

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT
1195 3rd Street, Suite 210
Napa, Calif. 94559
707.253.4417

Notice of Intent to Adopt a Negative Declaration

1. **Project Title:** 2009-2010 Winery-related Zoning Ordinance Amendments and Associated Interpretive Guidance Resolution, County-initiated Zoning Code Text Amendment № P10-00098-ORD
2. **Property Owner:** Not Applicable
3. **Contact person and phone number:** Christopher M. Cahill, Project Planner, (707) 253.4847, chris.cahill@countyofnapa.org
4. **Project location and APN:** The proposed Zoning Ordinance text amendments and Resolution with associated policy interpretations would apply to unincorporated areas countywide, and in particular to those parcels zoned and sized to allow wine production.
5. **Project Sponsor's Name and Address:** Planning Director Hillary Gitelman for the Napa County Board of Supervisors, 1195 Third Street, Suite 210, Napa, Calif. 94558, (707) 253.4417, hillary.gitelman@countyofnapa.org
6. **Hazardous Waste Sites:** This project is applicable to all parcels zoned and sized to allow wine production, a number of which are included on the lists of hazardous waste sites enumerated under Government Code §65962.5.
7. **Project Description:** Board of Supervisors adoption of an ordinance to: 1.) amend Napa County Code §18.08.370 "Marketing of wine," to clarify existing limitations on where, when, how, and for whom allowed winery marketing may occur; 2.) amend Napa County Code §18.08.620 "Tours and tastings," to clarify existing limitations on food and wine pairings at wineries; and 3.) amend §18.16.030 (H) and §18.20.030 (J) to allow the sale of wine related products as a winery-accessory use within the AP (Agricultural Preserve) and AW (Agricultural Watershed) zoning districts. The project also includes Planning Commission adoption of a resolution establishing interpretive guidance related to winery activities within the AP and AW zoning districts.

PRELIMINARY DETERMINATION:

The Napa County Director of Conservation, Development, and Planning has tentatively determined that the following project would not have a significant effect on the environment and the County intends to adopt a **negative declaration**. Documentation supporting this determination is contained in the attached Initial Study Checklist and is available for inspection at the offices of the Napa County Conservation, Development, and Planning Department, 1195 Third St., Suite 210, Napa, Calif. 94559 between the hours of 8:00 AM and 4:45 PM Monday through Friday (excepting holidays).

MARCH 26, '10
DATE:


BY: Christopher M. Cahill

WRITTEN COMMENT PERIOD: April 1, 2010 through April 20, 2010

Please send written comments to the attention of Chris Cahill at 1195 Third St., Suite 210, Napa, Calif. 94559, or via e-mail to chris.cahill@countyofnapa.org. A public hearing on this project is tentatively scheduled for the Napa County Conservation, Development, and Planning Commission at 9:00 AM or later on Wednesday, April 21, 2010. You may confirm the date and time of this hearing by calling (707) 253.4417.

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Initial Study Checklist

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6. **General Plan Description**
County-wide
7. **Current Zoning**
County-wide
8. **Project Description**
Board of Supervisors adoption of an ordinance to: 1.) amend Napa County Code §18.08.370 "Marketing of wine," to clarify existing limitations on where, when, how, and for whom allowed winery marketing may occur; 2.) amend Napa County Code §18.08.620 "Tours and tastings," to clarify existing limitations on food and wine pairings at wineries; and 3.) amend §18.16.030 (H) and §18.20.030 (J) to allow the sale of wine related products as a winery-accessory use within the AP (Agricultural Preserve) and AW (Agricultural Watershed) zoning districts. The project also includes Planning Commission adoption of a resolution establishing interpretive guidance related to winery activities within the AP and AW zoning districts.
9. **The 1990 Winery Definition Ordinance and the Scope of this Review**

The WDO

The Winery Definition Ordinance (or WDO) was adopted in 1990, following extensive discussions both within and without the wine industry, numerous hearings before the Planning Commission and the Board of Supervisors, and a complex and much-debated environmental review process. The history of that time has been

documented elsewhere, and there is nothing about the specifics of this project that necessitates its retelling, in whole, here. However, as we have recently paged through the County's records relating to the adoption of the WDO, it has become clear to Planning staff that the environmental review which occurred at the time of the WDO's adoption is neither well nor widely understood. To the extent that this document concerns itself with the environmental consequences of those changes which are now proposed for certain winery-related sections of the Zoning Code, that history strikes us as both relevant and worthy of brief summation.

On or about February 27, 1989, representatives of the Napa Valley Vintners, the Grape Growers, and the Farm Bureau presented Napa County with the text of a draft Winery Definition Ordinance. The draft ordinance had not been analyzed by County staff prior to its submittal and it does not appear that staff played a role in its drafting.

On June 13, 1989 the Board of Supervisors entered into a contract with a Marin County-based environmental consultant for the preparation of an Environmental Impact Report to, "address the potential impacts of the draft Winery Definition Ordinance and the long term impacts of wine industry growth in Napa County." (Planning Commission Staff Report, *Amendments to the County Zoning Ordinance Relating to Winery Definition*, Meeting of December 27, 1989) A Notice of Preparation was posted on June 30, 1989 and the Draft Environmental Impact Report (DEIR) was submitted to the Planning Department for public review and comment; the formal comment period ran from October 13 to November 12, 1989.

The submitted DEIR found that the proposed ordinance would have growth inducing impacts, that there would be "direct" impacts related to land use and inconsistency with the then-operative General Plan, and that there would be cumulative impacts related to land use, water quality, water resources, vegetation and wildlife, aesthetics, traffic, noise, cultural resources, air quality, public health and safety, and community services. The consultants' DEIR incorporated an extensive list of mitigation measures which, they argued, would completely mitigate impacts associated with most of the identified significant environmental effects. Effects related to cumulative traffic generation, noise from winery marketing events, inadequate cumulative landfill capacity, and low and moderate housing supply were found not to be completely mitigatable; though partial mitigation measures were proposed.

Some 599 written and oral comments were submitted to the Department during the public comment period which followed. The Planning Commission held public hearings on the draft ordinance and the adequacy of the DEIR on October 17, December 27, and December 28, 1989 and January 3, 1990. The proposed ordinance and the proposed DEIR mitigation measures underwent significant revision during this period, the net result of which was that a General Plan amendment was drafted which resolved issues related to land use and General Plan consistency. The ordinance itself was also re-written in such a way that a number of mitigation measures were no longer necessary.

The Planning Commission ultimately forwarded the matter on to the Board of Supervisors with a recommendation for approval and two exhibits dealing with mitigation measures. "Exhibit D," was a summary of mitigation measures for "completely mitigatable impacts" and included 63 recommended mitigation measures addressing air quality, noise, vegetation and wildlife, cultural resources, visual/aesthetic considerations, public safety, community services, and water resources. "Exhibit E," was a summary of mitigation measures for, "partially mitigatable significant impacts" and included 23 mitigation measures which would only partially mitigate significant cumulative impacts related to traffic congestion increases, fire protection/emergency medical service demand increases, and solid waste disposal demand increases.

The Board of Supervisors held public hearings on the draft ordinance, the draft General Plan amendment, and the adequacy of the proposed EIR on January 11, 16, and 17, 1990. Throughout the Board of Supervisors review process, additional refinements to the draft documents were incorporated. At the close of the January 17 hearing,

the Board of Supervisors approved resolutions of intent to adopt the proposed General Plan amendments (on a 3-2 vote) and the draft Winery Definition Ordinance (on a 5-0 vote). The Board also voted 3-2 for a resolution of intent to find the project EIR adequate and to find that the;

Environmental Impact Report... identifies certain significant effects that cannot be mitigated to levels of insignificance, certain significant effects that can be mitigated to levels of insignificance, and other effects that are insignificant. (Minutes of the Meeting of the Board of Supervisors, County of Napa, January 17, 1990)

On January 23, 1990 the Board of Supervisors adopted Ordinance № 947 (the Winery Definition Ordinance) and Resolution № 90-10 (A Resolution... Adopting an Amendment to the Napa County General Plan Relating to Winery Activities in Agricultural Areas). Included in Resolution № 90-10 were two findings of particular interest here;

4. *Based upon the analysis set forth in FEIR-60, public comments received during the public review period, and testimony submitted at the public hearings before the Commission and Board, the Board finds and determines that the adoption of GPA 90-1 will result in significant unmitigated impacts in the following four areas:*
 - a. *Cumulative traffic impacts;*
 - b. *Increased demand for solid waste disposal at the County's three sanitary landfill sites;*
 - c. *Increased demand for low and moderate income housing;*
 - d. *Increased demand for fire protection services.*

5. *The Board further finds and determines that all other impacts associated with the adoption of GPA 90-1 can be mitigated to levels of insignificance if the mitigation measures identified by FEIR-60 or similar measures are adopted by the Commission on a case-by case basis.*

The Board then went on to adopt a statement of overriding considerations addressing the four not-entirely-mitigatable impacts identified at item 4, quoted above.

Based on the language at item 5, above, it appears that the Board of Supervisors adopted neither the "complete" mitigation measures enumerated in "Exhibit D" nor the "partial" mitigation measures enumerated in "Exhibit E." Instead, the Board left it to the Planning Commission to apply those "or similar" measures at some later date. As a result, the Planning Department and the Planning Commission developed and routinely apply a list of standard winery conditions of approval that accomplish some, if not all, of the goals outlined in Exhibits "D" and "E."

The Scope of This Review

For purposes of this initial study, the baseline condition is deemed to be the Zoning Code and General Plan as they relate to wineries and as they have been modified and readopted in the years between 1990 and the present. In particular, we would direct the reader's attention to the County's 2008 General Plan Update and its Environmental Impact Report, both of which explicitly address Napa County's wineries, foreseeable growth in winery numbers and operations, and the cumulative impacts thereof. The 2008 General Plan EIR identifies significant cumulative impacts in the areas of air quality and traffic congestion and the Board of Supervisors overrode those known cumulatively considerable impacts when it adopted the General Plan Update.

The ordinance and interpretive guidance proposed here clarify existing definitions of winery marketing and winery tours and tastings and incrementally widen the class of products allowed to be sold at a winery. Neither the construction of new wineries nor the expansion of any existing winery facility would be authorized by the proposed documents. Likewise, the timing and number of currently-approved winery marketing events would not be altered by this project, nor would the number of marketing or tours and tastings visitors allowed at a given

facility. While the proposed changes may motivate existing, or future, wineries to request new or additional events or visitation volumes, the County expects those requests to be limited both in number and scope. Additionally, the contours of those specific requests are necessarily speculative at this time, and could only be addressed as part of a future site- and project-specific review. All that can be said about potential cumulative impacts has been said in the General Plan program-level EIR, certified in June 2008. In the existing-plus-project scenario outlined here, overall winery development and activities will remain essentially as projected in that document.

10. **Environmental Setting and Surrounding Land Uses**

Napa County currently has approximately 420 permitted wineries, including a mix of facilities that are currently producing and facilities that have acted to "use" their use permit but have not begun actual winemaking. Within the preponderance of Napa County subject to agricultural zoning, the legal existence of wineries depends on a finding that they are agricultural processing facilities, an inherent and vital part of the agricultural enterprise, and that their various marketing activities are, "not only necessary to retain agriculture as a major source of income and employment in Napa County, but also will ensure the continued agricultural viability of existing and future Napa Valley vineyards." (Additional Findings Relating to General Plan Consistency, Napa County Board of Supervisors, Ordinance № 947, 1990, *emphasis added*).

In order to preserve the basic agricultural nature of Napa County's wineries, the County has created an overlapping regime of winery use permits, standard winery conditions of approval, and Zoning Code requirements; regulations which act in concert to limit the activities that can occur at a winery. Winery marketing activities are specifically proscribed by Napa County Code (N.C.C.) §18.08.370, the definition of "Marketing of wine," N.C.C. §18.08.620, the definition of "Tours and tastings," and §§ 18.16.030(H) and 18.20.030(J) "Uses permitted upon grant of a use permit" within the AP and AW zoning districts (respectively). These definitions and restrictions apply to all wineries, except for a limited class of "pre-W.D.O." wineries that pre-date the requirements and have a recognized right to events and activities which would not otherwise be allowed, provided that those events and activities were legally occurring prior to the adoption of the WDO in 1990. In general, the regulations as currently adopted prevent wineries from conducting social, cultural, and/or business events that are not "limited to activities for... education and development... with respect to wine which can be sold at the winery on a retail basis." (N.C.C. §18.08.370) This language has traditionally been read to completely prohibit weddings, non-wine-related corporate events, and any combination of activities which would tend to turn an approved winery into an events center.

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

Responsible (R) and Trustee (T) Agencies:

N/A

Other Agencies Contacted:

City of Calistoga, City of St. Helena, Town of Yountville, City of Napa, City of American Canyon

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions developed in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the Napa County Baseline Data Report, specific documents referenced herein, other sources of information included or referenced in the record file, comments received, conversations with knowledgeable individuals, the preparer's personal knowledge of the area, and visits to the site and surrounding areas. For further information, please see the permanent

record file on this project, available for review at the offices of the Napa County Department of Conservation, Development, and Planning, 1195 Third Street, Napa, Calif.

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.



BY: Christopher M. Cahill
Project Planner
Napa County Conservation, Development, & Planning

MARCH 26, '10
Date

Environmental Checklist Form

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-d. The proposed ordinance and interpretive guidance authorize neither the construction of new wineries nor the expansion of any existing winery facility. As a result, the project would not impact the visual character or quality of Napa County (or any portion thereof) and would not result in a new source of light or glare. The project would clarify existing regulations relating to winery visitation and marketing and would allow incidental sales of wine-related products at wineries. However, the requirement that all winery visitation and all winery sales be fully accessory and subordinate to the main function of the winery as an agricultural processing facility (codified at N.C.C. §18.08.020 and §18.104.040) remains unaltered. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. Existing regulations limit maximum winery parcel-coverage (15 acres or 25% of a parcel, whichever is less, per N.C.C. §18.104.220) and winery floor area given over to accessory, as opposed to strictly production-related, uses (no more than 40% of the total winery floor area per N.C.C. §18.104.200).

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-c. 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. The subject project would not permit the construction of new facilities, and would not directly result in the conversion of active farmland to any other use. The very limited amendments to allowed winery-accessory uses proposed in the draft ordinance would not conflict with the Williamson Act or any known Williamson Act contract. Existing regulations limit maximum winery parcel-coverage and winery-accessory floor area. This project will not result in the conversion of special status farmland to a non-agricultural use.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:				
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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Note on Green House Gas Emissions

In 2006, the State Legislature enacted Assembly Bill 32, requiring the California Air Resources Board (CARB) to design measures and rules to reduce greenhouse gas (GHG) emissions statewide to 1990 levels no later than 2020. The measures and regulations to meet the 2020 target are to be put in effect by 2012, and the regulatory development of these measures is ongoing. In August 2007, the Legislature enacted Senate Bill 97, which among other things, directed the Governor's Office of Planning and Research (OPR) to propose new CEQA regulations for the evaluation and mitigation of GHG emissions. SB 97 directs OPR to develop such guidelines by July 2009, and directs the state Resources Agency (the agency responsible for adopting CEQA regulations) to certify and adopt such regulations by January 2010. This effort is underway; however, to date neither the State nor Napa County has adopted explicit thresholds of significance for GHG emissions, although the State has recently adopted changes to the State CEQA Guidelines which suggest that agencies may consider (among other factors) the extent to which a project complies with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG (State CEQA Guidelines Section 15064.4(b)(3)). Also, the Bay Area Air Quality Management District (BAAQMD) has proposed compliance with a "qualified climate action plan" as a threshold of significance, along with a quantitative threshold of 1,100 MTCO₂e/yr (metric tons of carbon dioxide equivalents per year) for land use projects.

Overall increases in green house 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 despite adoption of mitigation measures that incorporated specific policies and action items into the General Plan.

Consistent with these General Plan action items, Napa County participated in 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 (NCTPA) in December 2009, and is currently serving as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

Pursuant to State CEQA Guidelines §15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed. The proposed ordinance and interpretive guidance clarify existing definitions of winery marketing and winery tours and tastings and incrementally widen the class of products allowed to be sold at a winery. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. No new structural development is proposed. As a result, we foresee no increase in GHG emissions, either from traffic to and from wineries or from facility-related emissions, when compared to the currently-permitted baseline condition. Project impacts related to GHG emissions are considered less than significant.

Discussion:

- a. While the topographical and meteorological features of Napa County, and of the Napa Valley in particular, create a relatively high potential for air pollution, wine production does not produce air pollution in volumes substantial enough to result in an air quality plan conflict. The *Bay Area Air Quality Management Plan* states that projects that do not exceed a threshold of 2,000 vehicle trips per day will not impact air quality and do not require further study (*BAAQMD CEQA Guidelines*, p. 24). The proposed ordinance and interpretive guidance clarify existing definitions of winery marketing and winery tours and tastings and incrementally widen the class of products allowed to be sold at a winery. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. As a result, the County foresees no increase in traffic to and from wineries when compared to the currently-permitted baseline condition.

While the proposed changes may motivate existing, or future, wineries to request new or additional events or visitation volumes, the contours of those specific requests are speculative at this time and would be addressed as part of that future site- and project-specific review. The subject project would not conflict with or obstruct the implementation of any applicable air quality plan.

- b. Please see "a.", above. There are no projected or existing air quality violations in the area to which this proposal would contribute on a project-specific basis. The project would not result in any violations of applicable air quality standards. Cumulative impacts related to air quality standards were identified in the 2008 General Plan EIR. Significant cumulative impacts were identified, including a failure to comply with the Clean Air Plan, increased emissions of ozone precursors resulting primarily from vehicles, increased PM₁₀ emissions, and a failure to fully support Clean Air Transportation Control Measures. Despite the adoption of mitigation measures that incorporated specific policies and action items into the General Plan, cumulative impacts related to air quality standards were found to be significant and unavoidable and a statement of overriding considerations was adopted.
- c. Please see "a." and "b.," above. The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. The proposed ordinance and interpretive guidance would permit neither new construction, nor new marketing events, nor any increase in winery visitation. Standard conditions of approval for any future construction project would require dust control measures. Cumulative impacts related to criteria pollutants were identified in the 2008 General Plan EIR. Significant cumulative impacts were identified, including increased emissions of ozone precursors resulting primarily from vehicles and increased PM₁₀ emissions. Despite the adoption of mitigation measures that incorporated specific policies and action items into the General Plan, cumulative impacts related to criteria pollutants were found to be significant and unavoidable and a statement of overriding considerations was adopted.
- d.-e. This project includes clarifications to code language controlling winery marketing and visitation and a slight expansion of the products allowed to be sold at wineries. It will not expose sensitive receptors to substantial pollutant concentrations and will not create objectionable odors affecting a substantial number of people. Cumulative impacts related to impacts of sensitive receptors were identified in the 2008 General Plan EIR. Significant cumulative impacts were identified, including the location of new sensitive receptors near existing or future sources of toxic air contaminants. Despite the adoption of mitigation measures that incorporated specific policies and action items into the General Plan, cumulative impacts related to sensitive receptors were found to be significant and unavoidable and a statement of overriding considerations was adopted.

Mitigation Measure(s): None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.-d. The ordinance and interpretive guidance under review here authorize neither the construction of new wineries nor the expansion of any existing winery facility. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. The project will not have an adverse impact on any special status species, will not impact riparian habitat or federally protected wetlands, and will not impact migratory species, wildlife corridors, or wildlife nursery sites.
- e. This project neither proposes nor permits any new development and would not foreseeably result in the removal of any existing tree. The project would not conflict with any local policy or ordinance protecting biological resources or any tree preservation policy or ordinance.

- f. The subject ordinance and interpretive guidance authorize neither the construction of new wineries nor the expansion of any existing winery facility. The project will not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan.

Mitigation Measure(s): None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 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) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project would not foreseeably result in new structural development or any alteration to existing structures. Future alterations to historically significant (or potentially significant) winery structures will require project-specific environmental analysis; the details of those future projects are currently unknown and unknowable. Neither this project nor any foreseeable resulting ministerial activity will cause a substantial adverse change in the significance of a historic resource.
- b.-d. The very limited amendments to allowed winery-accessory uses and activities proposed in this project would not directly result in any earth disturbing activity. This project will not cause a substantial adverse change in the significance of any known archeological resource, will not impact any paleontological or geological resource, and will disturb human remains (wheresoever they may be interred).

Mitigation Measure(s): None are required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY and SOILS. Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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

Discussion:

- a,i-iv. The ordinance and interpretive guidance under review here would not foreseeably lead to new construction or new earth disturbing activities. As a result, the County anticipates that the project would not create significant impacts relative to any earthquake fault zone, soils with a high liquefaction potential, landslides, or any soil creep area. While seismic activity is endemic to the Bay Area, all structures are required to be comply with the requirements of the California Building Code, which functions to reduce seismic-related risks to a less than significant level.
- b. Please see "a.," above. This project will not result in significant impacts related to erosion. While none are now foreseeable, any future construction projects would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance, which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.

- c. Please see "a.," above. This project will not result in significant impacts on a geologic unit or soil that is unstable, or that may become unstable, or which could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- d. While greater Napa County includes a number of soils that can be considered expansive (and an even greater number that can be considered expensive), this project does not include any new structural development. Risks to life and property will be less than significant.
- e. The Department of Environmental Management and Regional Water Quality Control Board have reviewed existing winery wastewater systems to ensure that all such systems are adequate to handle the flows associated with existing winery visitation. Should a winery request new or additional visitation at some point in the future, an equivalent review would occur as a component of the use permit (or use permit modification) approval process. As a matter of law, only wineries that demonstrate their ability to handle projected wastewater volumes are allowed to expand their marketing or visitation programs. This project will have a less than significant impact with regard to wastewater flows on incapable soils.

Mitigation Measure(s): None are required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-g. The Zoning Code text amendments and interpretative guidance document proposed here will not result, either directly or indirectly, in the release of any hazardous materials into the environment. It will not impact schools, hazardous materials sites, airports (be they public or private), or any emergency response or emergency evacuation plan. No project-related development is proposed and none is foreseeable.
- h. The proposed ordinance and interpretive guidance are not expected to increase exposure of people and/or structures to a significant risk of loss, injury, or death involving wildland fires. The Napa County Fire Marshall reviews individual winery development projects and provides parcel-specific conditions as necessary.

Mitigation Measure(s): None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The subject project will not result in the violation of any water quality standard or waste discharge requirement. The project incorporates no new development and no earth disturbing activity. Any new development that may occur in the future would be subject to Department of Environmental Management permitting and would not violate water quality standards or waste discharge requirements.
- b. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project that reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

The proposed ordinance and interpretive guidance would permit neither new construction, nor new marketing events, nor any increase in winery visitation. Groundwater use will not be increased beyond baseline levels as a result of the project. As a result, the project would not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

- c.-e. There are no existing or planned stormwater systems that would be affected by this project. As noted throughout this document, no development or other earth disturbing activity is included in the project and none is directly foreseeable.
- f. There is nothing included in this proposal that would otherwise substantially degrade water quality. The project does not constitute a development application and any future development approvals will be subject to County discretionary approval, Department of Environmental Management septic system approval, and Department of Public Works erosion control plan approval. The project will not have a substantial impact on water quality.
- g.-i. While greater Napa County includes extensive areas within mapped floodplains, this project does not include any new structural development. The project will not expose people or structures to significant risks associated with flooding.
- j. In coming years, higher global temperatures are expected to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The Intergovernmental Panel on Climate Change estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). However, the project would permit neither new construction, nor new marketing events, nor any increase in winery visitation. The project will not alter the baseline condition with regard to the risk of inundation from tsunami, seiche, or mudflow.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The ordinance and interpretive guidance proposed here could not, in any imagined universe, divide an established community. The project includes no structural development and will not allow any winery visitation beyond currently-approved baseline levels.
- b. The Napa County General Plan, as revised and updated in 2008, includes several policies which function to reinforce and clarify the obvious connection between grape growing, wine production, and the marketing of wine. **General Plan Policy Ag/LU-2** states that all three activities are inherently agricultural;

"Agriculture" is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales, and other accessory uses...

General Plan Policy Ag/LU-13 further elucidates the relationship between wine making and wine marketing;

"The 1990 Winery Definition Ordinance recognized certain pre-existing wineries and winery uses as well as new wineries. For wineries approved after the effective date of that ordinance, agricultural processing includes tours and tastings by appointment only, retail sales of wine produced by or for the winery partially or totally from Napa County grapes, retail sale of wine-related items, activities for the education and development of consumers and members of the wine trade with respect to wine produced by or at the winery, and limited non-commercial food service. The later activity may include wine-food pairings. All tours and tastings, retail sales, marketing activities, and noncommercial food service must be accessory to the principal use of the facility as an agricultural processing facility. Nothing in this policy shall alter the definition of "agriculture" set forth in Policy AG/LU-2."

With regard to the vast majority of the changes proposed in this project (and, to be specific, we are speaking of the proposed amendments to the Zoning Code definitions of "marketing of wine" and of "tours and tastings" and the interpretive guidance document), the proposed language is entirely declarative of existing policy. To the extent that the changes reinforce the boundary between legitimate agricultural marketing activities and those activities which would be deemed not to be incidental and subordinate to agriculture, the proposal both complies with and actively implements Ag/LU-2 and Ag/LU-13.

Language in the draft ordinance which would allow the "sale of wine-related products" at wineries located within the AW or AP zoning districts differs from the above in that it *does* represent a change from existing policy. However, the changes are entirely consistent with Ag/LU-13, which allows the, "retail sale of wine-related items" at approved wineries. The ordinance and interpretive guidance proposed here do not conflict with any applicable land use plan, policy, or regulation.

- c. The project includes no development, it will not conflict with any habitat conservation or natural community conservation plans.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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. This project includes neither structural development, nor grading, nor any change in permitted winery visitation. No impact to mineral resources is foreseeable.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-d. Noise from winery operations is generally limited; however, winery marketing events and regular tours and tasting visitation can create noise impacts. The Napa County Exterior Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a rural residence as 45 db between the hours of 10 p.m. and 7 a.m. While the 45 db limitation is strict (45 db is roughly equivalent to the sound generated by a quiet conversation), Napa County's agricultural zoning districts have large minimum lot sizes and generally very low-density residential development. Continuing enforcement of Napa County's Exterior Noise Ordinance by the Department of Environmental Management and the Napa County Sheriff, including the prohibition against outdoor amplified music, will ensure that marketing events and other winery activities do not create a significant noise impact.

e.-f. The project would not affect any airport land use plan or any airport (be it public or private).

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. POPULATION and HOUSING. Would the project:				
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, 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' *Projections 2009* figures indicate that the total population of Napa County is projected to increase some 7.2% by the year 2035, while county-wide employment is projected to increase by 29% in the same period (Metropolitan Transportation Commission, *Superdistrict and County Summaries of ABAG's Projections 2009 - 2000-2035 Data Summary*, September 2009). Because winery employment is established via use permit on a winery-by-winery basis, nothing proposed in this project would alter baseline County-wide winery employment levels. This project will not affect the existing jobs/housing balance and will not induce substantial population growth. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals.

b.-c. The proposed project will not result in the loss of any existing housing units and will not necessitate the construction of replacement housing elsewhere. No one will be displaced as a result of the project.

Mitigation Measures: None are required.

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

a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a. This project includes no development and will not, in and of itself, result in any increased demand for public services. To a greater or lesser extent all existing wineries in Napa County are currently served by the Napa County Sheriff's Department and Napa County Fire; the Zoning Code text amendment and associated policy guidance proposed here will do nothing to alter that baseline condition. No impacts to schools, parks, or other public facilities are foreseeable.

Mitigation Measures: None are required.

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

Discussion:

a.-b. This project includes no development and will not, in and of itself, result in any increased demand for recreation facilities. The project does not include recreational facilities that would have a significant adverse effect on the environment.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-b. The proposed ordinance and interpretive guidance clarify existing definitions of winery marketing and winery tours and tastings and incrementally widen the class of products allowed to be sold at a winery. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. As a result, we foresee no increase in traffic to and from wineries when compared to the currently-permitted baseline condition. While the proposed changes may motivate existing, or future, wineries to request new or additional events or visitation volumes, the contours of those specific requests are speculative at this time and would, of necessity, be addressed as part of that future site- and project-specific review. The subject project would not result in a significant increase in traffic or a net negative change in the existing roadway level of service on a project-specific basis.

Cumulative impacts related to traffic were identified in the 2008 General Plan Update EIR. Page 4.4-51 of the 2008 General Plan DEIR identifies specific roadway improvements which could serve as mitigation measures to reduce traffic operation impacts to a less than significant level. In adopting the General Plan EIR, the Board of Supervisors found that the mitigation measures set forth in Table 4.4-15 were infeasible pursuant to Public Resources Code §21081 (a)(3) and CEQA Guidelines §15091(a)(3), and rejected them because many of the roadway segments (such as Ca-128 and Tubbs Lane) would occur in areas where the County lacks sufficient right-of-way and are in proximity to existing commercial and/or residential developments. The majority of the listed roadway improvements are located outside of the area covered by the County's Traffic Mitigation Fee Program (Board of Supervisors Resolution No. 90-152) and therefore would require funding primarily by the County as opposed to being funded by applicants. In addition, the extensive amount of road widening that would be required would be inconsistent with the General Plan objectives of protecting and maintaining the County's rural character; they could result in disproportionately severe environmental impacts associated with visual resources, water quality, noise, air quality, and growth inducement.

c. The proposed project would not result in any change to air traffic patterns.

d.-g. This project proposes no development and will not result in any change to existing roadways or parking areas. Any future increases in the number or size of winery marketing events will be subject to discretionary permitting at the point at which they are proposed; the same would be true of structural additions to wineries and of increases in winery tours and tastings visitation and/or winery employment. There will be no project-specific impacts related to roadways, parking, non-motorized transportation, public transportation, or emergency vehicle access.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.-b. The project will not exceed wastewater treatment requirements as established by the Regional Water Quality Control Board, will not result in a significant impact related to wastewater discharge, and will not result in new wastewater treatment facilities. All existing wineries have water and wastewater systems which have been reviewed and approved for their current marketing operations. As winery expansion may be proposed in the future, that expansion will be subject to County and the Regional Water Quality Control Board review to ensure that wastewater systems are operationally adequate and are upgraded as needed. Impacts related to wastewater disposal will be less than significant.
- c. The project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities which would cause a significant impact to the environment.
- d. The proposed ordinance and interpretive guidance would permit neither new construction, nor new marketing events, nor any increase in winery visitation. Groundwater use will not be increased beyond baseline levels as a result of the project. Environmental effects related to water extraction will be less than significant.

- e. Winery wastewater is generally treated onsite and capacity requirements are established on a project- and site-specific basis. This project proposes no development and will not, in and of itself, create additional demand for wastewater treatment.
- f.-g. This project proposes no development and will not directly result in any increase in solid waste generation. Napa County is served by a landfill with sufficient capacity to meet the demands of foreseeable future development. Impacts related to the disposal of solid waste will be less than significant.

Mitigation Measures: None are required.

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

Discussion:

- a. The project would have a less than significant impact on wildlife resources. As analyzed above, no sensitive resources or biologic areas will be converted or affected by this project. Also as analyzed above, the project would not result in a significant loss of native trees, native vegetation, or important examples of California’s history or pre-history.
- b. The proposed project does not have impacts that are individually limited but cumulatively considerable. The draft ordinance and draft interpretive guidance clarify existing definitions of winery marketing and winery tours and tastings and incrementally widen the class of products allowed to be sold at a winery. The timing and number of currently-approved winery marketing events would not be changed by this project, nor would the number of marketing or tours and tastings visitors allowed at a given facility. The sale of wine-related products at

wineries located in the AW or AP zoning districts will not create cumulatively considerable environmental impacts.

- c. There are no environmental effects caused by this project that would result in substantial adverse effects on human beings, whether directly or indirectly. No hazardous conditions resulting from this project have been identified. The project would not have any environmental effects that would result in significant impacts.

Mitigation Measures: None are required.