

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 THIRD ST., ROOM 210
NAPA, CA 94559
(707) 253-4416

Notice of Intent to Adopt a Subsequent Mitigated Negative Declaration

1. **Project Title:** Round Pond Winery Use Permit Modification #P08-00548-MOD
2. **Property Owner:** Round Pond Winery, LLC. (dba Round Pond Estate Winery)
3. **Contact person and phone number:** Patricia Hornisher, Project Planner, (707) 299-1349, thornish@co.napa.ca.us
4. **Project location and APN:** The project is located on a proposed approximately 46.69 acre parcel (*pending completion of a Lot Line Adjustment*) on the south side of Rutherford Road (State Highway 128) approximately 3/4 of a mile from its intersection with St. Helena Highway (St. Highway 29) within an AP (Agricultural Preserve) zoning district. 877 Rutherford Road, Napa, California (in the area of Napa County known as Rutherford) (Assessor's Parcel #s: 030-140-022 & 023).
5. **Project Sponsor's Name and Address:** Round Pond Winery, LLC.; c/o Katherine Philippakis; Farella, Braun & Martel; 899 Adams St.; St. Helena, CA 94574.
6. **Hazardous Waste Sites:** This project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.
7. **Project Description - Use Permit Modification #P08-00548-MOD**

Approval to modify Use Permit #03529-UP to allow the following:

- Increase production from 20,000 gallons per year to 100,000 gallons per year;
- Remove the following condition of approval limiting custom production activities under approved use permit #03529-UP:
Scope: Custom production activities (crushing, fermenting, barrel aging and bottling) for a maximum of 8 custom producers utilizing a maximum of 10,000 gallons of the winery's proposed 20,000 gallon per year capacity. Custom production will not included case goods storage, retail wine sales, offices, wine tasting or distribution/shipping.
- Construct a new 14,775 square foot production building to be used primarily for barrel storage;
- Increase employee numbers from four full-time and three part-time employees to 10 full-time (at peak) and 4 part-time (at peak) employees;
- Increase parking from the existing 13 parking spaces (11 previously approved) to 43 parking spaces;
- Increase tours and tasting by appointment only from a maximum of 15 visitors on the busiest day to a maximum of 60 visitors on the busiest day;
- Revise the previously approved Marketing Plan (See below);
- Convert the existing leach field system from combined process and domestic wastewater to domestic wastewater only;
- Construct a new pretreatment and subsurface drip disposal system for process wastewater;
- Construct a two-way left turn lane on Rutherford Road/SR 128 between the Round Pond Winery and Honig Winery driveways;
- Obtain a Lot Line Adjustment to bring the proposed parking area into the winery parcel;
- Provide new landscaping.

Marketing Plan: Marketing events are proposed to be expanded as follows:

- Three promotional tastings with meals per week with a maximum of 75 persons per event (was 2 events/month maximum of 20 persons/event) ;
- Four Release Events per year with a maximum of 150 persons per event (was 4 events/month maximum 50 persons/event; and,
- One Wine Auction event with a maximum of 100 persons (was maximum 50 persons).

Marketing events are by invitation and are limited to members of the wine trade, or those who have pre-established business or personal relationships with the winery or its owners or to members of specific groups with prearranged events. The marketing events will occur inside the winery buildings. The winery has a commercial kitchen, but will use food service catered by an off-site service for the larger events. Private tours and tasting will conclude by 4 PM, pursuant to County imposed standard conditions of approval. Marketing events can occur throughout the day but are required by the County to cease by 10:00 PM, including cleanup. The start and finish time of marketing activities will be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. Parking will be accommodated on site for all events with the exception of the Release and Wine Auction events which will provide shuttle service.

Site Development: The parcel is developed with 43.7 acres of vineyard which, with neighboring parcels that are owned by the applicant, will in part supply the grapes for the winery. The new barrel building and associated improvements will remove approximately 0.33 acres of vineyard. Existing access to the parcel is an improved private driveway that is located off State Highway 128/Rutherford Road. The proposal includes road improvements within Caltrans right-of-way to allow for road widening on either side of the highway and a two-way left turn lane to accommodate turning movements into the existing Round Pond and adjacent Honig Winery driveways. The access driveway is required to meet Napa County Road and Street Standards. The proposal also includes a Lot Line Adjustment which will be filed concurrently to bring the proposed parking area into the winery parcel. In conjunction with the Lot Line Adjustment, the property owner will submit an application to rescind and replace the two existing Agricultural Preserve Contracts consistent with the two new parcel configurations and adjusted vineyard acreages resulting from the Lot Line Adjustment.

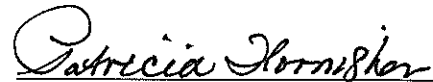
The purpose of this initial study is to evaluate the above proposed changes. Other aspects of the winery were previously evaluated for potential environmental affects in conjunction with the past approval. This document is also reviewing future ministerial actions under §15022 & §15268, State CEQA Guidelines, as foreseeable projects including all work associated with the construction of the proposed improvements and the ongoing operation of the winery facility as limited by the terms of any adopted use permit. Building permit application(s) for work associated with this project have not been submitted as of the date of this document.

PRELIMINARY DETERMINATION:

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

May 12, 2009

DATE:



BY: Patricia Hornisher

WRITTEN COMMENT PERIOD: May 18, 2009 through June 16, 2009

*Please send written comments to the attention of: Patricia Hornisher at 1195 Third St., Suite 210, Napa, California 94559, or via e-mail to thornish@co.napa.ca.us. 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, June 17, 2009**. You may confirm the date and time of this hearing by calling (707) 253-4417.*

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Initial Study Checklist
(Reference CEQA, Appendix G)

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7. **General Plan description:** Agricultural Resource (AP)
8. **Zoning:** Agricultural Preserve District (AP)
9. **Project Description - Use Permit Modification #P08-00548-MOD**

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

The project is located approximately four and one-half miles southeast of the St. Helena City boundary. The surrounding area is wholly developed with vineyards, rural residential, wineries, irrigation reservoirs. The 46.69 acre parcel is located on the valley floor and is nearly level with an elevation ranging from 150' to 156' above mean sea level (MSL). It is approximately 2,900 feet east of the Napa River and 2,800 feet west of Conn Creek and is located within the 100-year floodplain. Vegetative cover consists primarily of vineyard with ornamental landscaping near the existing winery. Approximately 42.7 acres of the 46.69 acres (after LLA) are planted in vineyard. The soils on site are Pleasanton Loam and Cortina Loam series. The runoff is slow with slight erosion potential. The parcel is developed with a vineyard under an Agricultural Preserve Type 'A' Land Contract.

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

Napa County Fire Department
State Department of Alcoholic Beverage Control (ABC)
Alcohol Tobacco and Tax and Trade Bureau (TTB)

Responsible (R) and Trustee (T) Agencies

California Department of Transportation (Caltrans)
San Francisco Bay Regional Water Quality Control Board

Other Agencies Contacted

None

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project, available for review at the offices of the Napa County Department of Conservation, Development and Planning, 1195 Third Street, Rm. 210, Napa, California.

On the basis of this initial evaluation:

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

Signature Patricia Hornisher

Date: May 4, 2009

Printed Name: Patricia Hornisher, Project Planner

For: Napa County Conservation, Development & Planning Department

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 checked="" 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 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"/>

Impact Discussion:

a/b. The proposed new winery barrel building would not have substantial adverse effects on a scenic vista. The predominant public view along St. Hwy 128/Rutherford Road is a mixture of agricultural vineyards, with intervening winery buildings, agricultural outbuildings and residences. The property is currently developed with an existing winery building, associated improvements and landscaping and is located on St. Highway 128/Rutherford Road, a locally "designated scenic highway" listed in the Scenic Highway Element of the Napa County General Plan. The existing winery structure is surrounded with existing vineyard and landscaping and can be viewed by travelers on Rutherford Road at a distance of approximately 1,500 feet. The new structure will be located approximately 1,700 feet from the highway and will be tucked behind the existing winery. In addition to the surrounding vineyard, an existing small olive orchard just north of the proposed new barrel building, will offer natural screening when viewed from St. Hwy 128/Rutherford Road. Finally, the applicant is required to meet the County's standard conditions of approval for landscaping and screening as follows:

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view these areas.

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

Because the new construction will be located at a distance from the local scenic highway and will be well screened, there will not be a noticeable change from the views that currently exist as seen by the viewing public from St. Hwy 128/Rutherford Road. Finally, even though St. Hwy 128/Rutherford Road is considered a Napa County local scenic road under the Viewshed Protection Program, this project is not subject to this Program because it is not located on slopes greater than 5% or located on a major or minor ridgeline. Thus, the impact on a scenic vista will be less than significant. No impacts will occur to scenic resources since there are no naturally existing trees, rock outcroppings or historic buildings that exist on the property.

c. The project would not substantially degrade the visual character or quality of the site and its surroundings. The project proposes construction of a left turn lane on St. Highway 128 at the entrance to the winery to accommodate additional planned visitation and marketing. A number of ornamental trees will be removed within the right-of-way to allow for the proposed improvements. The trees being removed are not considered a scenic resource since they are an ornamental variety and were planted as landscaping at the time the existing winery was constructed several years ago. However, in accordance with the previous and subsequent conditions of approval, a landscaping plan will be required that will provide

for screening of the industrial, equipment, parking and utility portions of the project (See discussion a/b above.) In addition, as stated in the County's standard conditions of approval for landscaping, the trees removed resulting from construction of the project will be replaced at a minimum of two new trees for every one tree removed:

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

The landscaping plan shall state that the minimum size of the replacement trees shall be a 15-gallon or 24-inch box based on the tree size and specie of the trees that are removed, as determined by the Planning Director. Thus, with standard conditions of approval for screening and tree replacement as stated above, the visual character and quality of the site and its surroundings will not be substantially degraded and result in a less than significant impact.

d. The new facility will result in a minor increase in the nighttime lighting. As stated below, the County's standard conditions of approval require that all exterior lighting will be the minimum necessary for operational and security needs; light fixtures will be kept as low to the ground as possible and include shields to deflect the light downward and prevent skyward illumination; use of highly reflective surfaces for all construction material will be avoided:

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. Prior to issuance of any building permit for construction of the winery, 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 Department review and approval. All lighting shall comply with Uniform Building Code (UBC).

As designed, and as subject to standard conditions of approval, the project will create a less than significant impact from light or glare which would adversely affect day or nighttime views in the area.

Mitigation Measures:
None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. In determining impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a. The project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important as shown on the 2006 maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use. The subject parcel (after a Lot Line Adjustment) will be a total of 46.70 acres of which 43.70 acres is currently planted in vineyard. Approximately 0.33 acres of vines will be removed to accommodate the proposed agricultural wine storage building, new waste water pre-treatment and leach line

areas, access road and new parking area. While a majority of the proposed project is located on Farmland of Statewide Importance, the proposed new development will continue with agricultural wine production or winery-accessory uses. The County General Plan (June 2008) Agricultural Preservation and Land Use policy AG/LU-1 and AG/LU-2 defines wineries and winery accessory uses as agriculture. Since the project as proposed will not result in the conversion of farmlands to a non-agricultural use, it can be concluded there is a less than significant impact on Farmlands of Statewide Importance.

b. The parcel is zoned AP (Agricultural Preserve). Wineries are considered an agricultural use and are a permitted use upon approval of a use permit within the AP zoning district. In addition, the subject property is currently under Williamson Act contract # 050311 AGK A. This contract allows for, "facilities for the processing of agricultural products including, but not limited to wineries, dairies, dehydrators, and fruit and vegetable packing plants" upon approval of a use permit. To maintain contractual requirements, the County requires the applicant to amend the contract to reflect the change in acreage due to the proposed Lot Line Adjustment. Therefore, the project as proposed will not conflict with existing zoning for agricultural use or a Williamson Act contract.

c. The project does not involve changes to the natural environment that would result in the conversion of Farmland to non-agricultural use. As discussed in "a." above, the proposed use is accessory to an agricultural activity. The parcel is currently planted with approximately 43.70 acres of vineyard which will supply the winery. Approximately 0.33 acres of vineyard will be removed to accommodate the construction of the winery building and paved areas. The construction of the proposed left turn lane will occur within an existing State highway right-of-way having no affect on existing agricultural lands. Because no other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, the project as proposed will have a less than significant environmental impact.

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"/>
f) Result in cumulatively considerable contribution to green house gases (GHG)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a. The project would not conflict with or obstruct implementation of the applicable air quality plan. The project site is located in the central area of the Napa Valley, which forms one of the climatologic sub-regions (Napa County Sub-region) within the San Francisco Bay Area Air Basin. This sub-region is consequently subject to the requirements of the Bay Area Air Quality Management District (BAAQMD). The project would not be in conflict with or obstruct implementation of the Ozone Maintenance Plan, Carbon Monoxide Maintenance Plan or the Bay Area 1991 Clean Air Plan, under the Federal Clean Air Act. BAAQMD CEQA Guidelines (1999) regard emissions of PM-10 and other pollutants from construction activity to be less than significant if dust and particulate control measures are implemented. Standard dust and particulate control measures are included as conditions of approval in this project. They include applying sufficient quantities of water and/or dust palliatives during grading or other ground disturbing activities and disallowing construction activities during windy periods as follows:

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 during windy periods.

The topographical and meteorological features of the valley create a relatively high potential for air pollution. Temporary, short-term construction equipment emissions are included in the emission inventory basis for the regional air quality plans. While construction emissions would have a temporary effect, operational emissions would continue to affect air quality throughout the lifetime of the project. These long term emission sources would consist primarily of vineyard operations (which would remain at current levels), and mobile sources including deliveries and vehicles visiting the site. The *Bay Area Air Quality Management District CEQA Guidelines*, has determined that projects that do not exceed a threshold of 2,000 vehicle trips per day and whose project size is not within 20% of the values indicated in Table 6 of the guidelines, "will not impact air quality and do not require further study." As stated in the project narrative, marketing events (consisting of three weekly 75 person events, 4 annual 150 person events and one annual 100 person Wine Auction event), are included in the daily trips generated from the anticipated busiest day visitor count of 210 persons per day. Based on Mr. Mark Crane, PE traffic engineer, a daily trip generation on busiest harvest day for the project increment increase is projected at 92 inbound and outbound trips. Both trip totals are well below the established threshold of significance outlined in the BAAQMD CEQA Guidelines and impacts are less than significant.

b. There are no projected or existing air quality violations in the area to which this proposal would contribute. The project would not result in any violations of applicable air quality standards. As stated above, the project is within the San Francisco Bay Area Air Basin. The San Francisco Bay Area Air Basin is currently classified as nonattainment for both state and federal ozone precursors and for state PM₁₀ standards. This project will not change the current attainment status for this air basin. The BAAQMD has determined that land uses that generate fewer than 2,000 trips per day would not generally be expected to have potentially significant air quality impacts. This project is expected to generate approximately 92 vehicle trips per peak day (employees and visitors) and eight harvest season truck trips per peak day. Thus, relative to the BAAQMD threshold, this project will not generate a significant number of daily traffic trips. As a condition of approval, the proposed project also requires incorporation of the following BAAQMD feasible control measures: water all active construction areas at least twice daily; cover all trucks hauling loose material or maintain at least 2 feet of freeboard; pave, apply water three times daily or apply non toxic soil stabilizers on all unpaved access roads, parking and staging areas at the construction sites; sweep daily with water sweepers all paved access roads, parking and staging areas at the construction sites; and sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets. Post construction, air emissions would result from vehicles associated with routine winery operations and maintenance. Vineyard operations and maintenance activities would remain as they currently exist. With the incorporation of applicable air quality standards into the project conditions of approval, impact on air quality will be less than significant.

c. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard. As discussed above, standard conditions of approval regarding dust suppression and the below threshold BAAQMD daily vehicle trips limit any potential for impacts to a less than significant level.

d-e. The project will not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. The BAAQMD defines exposure of sensitive receptors to toxic air contaminants and risk of accidental releases of acutely hazardous materials (AHMs) as potential adverse environmental impacts. Examples of sensitive receptors include schools, hospitals, convalescent facilities and residential areas with children. There are no sensitive receptors in the vicinity of the project site. The BAAQMD has defined potential odor impacts based on a list of specific types of facilities, such as wastewater treatment plants, landfills, refineries, etc. This project is not expected to generate odors other than the processing of grapes into wine juice, which occurs generally 3 months per year. The nearest residence is located northwest 1,277 feet of the project site.

f. Emitting Green House Gases (CO₂e) into the atmosphere does not in and of itself constitute an adverse environmental impact. It is the increased concentration of CO₂e in the atmosphere resulting in global climate change and the associated consequences of climate change that results in adverse environmental impacts (e.g., sea level rise, loss of snowpack, severe weather events).

Neither the State nor the BAAQMD has identified a significance threshold for GHG emissions or a methodology for analyzing air quality impacts related to greenhouse gas emissions. The State has identified 1990 emission levels as a goal through adoption of AB 32. The 1990 GHG emission level was 463 million metric tons or 463 MMT CO₂e. (More current Guidance/Goal numbers have not yet been formally released.)

Although it is possible to generally estimate a project's incremental contribution of CO₂ into the atmosphere, it is not possible to determine whether or how a project's incremental contribution might translate into physical effect on the environment. Given the complex interactions between various global and regional-scale physical, chemical, atmospheric, terrestrial, and aquatic systems that result in the physical expressions of global climate change, it would be difficult to discern whether the presence or absence of CO₂ emitted by this project would result in any altered conditions.

However, there are effective reduction measures/actions that would reduce a project's potential contribution. These measures include the use of Energy Star program certified projects, using LEED program bench marks, the use of LED lighting, use of appropriate landscaping with water

efficient irrigation, shade trees, pervious surfaces, alternative waste water systems, reuse/recycle/recovery plan for grading spoils, construction waste and composting. (Reference: Ca OPR, AG, ILG, ARB, General Plan, California Building Code Title 24).

As mentioned previously, the County requires the submittal of a landscaping plan prior to issuance of any building or grading permit as a standard condition of approval. The landscaping plan will require pervious (concrete pavers, gravel) and impervious surfaces (asphalt) to be incorporated into the plan and a planting design that utilizes a variety of drought tolerant shade trees and shrubs. Newly constructed building must meet the minimum standard requirements for energy efficiency. Under the Dept. of Environmental Management's standard condition of approval: "Adequate area must be provided for the collection of recyclables. The winery waste water system includes using the vineyard as part of the system (through the use of an on-site pre-treatment and subsurface drip system) as a routine winery waste water practice similar to other wineries with vineyards in Napa County. These conservation requirements are known to lessen the effects of green house gases and therefore, less than significant effects would be anticipated with respect to (f).

Mitigation Measures:

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 checked="" 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, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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"/>

Impact Discussion:

a-b. No riparian habitat, wetlands or vernal pools have been identified on the property nor is the project site located within an area delineated as biologically sensitive on Napa County Environmental Resource Maps(based on the following layers - plants CNPS points & polygons, plant surveys, red legged frog core area and critical habitat, vernal pools & vernal pool species, and spotted owls) and no known candidate, sensitive, or special status species have been identified as occurring within the project boundaries. The project is located approximately 3,000 feet away from both the Napa River to the west and Conn Creek to the east. The proposed project will be located on a parcel that has historically been utilized for agriculture thus resulting in no conversion of potential habitat or removal of native vegetation.

c. The project would not have a substantial adverse effect on federally protected waters and wetlands as defined by Section 404 of the Clean Water Act. There are no federally protected waters or wetlands located within the project site or subject parcel.

d. The project site is not located within an area that is designated a flyway for migratory birds. Additionally, the proposed project location is within an area that has been previously disturbed. This proposal does not include a fence or any other features that could 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 (see discussion under "a").

e. The project is consistent with biological resource policies relative to the County General Plan and the County Conservation Regulations. The proposed project does not involve any work to take place within required stream setbacks per Chapter 18.108 of the Napa County Code. The trees subject to removal along the shoulder of Rutherford Road (St. Hwy 128) are non-native, ornamental trees and are not subject to Napa County General Plan policies.

f. There are no Habitat Conservation Plan, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans in effect for this area that would be affected by this project. Therefore, no environmental effects are anticipated with respect to e. or f. above.

Mitigation Measures:

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"/>

Impact Discussion:

a-b. According to the Napa County Environmental Resource Maps (based on the following layers –Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historical, archaeological, or paleontological resources, sites or unique geological features have been identified on the property. This conclusion is supported by an historical report prepared by the cultural resource consultants, Archeo-Tec of Oakland, California, who evaluated lands in the area of the project site in June of 1988. The study completed at that time included the entirety of the property once known as the Keig Ranch. The northeastern portion of the former ranch is now where the Round Pond Winery project is located. The study found an archaeologically sensitive area adjacent to the Napa River some 2,300 feet southwest of the project site but found no other sites on the remaining ranch lands. The report also noted that sensitive materials could be deeply buried in excess of nine feet even though no surface manifestations exist on the ground. They concluded by recommending that if unanticipated cultural resources are found that construction cease and a qualified archaeologist be retained to assess significance and remediation of the site.

The existing winery building is approximately 200 feet north of the proposed winery barrel storage building. When the original winery was constructed, no historical, archaeological, or paleontological resources were encountered on the property and there is no new information that would indicate that there is a potential for occurrence of these resources. The proposed barrel building will be constructed as a slab on grade requiring no subsurface excavation for the foundation. Additionally, Caltrans comments indicate: "There are no known prehistoric sites within the Right-of-Way of the project area." As stated in Napa County's standard conditions of approval and Caltrans' comments dated November 20, 2008, if resources are found during construction of the new barrel building, associated on-site construction or the new left turn lane, construction shall be required to cease and a qualified archaeologist shall be retained to investigate the site. The archaeologist shall recommend appropriate

mitigation to Napa County, which shall determine what measures are appropriate and feasible. Such measures may include avoidance, removal and preservation, and/or recordation in accordance with accepted professional archaeological practice:

Napa County: 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 Conservation, Development and Planning 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 the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

Caltrans 11/20/2009 Letter: Should project-related ground disturbing activities take place as part of this project within the State ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and Caltrans Standard Environmental Reference Volume 2, all construction within 50 feet of the find shall cease. The Department's District 4 Cultural Resource Study Office shall be immediately contacted at (510) 286-5618. The Staff archaeologist will evaluate the finds within one business day after contact. Archaeological resources may consist of, but are not limited to, dark, friable soils, charcoal, obsidian or chert flakes, grinding bowls, shell fragments, or deposits of bone, glass, metal, ceramics, or wood.

With the inclusion of the above comments from Caltrans and Napa County standard conditions of approval for the project, no substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5 is anticipated.

c. No unique paleontological or unique geological features are known to be located on or in the vicinity of the project site. As a result, neither this project nor any foreseeable resulting project will cause a substantial adverse change in the significance of a paleontological or unique geological feature. 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 standard conditions of approval as described in (a.-b.).

d. No human remains have been encountered on the property during past construction activities and no information has been encountered that would indicate that this project would encounter human remains. 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 standard conditions of approval as described in (a.-b.)

Mitigation Measures:

None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a.
- There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed facility would result in a less than significant impact with regards to rupturing a known fault.
 - All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the facility must comply with all the latest building standards and codes at the time of construction, including the California Building Code which would reduce any potential impacts to a less than significant level.
 - No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the project appears to be located in an area of low to medium liquefaction. A soils report, prepared by a qualified Engineer will be required as part of the building permit submittal. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods. The facility will be constructed to comply with all the latest building standards and codes at the time of construction, including the California Building Code which would reduce any potential impacts to a less than significant level.
 - The Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) did not indicate the presence of landslides on the property.

b. The project site will occur on slopes less than 5%. The soils on site are Cortina very gravelly loam and Pleasanton Loam. The runoff is slow with slight erosion potential. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is composed primarily of soils in the Pleasanton loam series with soils in the Cortina very gravelly loam series in the southeast corner of the site. Pleasanton loam has a permeability that is moderately slow and occurs on slopes of 0% to 5% on elevations from 50 to 600 feet above mean sea level (MSL.) Runoff is slow and hazard of erosion is slight. This soil type is found mainly on alluvial fans and flood plains. Cortina very gravelly loam has a rapid permeability, occurring also on slopes of 2% to 5% but with elevations between 100 and 500 feet above MSL. Runoff is slow with a slight hazard of erosion. Project approval will require incorporation of best management practices and will 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. This plan will be reviewed by the Department of Public Works and approved prior to the issuance of a building permit for any part of the project.

c/d. Late Pleistocene-Holocene fan (Qf) and Holocene fan (Qhf) deposits underlie the surficial soils in the project area. Based on Napa County Environmental Sensitivity Mapping (liquefaction layer) the project site has a low to moderate susceptibility to liquefaction. The, *Soil Survey of Napa County, California*, (G. Lambert and J. Kashiwagi, Soil Conservation Service), Table J1 - Physical Properties of the Soils indicates the Shrink-Swell potential (i.e. expansive soil characteristics) for Cortina soils is low (< 3%) and for Pleasanton soils is low to moderate (0 – 5.9%). A soils report, prepared by a qualified Engineer will be required as part of the building permit submittal. The report will address the soil stability, expansive soils and potential for liquefaction and will be used to design specific foundation systems and grading methods. The facility will be constructed to comply with all the latest building standards and codes at the time of construction, including the California Building Code which would reduce any potential impacts to a less than significant level.

e. Summit Engineering, Inc. conducted a wastewater feasibility study for the applicant in September 2008. The Napa County Department of Environmental Management has reviewed and made recommendation for approval based on the submitted wastewater feasibility report and septic improvement plans and subject to conditions of approval dated March 24, 2009. Soils on the property have been determined to be adequate to support the entirety of the process wastewater system and improvements to the existing septic system proposed here. With the proper approvals and a plan designed by a licensed professional, this project would result in a less than significant impact.

Mitigation Measures:

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"/>
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"/>

Impact Discussion:

a/b. The proposed project will not involve the routine transport, use, or disposal of hazardous materials other than those small amounts normally used in winery operations. This modification will not involve removal of existing structures or pipes. Therefore, possible exposure to lead paint and/or asbestos from these sources is not anticipated. As confirmed on May 1, 2009, by the Department of Environmental Management, a Hazardous Materials Business Plan is currently on file with the most recent certification having taken place on June 27, 2008. An updated plan is required by the Department of Environmental Management to be submitted for review, approval, and future monitoring prior to occupancy of the new winery storage building proposed here. Part of the plan includes a CUPA - Related Business Activity Form disclosing whether the applicant intends to store hazardous materials on site. These hazardous materials could include equipment related liquids (fuel, solvents, and lubricants) as well as agricultural related fertilizers and pesticides. The Dept. of EM (comments dated March 24, 2009) requires the submittal of an updated

Business Activities Form, and/or a Hazardous material Business Plan should the material reach reportable levels. This documentation and monitoring reduces the potential environmental impact to a less than significant level. The proposed project would not result in the release of hazardous materials into the environment.

c. There are no schools located within one-quarter mile from the proposed project site.

d. The proposed site is not on any known list of hazardous materials sites. Caltrans' comment dated November 20, 2008 indicated the project area has a known leaking underground storage tank (LUST) and was also in the vicinity of a known Hazardous Facilities site and recommended soil sampling and testing during the design phase of the project. However, thorough investigation of all Napa County source records (Napa County GIS and Environmental Management files) indicates the two sites in question are: Site One - not an LUST site but instead a known agricultural underground storage tank (UST) that was not leaking and located over one-half mile from the project site; and, Site Two - a closed hazardous facilities (HazFac) site that is over one mile from the project site which, according to Napa County's registered geologist, "is too remote to be of credible concern". The Department of Environmental Management has included a condition of approval in their comments that the applicant must cease construction activities immediately if "any soil contamination is encountered during site excavation". Christopher Wilson, of Caltrans Office of Environmental Engineering, subsequently revised the initial November 20th Hazardous Waste comment in an email dated April 6, 2009. In it he states Caltrans is satisfied that the County's explanations/clarifications of the sites is sufficient to their satisfaction. No further investigation regarding soil sampling and testing was indicated. Based on a thorough investigation of the status of the sites by the County's registered geologist and with the inclusion of the aforementioned condition of approval from the Department of Environmental Management, it can be concluded that a significant hazard to the public or the environment will not be created.

e. The project site is not located within two miles of any public airport.

f. The project site is not located within the vicinity of any private airports.

g. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan. The project as proposed has been designed to comply with emergency access and response requirements and has been reviewed by Napa County departments responsible for emergency services; it will not have a negative impact on emergency response planning.

h. The subject parcel is located on the floor of the Napa Valley and is surrounded by extensive vineyards. It is not located in a wildland area and is not located in the wildland-urban interface. Therefore, the project would not increase exposure of people and/or structures to a significant loss, injury, or death involving wildland fires.

Mitigation Measures:

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"/>
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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a. The proposed project will not violate any known water quality standards or waste discharge requirements. The Napa County Department of Environmental Management and the Department of Public Works reviewed the proposed project and found it complies with all applicable water quality and waste discharge requirements. Since the proposed project disturbance exceeds one acre, the applicant is required to obtain a pre and post construction related Storm Water Pollution Management Permit from the California State Regional Water Quality Control Board as well as a Napa County Public Works Grading Permit. These permits will provide for adequate on-site containment of runoff during storm events by requiring siltation measures around the development area and ensuring detention basins are adequately designed for storm water mitigation. A modification of the existing septic system is proposed and a feasibility study has been prepared that displays the applicant's ability to adequately re-design the existing system to handle the project's waste. Therefore, as conditioned, the project does not have the potential to significantly impact water quality and discharge standards.

b. The project would not result in a substantial depletion of groundwater supplies or interfere with the recharge of groundwater supplies. The applicant prepared a Phase I Water analysis for the project which was reviewed by the Napa County Department of Public Works. The project is located on the floor of the Napa Valley in an area that has an established standard for acceptable water use criteria of 1 acre foot per acre per year on a 46.23 acre parcel resulting in a maximum total for the property of 46.23 acre feet per year. Water for the existing winery and proposed winery barrel storage building will be supplied by an existing on-site well. The Phase 1 Water Availability Analysis indicated that the estimated water demand for the site at build-out would be 16.74 acre-feet of water per year including: 2.65 af/yr for the proposed winery production and 14.09 af/yr for the proposed resulting vineyards and landscaping. The proposed increase in production and visitors results in an increase of 1.79 acre-feet/year over all existing uses for the winery and vineyards. Landscaping and future domestic uses are included in the existing and projected usages. Since the projected increase is within the water use threshold for the property, the project would not have a significant impact on groundwater supplies or static water levels neighboring wells.

c/d. The proposed project will not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation or increase the rate or amount of surface runoff resulting in flooding on or off site. The proposed site improvements are located 3,000 feet from the nearest drainages (Napa River and Conn Creek) and no changes are proposed within or near the river or creek channels. The site has been previously graded and developed with a winery and vineyard. The graded area of the proposed new project has an average slope of less than 1%. Erosion control measures will be incorporated into the grading and improvement plans appropriate to its maximum slope to manage onsite surface drainage and erosion of onsite soils during pre and post construction and winter months (October to April).

There will be an increase in the overall impervious surface resulting from the new barrel building, paved areas and parking area. However, drainage mitigations (such as the proposed detention basin) will be included in the grading and improvement plans that are required prior to

commencement of any construction activities. Because erosion control measures are included for pre and post construction for the project, the increase in impervious surfaces will not effect a discernable change to the amount of groundwater filtration, surface runoff, siltation or flooding. Since no substantial alteration of existing drainage is likely to occur, it can be concluded there will be a less than a significant impact.

e. The area surrounding the development area is pervious ground with the capacity to absorb runoff. In addition, the project is required to submit a site development plan as part of the building permit application, including implementation of storm water and erosion control Best Management Practices under the standards developed in the County's National Pollutant Discharge Elimination System, Phase II Stormwater Permit. This is required by County Code and is a standard practice on all County development projects. Since there will be more than one acre of disturbed area for the project, a pre and post Storm Water Pollutant Elimination permit (SWPPP) will be required to minimize pollutant runoff from pre and post construction and agricultural activities. With the implementation of the requirements of the Best Management Practices the impact will be less than significant impact.

f. There are no other factors associated with this project that would substantially degrade water quality. The Department of Environmental Management has reviewed the wastewater proposal and has found it to be adequate to meet the facilities wastewater needs. The Department of Public Works has reviewed the estimated water usage on the project, and found that there is adequate water to serve the proposed and existing uses. There is no information in the record that would indicate a substantial impact to water quality.

g-i. The subject parcel falls within FEMA Flood Zone A E, 100 year floodplain with a base elevation between 150 and 156 feet above mean sea level. No housing is proposed as part of this project. However, as part of the proposed winery addition, the applicant is required to obtain a floodplain management permit from the Public Works Department and demonstrate that all new construction does not affect the existing base flood elevation. The applicant will be responsible for completing an Elevation Certificate for the completed structures inside a flood hazard area prior to occupancy. Compliance with the requirements of the floodplain management permit will reduce potential impacts to less than significant. The site is also within the inundation area for Conn Dam. If the dam were to fail, all employees and visitors would be subject to sudden deluge of water and debris. However, dams are subject to regular inspection by the California Department of Conservation, Division of Dam Safety, and the State's ongoing dam inspection program insures that any risks associated with dam failure are less than significant.

j. The project site is located on nearly level land in the center of the Napa Valley. It is three miles from the nearest lake (Lake Hennessey) and is many miles from the San Francisco Bay. In the unlikely event that a seiche and resulting mudflow would occur at Lake Hennessey or that a tsunami enters the bay, any surge would dissipate well before reaching Napa or the project site. Potential for inundation by seiche, tsunami, or mudflow is considered less than significant.

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"/>

Impact Discussion:

a-c. The project as proposed, will not physically divide an established community nor will it conflict with any other applicable regulations or habitat conservation plans or natural community conservation plans. The project is in an area of similar rural, agricultural development and activities and the improvements proposed are in support of the ongoing agricultural use of the property and surrounding lands. The proposed project is fully consistent with the recently adopted Napa County General Plan 2008, Agricultural and Land Use Element policy AG/LU-1 which states that, "Agriculture and related activities are the primary land uses in Napa County. The property's General Plan land use designation is AR (Agricultural Resource), which allows agriculture and the "processing of agricultural products." More specifically, Agricultural and Land Use Element policy

AG/LU-2 of the County General Plan recognizes wineries, and any use clearly accessory to a winery, as agriculture. The project site is zoned Agricultural Preserve (AP) which allows wineries and associated improvements upon approval of a use permit and provided that all of the conditions set forth in the Napa County Zoning Ordinance are met. As a result of the proposed increases in visitation, marketing events and employees, parking requirements for the project will increase from 13 existing spaces to 43 spaces. Of these new spaces, 23 will be constructed over the existing east property boundary. Because parking is considered an accessory use to the principle agricultural winery use, a lot line adjustment will be required to bring the parking area onto the principle winery use parcel. A condition of approval for the recordation of the Lot Line Adjustment will be required prior to issuance of the final certificate of occupancy for the new barrel building thus ensuring the use permit modification will be in full compliance with the existing Agricultural Preserve zoning regulations. There are no habitat conservation or natural community conservation plans adopted by the County. Since the project will not divide a community nor be in conflict with any land use or conservation plan, policy or regulation, no impacts are anticipated with respect to (a-c).

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"/>

Impact Discussion:

a-b. Based on the recently adopted Napa County General Plan (2008) and the Napa County Environmental Sensitivity maps (Soil Type, Surficial Deposits Overlays) the proposed the project site does not contain any known mineral resources nor is it designated as a locally important mineral resources recovery site and therefore project would not result in impacts to mineral resources.

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 groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>

Impact Discussion:

a/b. The proposed project will result in a short-term temporary increase in noise levels during the project construction phase. Construction activities will be limited to daylight hours using properly muffled vehicles and noise generated during this time is not anticipated to be significant. Construction activities would generally occur during the period between 7 am and 7 pm on weekdays - normal waking hours. All construction activities and future long term winery agricultural activities will be conducted in compliance with Napa County General Plan Community Character Policy CC-38 with respect to standards for wineries for maximum exterior noise levels as established in the County's Noise Ordinance (County Code Chapter 8.16). The project would occur on a site already developed with a winery. The addition of a wine storage building will not result in the uses or activities that would generate excessive ground-borne vibration or ground-borne noise levels. The proposed project would not result in long-term significant permanent construction noise impacts.

c/d. The proposed project will produce neither a substantial permanent nor temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The existing winery building is set back approximately 1,500 feet from Rutherford Road (St. Highway 128) – a State highway. The closest residential uses are on two parcels: one at 1,800 feet to the north across the highway and the other about 1,400 feet to the northwest of the project site. Both are subject to ambient noise produced from the existing day to day general winery operations. The anticipated level of noise to occur for the operation of the expanded facility would be typical of other wineries currently operating in the vicinity. In addition, the new barrel building will be situated behind the existing winery building. This will help shield new operational noise by focusing it towards the existing winery building rather than toward the residences. Outdoor noise-producing activities associated with the use would generally occur from 7:00 am to 6:00 pm, except during harvest. The Napa County Code (Chapter 18.16) and standard conditions of approval address noise related issues including but not limited to prohibiting outdoor-amplified sound systems or amplified music and require that mechanical equipment to be kept indoors or inside acoustical enclosures:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition 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 between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

Further, Napa County has a right to farm policy that proclaims that people may be subjected to noises and other annoyances from agricultural operations.

The project proposes increases in marketing events associated with the winery's existing marketing plan. This modification will create periodic increases in existing ambient noise levels because there will be more marketing events some of which will use the outdoor patio areas located on the 2nd floor of the existing winery. However, as discussed in c-d above, the Napa County Code (Chapter 18.16) and standard conditions of approval address noise related issues including but not limited to prohibiting outdoor-amplified sound systems or amplified music and require activities to cease prior to 10:00 P. M. These areas are located to the south and west side of the winery complex which are furthest away from the nearest residence. Thus, the design of the proposed project, together with adherence to the County Noise Ordinance, would ensure the proposed project would not result in substantial periodic or permanent increase in the ambient noise level in the project vicinity above levels existing without the project.

e/f. The project site is not located within an airport land use plan or within two miles of a public airport or within the vicinity of a private airstrip.

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"/>

Impact Discussion:

a-c. The project will involve modifications to an existing winery facility and expansion of the winery activities. However, the proposed project would not result in the inducement of substantial population growth, either directly or indirectly. No new homes or roads are proposed. The winery expansion will include an increase in employees from the originally approved four full-time and three part-time employees to ten full-time and four part-time employees. The current number of employees has undoubtedly led to some population growth in Napa County. However, based on the County's, *Baseline Data Report*, total housing units currently programmed in county and municipal housing elements exceed the Association of Bay Area Governments' (ABAG) growth projections by some 15%. Since the County has a projected low to moderate growth rate and overall adequate programmed housing supply, that population growth does not rise to a level of environmental significance. Additionally, the County has adopted a development impact fee to provide funds for constructing affordable housing. This fee is charged to all new non-residential development based on the gross square footage of building area multiplied by the applicable fee by type of use listed in Chapter 15.60.100 Table A. Payment of the fee is required prior to issuance of the building permit. This in-lieu housing fee is used to mitigate affordable housing needs and as a consequence, reduces housing impacts to a less than significant level. The project will not displace any housing or divide any established communities. No housing or people will be displaced as a result of the proposed project

Mitigation Measures:

None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<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
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a. The proposed project is not expected to change any existing level of public services or require any new facilities. Public services are currently provided to the site as the subject winery facility is already in full operation. The additional demand placed on existing services as a result of the winery expansion is expected to be marginal. According to Napa County Environmental Sensitivity Resource Maps (Fire Hazard Zones –CDF overlay), the site is not located within the California Department of Forestry designated "High" Fire Hazard Zone. Fire protection measures are required as part of the development. There will be no foreseeable impact to emergency response times as the property has good public road access and adequate area within the site to maneuver fire safety vehicles and equipment. The domestic and winery wastewater will be handled onsite by the proposed modification to the existing designed wastewater system. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures:

None are required.

	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-b. This project includes an increase in visitors to the winery site. Visits to local neighborhood and regional parks would be minimal and would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities since the focus of the visitor's activities is related to winery tours, tasting and marketing events. The project does not include recreational facilities or require the construction or expansion of recreational facilities that would have an adverse physical impact 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 checked="" type="checkbox"/>	<input 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 results 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 checked="" type="checkbox"/>	<input 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"/>
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"/>

Impact Discussion:

a-b. The current proposal includes: (1) increasing production from 20,000 gallons per year to 100,000 gallons per year; (2) increasing the number of full-time employees from 4 to 10 and part-time employees from a maximum of 3 to 4; (3) increasing the number of on-site parking spaces from 13 existing (11 previously approved) to 43; (4) increasing tours and tasting by prior appointment from 15 to 60 visitors on the busiest day; and, (5) increasing the existing Marketing Plan as follows: private promotional tastings with meals from 24 events per year to three events per week with a maximum of 75 persons per event; four promotional release events with an increase from 50 to 150 persons per event; and one Napa Valley Wine Auction event with an increase from 50 to 100. Marketing activities would occur outside the weekday and Saturday peak traffic hours which are considered by the project's traffic consultant, Mark Crane, P.E., to be 4:00 – 5:00 PM for Friday peak hour and 3:00 – 4:00 PM for Saturday afternoon peak hour.

As described in the Round Pond Traffic Report by Mark Crane, P.E., dated September 4, 2008, "State Highway 128 (Rutherford Road) is a two-lane regional arterial roadway with 10.5 wide lanes and wide gravel shoulders in most locations...It is level and straight in the project vicinity and a 10-foot-wide paved shoulder is provided on the north side of the highway extending easterly from about 150 feet west of the Round Pond winery driveway to the Honig Winery Driveway. In addition, wide paved flares are provided on both sides of the Round Pond Winery driveway connection, each about 30 feet deep and 75 feet long, to facilitate turns to/from the Round Pond Winery driveway." The report also states there is no left turn lane provided either on the westbound St. Highway 128 approach to the Round Pond Winery driveway or the eastbound St. Highway 128 approach to the Honig Winery driveway however, "the sight lines for drivers exiting Round Pond Winery driveway to St. Highway 128 are excellent in both directions (exceeding 1,000 feet to the east and west)".

The Caltrans 2007 Traffic and Vehicle Data System reports the Annual Average Daily Traffic (AADT) volume for St. Highway 128 is 3,100 vehicles, based on counts taken on St. Highway 128 east of St. Highway 29. According to Mr. Crane's Round Pond Winery Traffic report (9/4/2008), St. Highway 128 (Rutherford Road) operates at a level-of-service (LOS) "B" in the vicinity of the project site. This means that traffic generally operates with short traffic delays averaging 10 – 15 seconds in length at un-signalized or in this case, Round Pond Winery outbound stop sign controlled traffic from the winery driveway.

The report states, "The project will be providing a left turn lane on the westbound St. Highway 128 approach to the Round Pond Winery entrance."... "At most, a 75-foot left turn lane would be required for storage purposes (to accommodate a truck). Provision of a normal taper into the turn lane and the transition back to a two-lane section would extend through the driveway on the north side of the road serving the Honig Winery and the Round Pond Olive Oil Sales. However, should widening extend easterly, a left turn lane could also be provided on the eastbound S.R. 128 approach to the Honig Winery-Round Pond Olive Oil Sales driveway". With the project improvements, the study indicates the 2010 project impacts during harvest conditions will be an addition of only one vehicle during the Friday PM peak hour and one vehicle during the

Saturday afternoon peak hour for the 95th percentile vehicle queue in the westbound St. Highway 128 left turn lane approaching the Round Pond Winery driveway. The average sized marketing events and large marketing events would occur during the midday on weekends starting at 11:00 AM or during the evening hours for Friday, Saturday or Sunday events starting at 7:00 PM. Thus, none of the planned marketing events would therefore impact traffic flow along St. Highway 128 during peak traffic hours. The report concludes that with the provision of the left turn lane, the projected Year 2010 Project Impacts during peak hour Harvest conditions "at the St. Highway 128 /Round Pond Winery intersection for the stop sign controlled Round Pond Winery intersection approach would maintain acceptable LOS B operation with the addition of project traffic during all Friday and Saturday peak traffic hours along St. Highway 128. This would be a less than significant impact."

Caltrans has commented a left turn lane is required. They have reviewed the left turn lane improvement plans and have recommended a two-way left turn lane vs. a back-to-back left turn pocket as suggested by the applicant's traffic consultant. (See Caltrans comments dated November 20, 2008.) In addition, Caltrans will require utility pole relocation, Right-of-Way (ROW) dedication to the State if additional roadway is needed, conformance to the Department's Highway Design Manual and all other requirements as stated in their letter of comment dated November 20th, 2008, (and as subsequently revised by email on December 12, 2008 eliminating the Marketing Event Shuttle plan requirement and again by email on April 6, 2009 eliminating the Hazardous Materials soil sampling requirement) as well as their 2nd letter of comment dated March 16, 2009. Napa County Planning standard condition of approval will require off-site parking and shuttle service to the winery if the event exceeds the available on-site parking. Thus, with the inclusion of the left turn lane as required by Caltrans and Napa County standard condition of approval for large events, the project would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system nor result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections.

c. This project will not have any impact on air traffic patterns. This project does not involve air traffic.

d/e. This project does not include any design features or incompatible uses that will impact traffic on Rutherford Road or existing driveway access to the winery (see discussion under "a"). Improvements to the winery driveway are required to meet current County Road and Street Standards. Existing ornamental landscaping trees while required to be replaced as a standard condition of approval, will be relocated out of the Caltrans ROW. The project has been reviewed by the California Department of Forestry and Fire Protection (CDF) and has provided project specific comments that will be included in the projects conditions of approval. The project will be required to comply with CDF codes and standards regarding emergency access to proposed winery structure.

f. There is currently parking for 13 vehicles provided on site. Parking for a total of 43 vehicles is included as part of the current proposal. These parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors. Additional parking will be required during the marketing events. The applicant has sufficient space to accommodate additional parking throughout the remainder of the property. In event additional parking is required for an event a standard condition of approval require that the applicant provide a shuttle service from nearby legally established parking areas to accommodate any overflow parking. No parking will be permitted within the right-of-way of Rutherford Road (St. Highway 128).

g. The project will not conflict or have any impact on policies, plans, and programs supporting alternative transportation.

Mitigation Measures:

The permittee shall implement the following mitigation measures:

1. Prior to issuance of certificate of occupancy or temporary certificate of occupancy for the new barrel building or commencement of any increases in visitation or marketing, a two-way left turn lane shall be constructed on State Highway 128 in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity as required by their letter of comment dated November 20th, 2008, (as subsequently revised by email on December 12, 2008, eliminating the Marketing Event shuttle plan requirement and again by email on April 6, 2009, eliminating the Hazardous Materials soil sampling requirement) as well as their 2nd letter of comment dated March 16, 2009, and incorporated herein by reference into the project conditions of approval under "COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES".
2. All marketing activities shall be conducted during the off-peak hours and avoid the peak hours which are considered to be from 4-5 pm for Friday peak hour and 3-4 pm for Saturday afternoon peak hour. The start and finish time of marketing activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any marketing activity is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a. The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board and will not result in a significant environmental impact due to wastewater discharge. Wastewater disposal will be accommodated on-site in compliance with State and County regulations.

b. The project proposes an increase of production capacity to 100,000 gallons per year and increases to visitor and hospitality serving uses. Based on the Water Feasibility Study by Summit Engineering dated September 2008, "The disposal of sanitary sewage (SS) from the proposed visitors, employees, and marketing events will be accommodated in the existing pressure distribution (PD) leachfield. Additional septic and grease tankage will be required, but the size of the PD leachfield will be adequate to handle the increase in SS flows. The existing leachfield is 1,080 lineal feet and covers an area of approximately 10,800 square feet with an additional 10,800 square feet identified for reserve area. Round Pond Winery proposes to construct a new pretreatment and subsurface disposal system to accommodate process wastewater (PS) flows project from the proposed 100,000 gallon winery." The proposal was reviewed by the Napa County Department of Environmental Management with a recommendation of approval with conditions. As proposed and conditioned, the modification of the existing wastewater facilities will not result in a significant environmental effect.

c. A Storm Water Pollution Prevention Plan (SWPPP) which lists Best Management Practices for erosion control would be required as part of the project by the Public Works Department. No new construction of storm water drainage facilities or expansion of existing facilities would result from the project which could cause any significant environmental effects.

d. A Phase One Water Availability analysis was prepared by the applicant stating that adequate water is available from the existing on-site well with sufficient capacity to serve projected needs. The analysis was subsequently reviewed and approved by Napa County Public Works Department. No new or expanded entitlements are needed.

e. Wastewater will be treated onsite by the proposed modifications to the existing engineered septic system and does not require a wastewater treatment provider.

f-g. The project will be served by a landfill with sufficient capacity to meet the projects demands. No significant impact will occur from

the disposal of solid waste generated by the project. The project will comply with federal, state, and local statutes and regulations related to solid waste.

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

Impact Discussion:

a. The site has been previously developed with a winery, vineyards, and associated improvements and does not contain any known listed plants or animal species. The proposed 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, 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. There are no distinguishable wildlife corridors in the development area. The new construction would not have a significant impact on biologic resources.

b. The proposed project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts are discussed in their respective sections above.

c. The proposed project would not result in any environmental effects that will cause substantial adverse effects on human beings.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. SUBSEQUENT EIR OR MITIGATED NEGATIVE DECLARATION				
a) Are substantial changes proposed in the project which will require major revisions of the previous EIR or mitigated negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Are substantial changes proposed in the project which will require major revisions of the previous EIR or mitigated negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or mitigated negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or mitigated negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Has new information of substantial importance been identified, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the mitigated negative declaration was adopted which shows any of the following:				
1. The project will have one or more significant effects not discussed in the previous EIR or mitigated negative declaration.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Significant effects previously examined will be substantially more severe than shown in the previous EIR mitigated negative declaration.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents have declined to adopt the mitigation measure or alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or mitigated negative declaration that would substantially reduce one or more significant effects on the environment, but the project proponents have declined to adopt the mitigation measure or alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-e. The changes to the proposed project since adoption of the previous Mitigated Negative Declaration (MND) generally consists of increasing production capacity, increasing the number of visitors and the number of full and part-time employees, adding a winery storage building and providing additional on-site parking (after a Lot Line Adjustment), increasing existing visitor levels and marketing events, modifying the existing domestic and process wastewater system, and improving internal circulation. Mitigation measures have been proposed and discussed which ensure that project related traffic impacts are reduced to a less than significant level.


PROJECT REVISION STATEMENT

ROUND POND WINERY
USE PERMIT MODIFICATION #P08-00548-MOD
APN: 030-140-022 and 30-140-023 (subject to a lot line adjustment)

I hereby revise my request to include the Subsequent Mitigation Measures specified below:

1. Prior to issuance of certificate of occupancy or temporary certificate of occupancy for the new barrel building or commencement of any increases in visitation or marketing, a two-way left turn lane shall be constructed on State Highway 128 in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity as required by their letter of comment dated November 20th, 2008, (as subsequently revised by email on December 12, 2008 eliminating the Marketing Event shuttle plan requirement and again by email on April 6, 2009 eliminating the Hazardous Materials soil sampling requirement) as well as their 2nd letter of comment dated March 16, 2009, and incorporated herein by reference into the project Conditions of Approval - Compliance With Other Departments and Agencies.
2. All marketing activities shall be conducted during the off-peak hours and avoid the peak hours which are considered to be from 4-5 pm for Friday peak hour and 3-4 pm for Saturday afternoon peak hour. The start and finish time of marketing activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any marketing event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.


Signature of Owner(s)

Ryan MacDonnell
Print Name

Owner
Interest

PROPOSED SUBSEQUENT MITIGATION MONITORING AND REPORTING PROGRAM

ROUND POND WINERY / USE PERMIT MODIFICATION P08-00548-MOD APN: 30-140-022/30-140-023 (SUBJECT TO LOT LINE ADJUSTMENT)

Subsequent Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
TRANSPORTATION/TRAFFIC:			
<p>A two-way left turn lane shall be constructed on State Highway 29 (Rutherford Road) in conformance with the requirements of the California Department of Transportation to reduce potential traffic hazards in the general vicinity as required by their letter of comment dated November 20th, 2008, (as subsequently revised by email on December 12, 2008, eliminating the Marketing Event shuttle plan requirement and again by email on April 6, 2009, eliminating the Hazardous Materials soil sampling requirement) as well as their 2nd letter of comment dated March 16, 2009, and incorporated herein by reference into the project Conditions of Approval - Compliance With Other Departments and Agencies.</p> <p>All marketing activities shall be conducted during the off-peak hours and avoid the peak hours which are considered to be from 4-5 pm for Friday peak hour and 3-4 pm for Saturday afternoon peak hour. The start and finish time of marketing activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any marketing activity is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.</p>	<p>1 (a). CALTRANS/ PUBLIC WORKS</p>	<p>1 (a). An encroachment permit shall be obtained from Caltrans for work proposed in the Caltrans Right-of-Way. The improvement plans for a two-way left turn lane shall be approved in conformance with the requirements as specified by Caltrans, prior to the approval of any permit for road construction or grading related to the two-way Left Turn.</p>	
	<p>1 (b). PUBLIC WORKS/ PLANNING</p>	<p>1 (b). Prior to issuance of a final certificate or temporary certificate of occupancy for the new barrel building or commencement of any increases in visitation or marketing, Caltrans shall inspect and verify all improvements relating to the two-way left turn lane are completed to their satisfaction.</p>	
	<p>2. PLANNING</p>	<p>2. Periodic checks and complaint initiated field visits.</p>	