be submitted to the PBES Director for review and action. In addition to monthly meter readings, Permittee shall also provide well level data to the PBES Director.

- i. Annual cumulative groundwater usage for all wells on the property shall not exceed 9.33 af/yr.
 - ii. Notwithstanding COA No. 6.15.d.5.i, annual groundwater usage for Well 1 shall not exceed 3.97 af/yr.
 - iii. Notwithstanding COA No. 6.15.d.5.i, annual groundwater usage for Silenus Easement Well shall not exceed 5.36 af/yr.
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(d)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - 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.

Portion of property	Assessed Area (acres)	Project Well Located within Region	Average Rainfall (ft)	Rainfall Recharge Percentage (RCS, 2019)	Groundwater Recharge (AFY)	Existing Water use (AFY)	Proposed Water Use (AFY)
Inside GSA	10.09	Well 1 & Silenus Easement Well	0.3 AFY/ac (Per Napa County WAA Guidelines)		3.027	9.33	9.33

Tier 2: Pursuant to County's WAA, a Tier 2 analysis is required when a neighboring off-site well is located within 500 feet of the project well, the well is located within 1,500 feet from a spring, or the proposed project requests an increase in groundwater usage. The project does not request an increase in groundwater usage; therefore, a Tier 2 analysis is not required.

Tier 3: A Tier 3 review is the County's adopted method for complying with its duties under the Public Trust Doctrine. As discussed herein, the existing project will comply with the WAA guidance document. Per the County's WAA, a Tier 3 analysis was performed to evaluate potential groundwater to surface water interaction.

The project well is approximately 40-70 feet from the nearest portion of Dry Creek (located north of the project parcel) and the Silenus Easement Well is approximately 50-80 feet from the nearest portion of Dry Creek. Dry Creek is a designated Significant Stream. In the professional opinion of hydrogeologist RCS in their Tier III WAA, the Project well and Silenus Easement well are not in hydraulic connection with any defined Significant Streams because:

- a. Available groundwater depth measurements in the Project Well have been at least 72 feet lower in elevation than the bed elevation of Dry Creek, as measured along Cross Section A-A'. In March 2024, despite flows in the Creek being present in the proximal portion of Dry Creek, the water level in the Project Well was 89 ft below the bed of Dry Creek. In July 2025, the water level in the Project Well was more than 168 ft lower in elevation than the bed of Dry Creek, and ponded water was present in the nearby portion of the creek.
- b. Available groundwater depth measurements in the Silenus Easement Well have been at least 7 ft lower in elevation than the bed of Dry Creek, as measured along Cross Section A-A, and more recent water levels have been much deeper. In March 2024, despite flows being present in the proximal portion of Dry Creek, the water level in the Easement Well was 153 ft below the bed of Dry Creek, and ponded water was present in the nearby portion of the creek.
- c. The Project Well is constructed with a 50-foot-deep surface seal and a screen depth that begins below the bottom of the alluvial aquifer system. Between the bed of Dry Creek and the deeper aquifer materials accessible to the Project Well & Silenus Easement Well, low permeability strata have been documented in, and inferred from, various data sources. Therefore, Dry Creek is not connected to groundwater accessible to the Project Well & Silenus Easement Well. Pumping of the Project Well for the proposed project will not impact surface water flow in the proximal portions of Dry Creek because surface water in Dry Creek is hydrogeologically disconnected from groundwater accessible to the Project Well in the vicinity of the subject property. Similarly, pumping of the Easement Well to meet its existing demands will not impact surface water flow in the proximal portions of Dry Creek because surface water in the creek is hydrogeologically disconnected from groundwater accessible to the Easement Well in the vicinity of the subject property.

- d. Pumping of the Project Well & Silenus Easement Well will not directly influence flows in the proximal portion of Dry Creek because: 1) surface and subsurface data collected by others (LSCE, 2016 & 2022) demonstrate that groundwater in the deeper portion of the alluvial aquifer system (and therefore also the underlying earth materials) is not directly connected to overlying surface water flows in Dry Creek; 2) additional low-permeability strata exist between the screened sections of nearby monitoring well named "217d-swgw2", and above the screened sections of the Project Well and Silenus Easement Well; and 3) the Project & Silenus Easement Well, as constructed, can only extract groundwater from earth materials beneath those additional low permeability strata.

The Project Well and the Silenus Easement Well were constructed with the depth of uppermost perforations at 95 ft and 140 ft, respectively. The County's WAA requires that if a well is pumping at a rate of 30 gpm or more and has a depth of uppermost perforations less than 150 feet, the Tier III analysis shall demonstrate that low permeability deposits overly the zone from which extraction is proposed to occur. RCS's report reviews this feature and concludes that based on the detailed geologic logging of the borehole into which 216s-swgw2 and 217d-dwgw2 (nearby monitoring wells) were constructed, and on RCS's interpretation of several other driller's logs drilled proximal to the subject property abundant fine-grained materials are present beneath the subject property. This is true in both the alluvial sediments (Qhf and Qhf) and the underlying Tss/h materials. These fine-grained materials likely act as aquitards, significantly reducing the potential for connectivity and vertical flow between surface water and Dry Creek and groundwater in the aquifer systems beneath the subject property. Monitoring data for the "Site 2 at Dry Creek" well competitions in LSCE (2016 & 2022) demonstrates that Dry Creek is predominantly a losing stream, and those data demonstrate clear evidence of a disconnection.

This information indicates that the aquifers of the project well and Silenus Easement Well are not directly connected to Dry Creek. The proposed project conforms to Napa County's WAA Tier 3 guidelines. Due to these factors, the project well presumptively meets Napa County's Tier 3 WAA guidelines for groundwater-surface water interaction. County has satisfied its duty to consider impacts to trust resources and no further analysis is required. Impacts would be less than significant.

- c. 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 grading or building permits would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site is within the boundaries of the 100 year flood hazard boundaries. Any new construction will be required to obtain a floodplain management permit pursuant to Chapter 16.04 of the Napa County Code. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

Mitigation Measures: None required.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AP (Agricultural Preserve) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

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

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

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

Mitigation Measures: None required.

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

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a/b. The project would result in a temporary increase in noise levels during grading and construction activities for the proposed winery tasting room, production space, and water tank. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the proposed winery addition is approximately The nearest residence to the proposed new winery building is approximately 195 feet to the northwest., but also on the opposite side of Dry Creek (note: different types of winery operations occur in different portions of the structure; therefore portions of this section include different distances that reflect estimated measurements between the location of a specific winery operation and the nearby neighbors). Due to this distance, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

"7.3 CONSTRUCTION NOISE

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

The project proposes to expand daily visitation from 15 visitors per day to 34 visitors per day and with a maximum of 238 visitors per week for Tours and Tasting by Prior Appointment Only. The project also proposes to expand a marketing program as described under Project Description (I). The applicant also proposes to allow for on-site consumption in conformity with Business and Professions Code Sections 23358, 23390 and 23396.5 on the outdoor patio.

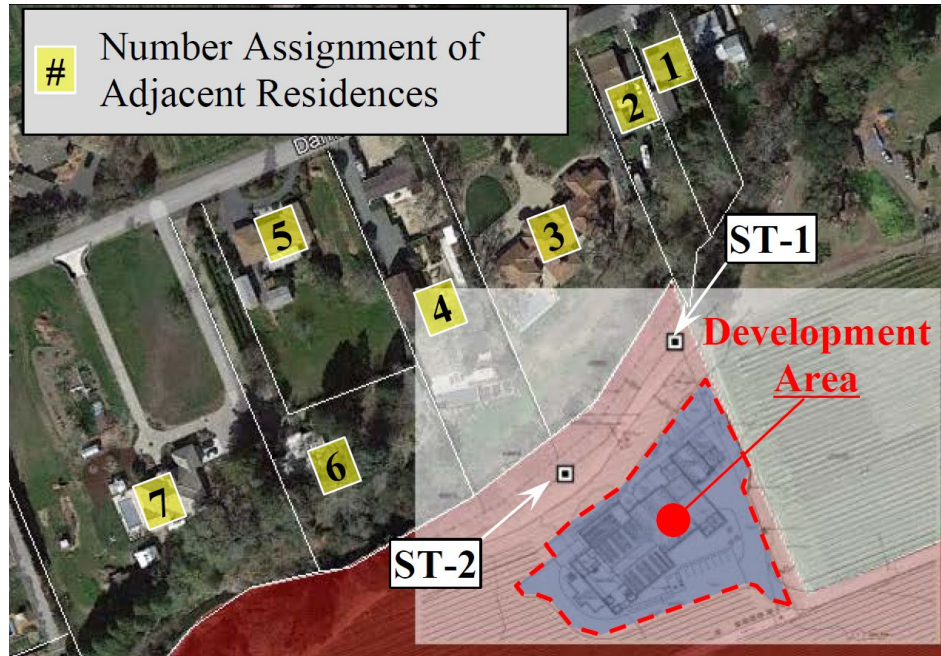
Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed parcel are predominantly large lot residential properties, wineries, and vineyards; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.) within which the applicant proposes to conduct events. Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). The nearest off-site residence to the proposed winery is approximately 210 feet to the northwest. Under the proposed project, the largest event that would occur on the parcel would have an attendance of no more than 125 guests, and all events would end by 10:00 p.m., including quiet clean-up. Winery operations would occur between 6:00 a.m. and 6:00 p.m. (production, excluding harvest), 10:00 am to 6:00 pm (tours and tasting), and 10:00 am to 10:00 pm (including quite clean-up). The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery structure itself, with the exception of the outdoor patio which would potentially create noise in excess of Napa County's noise standards (additional detail below with mitigation measures). 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.”

Illingworth & Rodkin prepared an October 18, 2023, Noise Assessment for the proposed project. The study reviews the proposed project's potential impacts to noise resources and comes to the following conclusions:



(Site, Noise Measurement Locations and Adjacent Residences, Illingworth & Rodkin, October 18, 2023)

- **Mechanical Equipment:** The winery operations currently, and will continue to, use noise-generating mechanical equipment such as air-cooled condensing units, pumps, and compressors as well as less significant sources of noise, such as air-conditioning systems and exhaust fans. The proposed project includes the use of mechanical equipment, to be located in a mechanical yard at the northern boundary of the parcel. This equipment may be as close as approximately 310, 230, 110, 130, and 200 feet from the property lines of adjacent Residences 1, 2, 3, 4, and 6. Under worst-case condition with the equipment located outside in the mechanical yard, constant noise levels could be 39, 42, 50, 49, and 44 dBA at adjacent Residences 1, 2, 3, 4, and 6. Noise levels associated with worst-case conditions would not exceed the 50 dBA L50 daytime noise limit. Other receptors in the project vicinity would be further from the mechanical equipment, and therefore, exposed to lower levels of noise.
- **Maintenance and Forklift Operations:** Forklift and maintenance operations are expected to take place in the covered crush/receiving areas and within the winery and production/barrel buildings. Such activities within buildings would receive significant noise shielding from the building and are not analyzed within the Noise Study. Outdoor forklift and maintenance operations are considered worst-case condition and are analyzed within the report. Such outdoor operations could occur as close as approximately, 300, 225, 175, 200, and 280 feet from the property lines of Residences 1, 2, 3, 4, and 6. It is anticipated that during high activity periods, these activities would be expected to occur for more than 15 but less than 30 minutes out of an hour and fall in the Project Specific Noise Criteria of 55 dBA L25. Noise levels associated with Forklift and Maintenance Activities are estimated to have noise levels of 45, 48, 47, 46, and 42 dBA from Residences 1, 2, 3, 4, and 5, which does not exceed the project specific noise standards and the closest noise sensitive uses.
- **Bottling Activities:** Bottling would occur over a period of a few weeks per year during the daytime. The analysis conservatively assumes that bottling will be done with a mobile bottling truck at the covered outdoor work area approximately 320, 240, 175, 200, and 265 feet from the property lines of Residences 1, 2, 3, 4, and 6. Noise levels associated with mobile bottling are

estimated to have noise levels of 38, 41, 44, 43, and 40 dBA from Residences 1, 2, 3, 4, and 6, which does not exceed the 50 dBA L50 noise limit.

- **Seasonal Crush Activities:** Under the modified use permit, annual crush related activities would continue to take place in the covered crush pad of the winery building. Crush activities occurring in these areas will receive some noise shielding from building structures. These activities could occur as close as approximately 320, 240, 180, 200, and 270 feet from the property lines of adjacent Residences 1, 2, 3, 4, and 6. Crush activities are made up of relatively constant noise, with occasional discrete maximum noise events, such as the setting of empty bins. When seasonal crush activities are occurring, the relatively constant noise is estimated to produce 30, 33, 36, 35, and 32 dBA from Residences 1, 2, 3, 4, and 6 respectively, which fall below the Napa County noise criteria of 50 dBA noise limit. An occasional discrete noise event (such as the setting of an empty bin) is estimated to produce 48, 51, 54, 53, and 50 dBA from Residences 1, 2, 3, 4, and 6 respectively, which fall below the Napa County's 70 dBA discrete noise event limit. Noise from crush activities would therefore fall below the Napa County noise criteria of 50 dBA L50 and 70 dBA Lmax daytime criteria and 65 dBA nighttime noise limit.
- **Tasting and Marketing Activities:** Marketing events would occur on a western outdoor patio and inside the winery structure. Outdoor amplified music is prohibited, so the primary noise source associated with the event would be raised conversations and acoustic instruments. Napa County's noise threshold is 45 dBA L50. Outdoor events held in the covered patio area could be as close as approximately 460, 380, 200, 175, and 190 feet from the property lines of adjacent property lines of residences 1, 2, 3, 4, and 6. Visitation and marketing events with 30 and 125 guests are estimated to meet Napa County's 45 dBA threshold. Visitation and marketing events with acoustic, non-amplified music, is estimated to produce 40, 42, 49, 50, and 50 dBA from Residences 1, 2, 3, 4, and 6. As the noise threshold is 45 dBA, the estimated noise for acoustic music will be greater than allowed as established by Napa County's noise criteria. In order to mitigate any potential impacts to noise, mitigation measure **NOISE-1** has been implemented to restrict outdoor music performances.

Indoor amplified music is included within the scope of the proposed project. Illingworth & Rodkin's noise analysis estimated that noise from amplified music within the winery structure with open windows and doors would reach levels of 39, 41, 47, 47, 46 dBA from Residences 1, 2, 3, 4, and 6. As the noise threshold is 45 dBA, the estimated noise from indoor amplified music will be greater than allowed as established by Napa County's noise criteria. Illingworth & Rodkin's noise analysis also estimated that noise from amplified music within the winery structure with closed windows and doors would be reduced to levels of 31, 33, 39, 39, and 38 dBA from Residences 1, 2, 3, 4, and 6. With all windows and doors closed, amplified music from winery events held within winery structures would meet Napa County's noise criteria of 45 dBA. In order to mitigate any potential impacts to noise, mitigation measure **NOISE-2** has been required to have the winery close all doors and windows if indoor amplified music were to occur. Illingworth and Rodkin's analysis estimates that all other winery operations will meet Napa County's noise criteria. With the implementation of mitigation measure **NOISE-1** and **NOISE-2**, the project will have a less than significant impact.

- c. The project site is not located within the influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan. No impacts would occur.

Mitigation Measures:

Mitigation measure **NOISE-1:** Outdoor visitation and marketing events shall not include acoustic music performances.

Mitigation measure **NOISE-2:** The applicant shall keep all windows and doors closed when amplified music is being played inside of the winery structure.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project and apply to operational characteristics of the winery. The Napa County Code Compliance Division will enforce winery use permit noise requirements and compliance with Napa County Code's noise ordinance.

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 General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing.

The one (1) additional full-time employee which is a part of this project could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

The proposed use permit modification would facilitate ongoing operation of an existing winery. No new infrastructure is proposed that might induce growth by extending service outside of the boundaries of any of the winery owner's properties. The proposed project does not require installation of any additional new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings.

An increase in one (1) full-time employee is requested as part of the project. Employees and visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other business supporting the winery's requested operations is uncertain, unquantifiable, and speculative. The policies and programs identified in the General Plan Housing Element, in combination with the County's housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With limited staffing proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have less than significant impact on population growth.

- b. No existing housing or people would be displaced as a result of the project. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None required.

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. The property is located within the service areas of both the Napa County Sheriff's Department as well as the Napa County Fire Department. The proposed winery improvements, if approved, would be inspected by County building inspectors and fire officials in order to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of any requisite building permit application. If approved, the requested use permit modification would facilitate the continued operation of a previously approved winery. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the winery. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed use permit. Impacts to public services would be less than significant. Also, see discussion below under Section XV.

Mitigation Measures: None required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<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? ☐ ☐ ☐ ☒

Discussion:

- a. The project would not significantly increase the use of recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.
- b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit modification application. The proposed project would not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. The proposed project would have no impact.

Mitigation Measures: None 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:

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

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

The new CEQA Guidelines and the LCI Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. LCI determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-

124 trips per 10,000 square feet". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The 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.

Based on maximum winery employee and visitor/guest data for the harvest/crush season, the proposed project would be expected to generate 20 new daily trips on a weekday and 18 new daily trips on a Saturday. This count includes vehicle trips required for 281.3 tons of grape haul.

Since operational and visitor trips associated with the project is below the 110-trip threshold in the Office of Land Use and Climate Innovation guidelines and the County's TIS Guidelines and VMT screening criteria the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

- d/e. The winery project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest conditions. The project site, as proposed, would have a total of twelve (12) parking spaces (with one designated for ADA drivers). Visitors to the Winery will be by appointment only. On a busy day, the 34 visitors (14 daily vehicles) will arrive in a staggered arrangement so that there should never be more than six or seven guest vehicles on site at any time. Occasionally, visitors will arrive in a higher-occupancy vehicle such as an SUV, minivan or smaller shuttle bus. The five (5) employees per day would then occupy the remaining spaces. The project is designed to meet the Napa County Road and Street standards, to conform to the latest emergency access requirements, and the existing road system would continue to provide adequate emergency access to the project site. When larger marketing events are held, guests will be brought to the site via bus and daily visitation will not occur on days where a marketing event will be held; further, reducing the proposed project's need for additional parking.

Mitigation Measures: None 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 type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

significance of the resource to a California Native American tribe.

Discussion:

- a/b. On June 2, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. The Yocha Dehe Wintun Nation responded by mail to Staff on July 1, 2025, and declined comment as the project site is not located within their aboriginal territories. No other comments were received and the consultation period closed on July 2, 2025.

Archaeological Resource Service was contracted by the applicant to provide a Cultural Resource Study for project parcel. A cultural resource study of the property was completed in March of 2023. The study was conducted to determine the presence or absence of historical or archaeological resources, and potential impacts, if any, as a result of the proposed project. According to the study, no historical resources were observed on the site and the property contains no archaeological remains. The report concluded that no further study or specific recommendations are required. The Cultural Resources conditions of approval discussed in Section V (Cultural Resources), would further avoid and reduce potential impacts to unknown resources.

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

Mitigation Measures: None required.

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

Discussion:

- a. As discussed in detail in Section VII. Geology and Soils, an Onsite Wastewater Feasibility Study, dated September 9, 2023, was prepared by Applied Civil Engineering which outlines the required wastewater system to meet the needs of the proposed winery production,

employees, visitation, and marketing programs. The Onsite Wastewater Feasibility Study proposes and recommends that the disposal of the treated winery process wastewater be via irrigation of the onsite vineyard. The study analyzed the potential of using approximately 4 acres vineyard that is located to the west of the new winery structure and outside of the well setbacks. In order to accommodate differences in the timing of wastewater generation, irrigation demand, and limitations of wet weather application of treated wastewater, a storage tank will be required. The proposed project includes an 81,000-gallon process wastewater storage tank. The analysis assumes that during the summer, the treated water will be used to offset the irrigation needs of the vineyard, and in the winter application of treated winery process wastewater will not occur to prevent runoff.

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

Based on the proposed uses, the onsite water system will be classified as a transient noncommunity (TNC) public water system per the State of California Drinking Water Requirements. Applied Civil Engineering completed a Transient Non-community Water System analysis, dated September 19, 2024. Applied Civil Engineering's report concludes that the project's well meets all applicable state standards, but a new water storage tank of a minimum of 2,369 gallons is required. Impacts would be less than significant.

- b. As discussed in Section X. A Tier I Water Availability Analysis was prepared by Applied Civil Engineering, dated July 7, 2025, and a Tier III Water Availability Analysis was completed by Richard C. Slade & Associates LLC (RSA), dated July 8, 2025. The report includes calculations for the existing and proposed water uses and a groundwater recharge analysis. An onsite water audit of existing uses was completed, and the existing water use associated with the winery, vineyards, landscaping, and the neighbor's easement well is estimated to be 9.33 AFY. Due to the proposed winery modification, total water usage would increase by 0.41 AFY; however, the proposed project includes reusing 0.41 AFY of process wastewater to offset groundwater that is currently being used to water onsite vineyards. Due to this factor, the proposed project proposes no net increase in groundwater usage. The Water Availability Analysis utilized Napa County's WAA guidance document to establish a 0.3 AFY per acre of recharge for the project parcel, since it is located within the GSA, and calculates a parcel recharge volume of 3.027 AFY. The project well currently draws 3.97AFY and the Silenus Easement Well is estimated to draw 5.36 AFY. Due to this factor, Napa County has conditioned the project to install a well flow meter on the project well and the Silenus Easement well, to verify that no more than the previously existing non-conforming volume of water is pumped from the project well and that the parcel does not exceed 9.33 AFY of groundwater usage. The proposed water use would not impact groundwater availability.
- c. Wastewater would be treated on-site and would not require a wastewater treatment provider; therefore, no impact would occur.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed 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 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-d. The proposed project is located within the local responsibility area. There are no project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is generally flat with slopes ranging from 0-5% and is located on the valley floor with access from Solano Avenue, a County maintained road. There are existing overhead power lines along the road. Water storage tanks for fire suppression are provided on site. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input 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 site has been previously disturbed and does not contain any known listed plant or animal species. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. All potential biological related impacts would be less than significant with the implementation of mitigation measures **BIO-1** through **BIO-5**. As identified in Section V above, no known historically sensitive sites or structures, archaeological or paleontological resources, or sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory. In the event archaeological artifacts are found, a standard condition of approval and mitigation measure would be incorporated into the project (See Above, Section V. Cultural Resources, COA 7.2 Archaeological Findings). 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 BAAD 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 installation of solar panels; the preparation of a Vehicle Miles Traveled (VMT) reduction plan to reduce annual VMT by at least 15% by providing employee incentives, priority parking for efficient transportation, bike riding incentives, and bus transportation for large marketing events; installation of solar hot water heating; energy conserving lighting; installation of an energy star roof; installation of water efficient fixtures; low-impact development to manage stormwater as close to its source as possible; install a water efficient landscape design; implementation of a sustainable purchasing and shipping program; installation of electrical vehicle charging station(s); public transportation will be available; the structure design will be oriented to maximize passive cooling, heating, and lighting; use of recycled materials for construction and operation; education to staff and visitors on sustainable practices; use of 70-80% cover crop; retention of biomass via pruning and thinning by chipping the materials and reusing it rather than burning on-site; and water conservation by use of processed wastewater for re-use as irrigation. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in no net increase over the existing levels. 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 and Noise Resources, for which Mitigation measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None required.

Arrow and Branch Winery, Use Permit Major Modification (P23-00057-MOD)
Mitigation Monitoring and Reporting Program

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
MM BIO-1: Minimize potential indirect impacts to nesting birds	<p>BIO-1: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <ol style="list-style-type: none"> For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Planning Division and/or the USFWS 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 	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.	P	PD	PC _/_/_

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

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p> <p>Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.</p>				
MM BIO-2: Minimize potential indirect impacts to Northern Spotted Owls	<p>BIO-2: Minimize potential indirect impacts to Northern Spotted Owls</p> <p>a. For project activities occurring between March 15 and July 31, prior to any vegetation removal or construction activities, a qualified biologist shall perform a NSO habitat assessment to determine the potential for this species to be present within the disturbance area as well as within a 0.25-mile buffer surrounding each disturbance area. The assessment shall include both a review of recent aerial photography and a field visit to review conditions directly. Additionally, the qualified biologist shall perform an on-site nocturnal calling survey for NSO from at least mid-March onward and prior to initiation of construction activities. Survey stations for the calling survey shall be sited to cover post-fire forest stands that are most suitable for NSO occupation. The results of the updated habitat assessment and survey shall be provided to the County for review prior to project initiation. If NSO is observed or otherwise believed to be present within the focal area described above, measures shall be implemented in consultation with CDFW to ensure that project activities would not result in a take of the species and that any potential impacts are otherwise minimized to the extent feasible.</p>	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.	P	PD	PC _/_/_
MM BIO-3: Minimize potential indirect impacts to bats	<p>BIO-3: Bat Tree Habitat Assessment and Surveys.</p> <p>Prior to the commencement of Project Construction activities, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable</p>	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be	P	PD	PC _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be trimmed only: a) using the two-step trimming process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree trimming shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree trimming, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the remainder shall be removed.	implemented in conjunction with all construction activities.			
MM BIO-4: Tree Trimming	BIO-4: Tree Trimming <ol style="list-style-type: none"> Prior to any earthmoving activities, the owner/permittee shall place temporary fencing at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50-feet of the development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of project construction. The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the winery development and water tank. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P23-00057-MOD shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval that includes at a minimum, 	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits and shall be implemented in conjunction with all construction activities.	P	PD	PC _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before improvements obtain final occupancy. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the associated building permits.				
MM BIO-5: Riparian Protection	<p>BIO-5: Riparian Protection. The Owner/Permittee shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction:</p> <ul style="list-style-type: none"> a. The location of stream setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the precise locations of said fences shall be inspected and approved by the Conservation Division prior to any earthmoving and/or development activities, no disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation and vineyard installation. The protection fencing shall remain in place for the duration of project implementation. b. All construction and related traffic shall remain outside of the protective fencing to the maximum extent practicable to ensure that the stream, buffer zones, and associated woodland habitat remains undisturbed. 	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits and shall be implemented in conjunction with all construction activities.	P	PD	PC _/_/_
MM NOISE-1: Outdoor Visitation	NOISE-1: Outdoor visitation and marketing events shall not include acoustic music performances.	The above measures shall be incorporated as conditions of approval of the project and apply to operational characteristics of the winery. The Napa County Code Compliance Division will enforce winery use permit noise requirements and compliance with Napa County Code's noise ordinance.	P	PD	PC _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
MM NOISE-2: Indoor Amplified Music	NOISE-2: The applicant shall keep all windows and doors closed when amplified music is being played inside of the winery structure.	The above measures shall be incorporated as conditions of approval of the project and apply to operational characteristics of the winery. The Napa County Code Compliance Division will enforce winery use permit noise requirements and compliance with Napa County Code's noise ordinance.	P	PD	PC _/_/_

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