

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

**Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration**

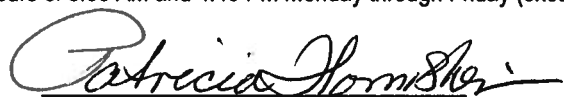
1. **Project Title:** Venge Winery Use Permit Application # P08-00647-UP and a Request for an Exception to the Napa County Road and Street Standards Application #W09-00169
2. **Property Owner:** Dianna Venge, Kirk Venge and Erika Phillips (Tenants in Common)
3. **Contact person and phone number:** Patricia Homisher, Project Planner, (707) 253-1349, [thomish@co.napa.ca.us](mailto:thomish@co.napa.ca.us)
4. **Project Locations and APN's:** The winery project is located at 4708 Silverado Trail, Calistoga, CA approximately 1/2 mile south of the City of Calistoga and 1,188 feet northwest of Dunaweal Lane; Assessor's Parcel #: 020-350-038. The proposed location of the Exception to the Napa County Road and Street Standards is the existing private driveway serving the proposed project site and four other parcels from Silverado Trail; Assessor Parcel #'s: 020-350-003, 020-350-005, 020-350-006, 020-350-038 and 020-350-037.
5. **Project Sponsor's Name and Address:** Mr. Kirk P. Venge, Venge Vineyards, Inc., 4708 Silverado Trail, Calistoga, CA 94515
6. **Hazardous Waste Sites:** Neither the project site nor the private access road is on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.
7. **Project Description:** Approval of a Use Permit to establish a 20,000 gallon per year winery to include: (1) conversion of an existing 2,800 square foot residence to an administrative office / hospitality building; (2) construction of a 3,600 square foot barn-style production and fermentation building; (3) construction of up to 9,000 square feet of barrel storage either within a cave system or by expanding the production building to accommodate the barrel storage for a winery totaling a maximum of 15,400 sq ft.; (4) construction of 3,324 square feet of outdoor, uncovered work areas; (5) two full-time and two part-time employees; (6) six parking spaces (including one ADA-accessible space); (7) tours and tasting by prior appointment only with twenty visitors per day and a maximum of 140 visitors per week; (8) a marketing plan with: three private food and wine tasting events per year with 10 persons per event; five private food and wine tasting events per year with 30 persons per event; and participation in the Napa Valley Wine Auction Event as a Category 5 Temporary Event; (9) installation of one water tank totaling 12,000 gallons for fire protection; (10) improvements to the existing standard gravity distribution type septic system for process and sanitary winery wastewater; (11) civil improvements to widen the existing private road to the winery site; and, (12) approval of an Exception to the Napa County Road and Street Standards to allow: a reduction in the required County standard road width to the existing 10± foot wide paved road with 1± foot shoulders each side (20 ft road width required). The winery project is located on a 12.63 acre parcel off a private road on the northeast side of Silverado Trail approximately 1,188 feet northwest of its intersection from Dunaweal Lane within the Agricultural Preserve (AP) zoning district. (Assessor Parcel #: 020-350-038) 4708 Silverado Trail, Calistoga. The proposed location of the Exception to the Napa County Road and Street Standards is the existing private road serving the proposed project site and four other parcels from Silverado Trail (Assessor Parcel #'s: 020-350-003, 020-350-005, 020-350-006, 020-350-037, and 020-350-038).

**PRELIMINARY DETERMINATION:**

The Napa County Conservation, Development and Planning Director has tentatively determined that the following project would not have a significant effect on the environment and the County intends to adopt a 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).

November 5, 2009

Date



BY: Patricia Homisher, Planner III

**WRITTEN COMMENT PERIOD: November 12, 2009 through December 2, 2009**

*Please send written comments to the attention of Patricia Homisher at 1195 Third St., Suite 210, Napa, California 94559, or via e-mail to [thomish@co.napa.ca.us](mailto:thomish@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, December 2, 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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5. **Project Sponsor's Name and Address:** Mr. Kirk P. Venge, Venge Vineyards, Inc., 4708 Silverado Trail, Calistoga, CA 94515
6. **General Plan description:** Agriculture Resource (AR) *Napa County General Plan, June 2008*
7. **Zoning:** Agricultural Preserve (AP)
8. **Project Description:** Approval of a Use Permit to establish a 20,000 gallon per year winery to include: (1) conversion of an existing 2,800 square foot residence to an administrative office / hospitality building; (2) construction of a 3,600 square foot barn-style production and fermentation building; (3) construction of 9,000 square feet of barrel storage either within a cave system or by expanding the production building to accommodate the barrel storage for a winery totaling a maximum of 15,400 sq ft.; (4) construction of 3,324 square feet of outdoor, uncovered work areas; (5) two full-time and two part-time employees; (6) six parking spaces (including one ADA-accessible space); (7) tours and tasting by prior appointment only with twenty visitors per day and a maximum of 140 visitors per week; (8) a marketing plan with: three private food and wine tasting events per year with 10 persons per event; five private food and wine tasting events per year with 30 persons per event; and participation in the Napa Valley Wine Auction Event as a Category 5 Temporary Event; (9) installation of one water tank totaling 12,000 gallons for fire protection; (10) improvements to the existing standard gravity distribution type septic system for process and sanitary winery wastewater; (11) civil improvements to widen the existing private road to the winery site; and, (12) approval of an Exception to the Napa County Road and Street Standards to allow: a reduction in the required County Standard road width to the existing 10± foot wide paved road with 1± foot shoulders each side (20 ft road width required). The winery project is located on a 12.63 acre parcel off a private road on the northeast side of Silverado Trail approximately 1,188 feet northwest of its intersection from Dunaweal Lane within the Agricultural Preserve (AP) zoning district. (Assessor Parcel #: 020-350-038) 4708 Silverado Trail, Calistoga. The proposed location of the Exception to the Napa County Road and Street Standards is the existing private road serving the proposed project site and four other parcels from Silverado Trail (Assessor Parcel #'s: 020-350-003, 020-350-005, 020-350-006, 020-350-037, and 020-350-038).

The project consists of constructing a new winery on the northwest portion of the subject parcel. An existing 2,800 square foot, single-story residence will be converted for use as an administrative office/hospitality building. A new 3,600 square foot barn-style production/fermentation building will be constructed approximately 100 feet east of the converted structure. 9,000 square feet of barrel storage is proposed in one of two locations - either within a cave system or as an addition to the proposed production building. The cave system is proposed to be constructed within the existing hillside knoll located immediately behind the converted residence at the far northwest corner of the property. The alternative location is proposed within the production building which will be expanded along the east elevation to accommodate the additional barrel storage. The residential conversion will result in minimal visual change since it will be mainly an interior renovation to accommodate administrative offices and hospitality wine tasting spaces. New board and batten siding will be added to the exterior of this building to match the new production building. The production building will be designed in the "country barn" vernacular with a clear interior space resulting in an overall height of 28 feet to the peak of the pitched roof. Its interior spaces will be divided into a fermentation area, two offices, a lab, a restroom and crush equipment room with possible barrel storage. An outdoor mechanical enclosure, work areas and parking spaces surround the exterior of the structure. The production/barrel storage building will also be clad with board and batten wood siding and have a standing seam metal roof with sky lights accenting the roof peak on the north and south elevations.

Site improvements consist of the following: Widening the existing private road entrance from Silverado Trail for safety purposes to a width of 20 feet for a distance of 60 feet gradually necking down for an additional 25 feet to the current width of 10 feet (plus 1 foot shoulders). This 12 ft roadway will then run northeast an additional 740 feet with a County standard turn-out planned on the northeast side of the roadway approximately 400 feet east of the entrance from Silverado Trail. The road widening will require acquisition of land from the adjacent property owner by means of a recorded Lot Line Adjustment. The remaining 1,300 feet of roadway, which is the private driveway to the winery site, will be improved to the full County standards (20 foot width). At the approach to the winery, the driveway will become a one-way loop road. It will then branch off with one branch serving the administration building and the other branch continuing to loop around the fermentation building to the guest parking, work areas and shipping and receiving. An Exception to the Napa County Road and Street Standards is requested for the narrower portions of the private roadway described above. The existing standard gravity distribution type septic system will be improved with additional leach lines, reserve area and septic tanks.

**9. Environmental setting and surrounding land uses:**

The project is situated in the northwestern portion of the Napa Valley approximately one-half mile southeast of the City of Calistoga within the Came Humana Rancho (Elev. 320 - 600 ft. ± MSL). Foundation materials in the more gently sloping portions of the site consist of well drained soils on alluvial fans of the Pleasanton soil series. In the steeper northwest corner of the property, Forward-Kidd complex soils make up the base materials. No landslides or areas of creep are currently recognized on-site. Vegetative cover in the more level portions of the property consist primarily of vineyard and non-native weeds and grasses with one or two scattered large oak trees. There is an existing single family residence on-site located 1,400 feet from Silverado Trail. A majority of the property is on gentle slopes averaging 2%. In addition, there is a southward facing knoll that occupies approximately 1.28 acres of the northwest corner of the property having average slopes of 30%. Most of this portion is planted with terraced vineyard. Beyond the terraces area is a mixed evergreen forest totaling ± 0.47 acres that continues to the edge of the property and beyond onto adjacent properties to the northwest. Simmons Canyon Creek runs through these northwestern adjacent properties finally draining into the Napa River three-quarters of a mile to the south. No critical habitat areas, rare or endangered plants or animals, known archaeological sites, or recognized historical features are present on the subject property (See Biological Resources discussion). Vineyard and agricultural development has occurred on this property for decades as evidenced by the County's USGS maps and 1940 aerial photos.

The project is located in a quiet rural area with estimated day/night noise levels in the low 40 dBA range. Predominant noise sources during the day are traffic on Silverado Trail. The property is developed with an approximately 2,800 square foot primary residence, two water tanks and a shed, with 11 acres of producing vineyard. Surrounding land uses are agricultural resource and agriculture watershed open space with single family residences to the northwest and west; agricultural resource with vineyards and single family residences to the south. The City limit line of Calistoga is approximately one-half mile northwest of the project site and the City sewage treatment plant is three-quarters of a mile south of the project. The nearest off-site residence is approximately 330 feet northwest of the planned winery. Other residences are south and southeast at a distance of 1,100 and 1,230 feet respectively and west 600 feet and southwest 1,200 feet. There are a number of wineries within one mile of the site that are generally located to the northeast and southeast. These include: Araujo Estates Wines (20,000 gallons per year), Pickett Road Wine Company (12,000 gallons per year), Clos Pegase Inc. (200,000 gallons per year), Sterling Vineyards (1,500,000 gallons per year), Paoetti Estates Winery (16,000 gallons per year) and Pavitt Winery (10,000 gallons per year). A private paved road from Silverado Trail provides access to both the subject parcel and four other rural residential properties. The nearest property is situated along the private road and is 455 feet from the gated driveway entrance to the proposed winery.

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

Napa County Public Works Department – Lot Line Adjustment and Grading permit  
Napa County Department of Environmental Management – Waste Disposal Permit  
S F Bay Regional Water Quality Control Board  
ABC/TTB  
Cal OSHA

**Responsible (R) and Trustee (T) Agencies**  
None

**Other Agencies Contacted**  
State Dept of Fish & Game

**ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:**

The conclusions and recommendations contained herein are professional opinions developed in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the Napa County Baseline Data Report, specific documents referenced herein, other sources of information included or referenced in the record file, comments received, conversations with

knowledgeable individuals, the preparer's personal knowledge of the area, and visits to the site and surrounding areas. For further information, please see the permanent record file on this project, available for review at the offices of the Napa County Department of Conservation, Development, and Planning, 1195 Third Street, Napa, 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 NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature  
Patricia Homisher, Project Planner



Date  
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. <b>AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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"/>

## Discussion:

- a. The proposed winery project is not located within a scenic vista.
- b. The proposed project will not damage scenic resources, including trees, rock outcroppings or historic buildings within a State scenic highway since no trees are proposed for removal and there are no rock outcroppings or historic buildings on the site. The proposed winery is 1,400 feet northeast of the centerline of Silverado Trail, a locally designated scenic roadway. The Napa County Viewshed Ordinance applies to all projects proposed for development on any major or minor ridge, knoll or bench with slopes greater than 15% that are within view of a designated local scenic roadway. The proposed winery administration and production buildings will be constructed on nearly level terrain of 2% slopes and are therefore not subject to the Viewshed Ordinance. The proposed cave portals however, are subject to the Viewshed Ordinance because they are proposed to be constructed on the knoll located in the northwest corner of the property on slopes greater than 15%. Two of the three portals will not be visible from Silverado Trail since they are proposed to be located behind the existing residence. The third portal will be momentarily visible to the viewing public from Silverado Trail. Standard conditions of approval for Landscaping require that evergreen screening shall be provided between the industrial portions of the development and the off-site residences that can view these areas. With the inclusion of this standard condition of approval, the third portal will not be visible to off-site residences or the viewing public from Silverado Trail. Therefore, impacts to the local scenic roadway will be less than significant.
- c. The winery project will not substantially degrade the existing visual character or quality of the site and its surroundings. The proposed project will be located 1,400 feet from Silverado Trail, a County arterial, and 600 feet from the private roadway serving the project. These distances are well within the Napa County Code requirements for winery road setbacks (600 ft. for arterials; 300 ft. for other roads). The site has been used for decades as a vineyard farmstead. The project proposes to convert the existing residence to the winery administration building with no change to the existing building footprint or elevation. The proposed new production/storage building will be designed in the Napa Valley barn vernacular. Both structures will be clad with board and batten siding with earth-tone metal standing-seam roofs. Two of the cave portals will be accessed from the rear of the winery building and will not have any exterior visibility. Existing topography and vegetation will provide screening for the third cave portal and standard conditions of approval will ensure that it is screened from off-site residences and the viewing public from Silverado Trail. The winery project does not propose to remove any existing trees. Because the project is designed as described above, it is consistent with the goals and policies of the Scenic Highways Element in the Napa County General Plan (June 2008) as well as the General Plan policy concerning the design of wineries for Napa County, the Viewshed Protection Ordinance and winery road setback requirements. Thus as designed, it will not substantially degrade the existing visual character or quality of the site and its surroundings resulting in a less than significant impact.
- The project includes road improvements to the entrance from Silverado Trail and the existing private road serving the winery. These improvements include widening the entrance at Silverado Trail and creating a standard turnout approximately 740 feet from the entrance to improve emergency ingress and egress. Both improvements will occur on the north side of the private roadway where vineyard now exists. No trees are proposed for removal. Pursuant to Napa County fire safety requirements trees and shrubs within 10' of the roadway will be trimmed to provide an adequate defensible space for emergency ingress and egress. As proposed, degradation of the existing visual character or quality of the natural environment surrounding of the roadway is expected to be less than significant.
- d. The establishment of the proposed winery use may potentially result in increased nighttime lighting that could adversely affect existing area occupants without the inclusion of Use Permit Conditions of Approval. As part of the use permit conditions all exterior lighting will be required to be the minimum necessary for the operational and security needs. In addition, light fixtures will be conditioned to be kept as

low to the ground as possible and include shields to deflect the light downward. In addition to exterior lighting, the conditions of approval will limit the color scheme of the winery to earth tones that blend the facility with the surrounding setting. Highly reflective surfaces will be prohibited. As proposed, and as subject to the standard conditions of approval, the project will not create new sources of substantial light or glare which would adversely affect day or nighttime views in the area.

**Mitigation Measure(s):** None are required.

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

**Discussion:**

- a. Portions of the subject property are located on Prime Farmland shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The project site is designated by the Napa County General Plan as "Agricultural Resource". This designation recognizes wineries and any use clearly accessory to a winery as agriculture. The proposed new winery production building, parking lot and leach field expansion will be constructed in an area currently planted in vines. Even though approximately 0.8 acres of vineyard (0.95 acres with expanded production/storage building) will be removed, the winery project will not result in the conversion of farmland to non-agricultural uses. The winery project is considered an agricultural use and will further support the already existing vineyard agriculture use on site thus resulting in a less than significant impact to Prime Farmland.
- b. The parcel is zoned AP (Agricultural Preserve). Wineries are considered an agricultural use, permitted upon approval of a use permit within the AP zoning district. The property is currently not under a Williamson Act contract. Therefore, no conflict exists with the current zoning or the Williamson Act and the project as proposed.
- c. The project proposes to convert the existing main residence to winery use. No replacement residence is currently being proposed. Future construction of a main residence and guest cottage is currently allowed under the existing AP zoning designation which could result in conversion of Farmland to non-agricultural use. However, because a residential use is allowed within agriculturally zoned lands, conversion of Farmland for this use is considered a less than significant impact on Prime Farmlands.

**Mitigation Measures:** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. <b>AIR QUALITY.</b> 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"/>

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

### Green House Gas Emissions

In 2006, the State Legislature enacted Assembly Bill 32, requiring the California Air Resources Board (CARB) to design measures and rules to reduce greenhouse gas (GHG) emissions statewide to 1990 levels no later than 2020. The measures and regulations to meet the 2020 target are to be put in effect by 2012, and the regulatory development of these measures is ongoing. In August 2007, the Legislature enacted Senate Bill 97, which among other things, directed the Governor's Office of Planning and Research (OPR) to propose new CEQA regulations for the evaluation and mitigation of GHG emissions. SB 97 directs OPR to develop such guidelines by July 2009, and directs the state Resources Agency (the agency responsible for adopting CEQA regulations) to certify and adopt such regulations by January 2010. This effort is underway; however, to date no formal CEQA regulations relating to GHG emissions have been adopted. In September 2008, the Legislature enacted Senate Bill 375, which established a process for the development of regional targets for reducing passenger vehicle GHG emissions. Through the SB 375 process, regions throughout the state will develop plans designed to integrate development patterns and transportation networks in a manner intended to reduce GHG emissions. Neither the State nor Napa County has adopted explicit thresholds of significance for GHG emissions. While some might argue that any new emission would be significant under CEQA, pending amendments to the State CEQA guidelines suggest that agencies may consider the extent to which a project complies with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The Napa County General Plan calls on the County to complete an inventory of green house gas emissions from all major sources in the County by the end of 2008, and then to seek reductions such that emissions are equivalent to year 1990 levels by 2020. The General Plan also states that "development of a reduction plan shall include consideration of a 'green building' ordinance and other mechanisms that are shown to be effective at reducing emissions." Overall increases in GHG emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008 GHG emissions were found to be significant and unavoidable despite adoption of mitigation measures that incorporated specific policies and action items into the General Plan.

Napa County is currently developing an emission reduction plan, and in the interim requires project applicants to consider methods to reduce GHG emission and incorporate permanent and verifiable emission offsets, consistent with Napa County General Plan Policy CON-65(e). The current project applicant has incorporated reduction methods and offsets into their project by replanting native, drought tolerant vegetation, limiting the amount of non-pervious materials, building on a previously disturbed site, using existing materials, and improving the energy efficiency of the operations. Construction and operation of the proposed project analyzed in this initial study would contribute to the overall increases in GHG emission by generating emissions associated with transportation to and from the site, emissions from energy used within buildings, and emissions from the use of equipment. However, the project would positively affect carbon sequestration by modifying vegetation on the site, by maintaining the existing footprints of the structures, maintaining existing trees, planting approximately 10 new native trees and native landscaping, and providing permeable/non asphalt pavement. Changes in sequestration would also be modest due to the fact that this property is only 12.6 acres. The project specific increase in GHG emissions would be relatively modest given the estimated 29 Mon-Fri new vehicle trips per day, and increasingly stringent Title 24 energy conservation requirements imposed as part of the building permit process.

In light of these efforts, the relatively modest increase in emissions expected as a result of the project is considered less than significant. Also, pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with and adopted General Plan for which an EIR was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.

### Discussion:

- a. The project site lies within the northern end of the Napa Valley, which forms one of the climatological sub-regions (Napa County Sub-region) within the San Francisco Bay Area Air Basin, and 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 regard emissions of PM-10 and other

pollutants from construction activity to be less than significant if dust and particulate control measures are implemented, which are included in this project.

The BAAQMD has determined that land uses that generate fewer than 2,000 trips per day do not generally require detailed air quality analysis, since these land uses would not generally be expected to have potentially significant air quality impacts (specifically, they would not be expected to generate over 80 pounds per day of Reactive Organic Gases (ROG)). With an anticipated busiest day visitor count of 20 persons, 3 total employees, 3 busiest day production truck pickup/deliveries, and 2 event support staff, regular business operations should account for approximately 29 daily trips (assuming 2.6 occupants per car for visitation and 1 occupant per car for employees). This application also proposes a number of marketing events which could add up to a maximum of 34 trips when these events occur. The resulting maximum of 63 vehicle trips per day remains well below the established threshold of significance. When compared to the size of the affected air basin, the incremental increase in vehicle emissions from the relatively small amount of traffic generation (including temporary construction and routine operations) from this project will not effectively change existing conditions. Therefore, the project's potential to impact air quality is considered less than significant.

- b. See (a) above. There are no projected or existing air quality violations in this area that this proposal would contribute to. The project would not result in any violations of any applicable air quality standards.
- c. Construction related emissions are generally short-term in duration, but may still cause adverse air quality impacts. According to the BAAQMD Guidelines, fine Particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub> [PM]) is the pollutant of greatest concern with respect to construction activities. PM emissions can result from grading, excavation, and vehicle travel on unpaved surfaces, and vehicle and equipment exhaust. Construction related emissions can cause substantial increases in localized concentrations of PM, and lead to adverse health effects and nuisance concerns. The BAAQMD has identified the following Best Management Practices which are now employed at construction sites throughout the Air Basin as a set of feasible PM control measures and which are incorporated into the project applicant's proposed construction activities to reduce any potential impact to levels of less than significance. They include:
- Apply water to all active construction areas at least twice daily;
  - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
  - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
  - Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and,
  - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

By adhering to these Best Management Practices, construction activities will have a less than significant impact. Further, with low traffic volumes, the temporary nature of construction activities, and adherence to the Best Management Practices, the project will not result in a cumulatively considerable contribution to any criteria pollutant for which the project region is non-attainment (Ozone [O<sub>3</sub>] and Particulate Matter [PM<sub>10</sub> and PM<sub>2.5</sub>]) under an applicable federal or state ambient air quality standard ([http://www.baaqmd.gov/pln/air\\_quality/ambient\\_air\\_quality.htm](http://www.baaqmd.gov/pln/air_quality/ambient_air_quality.htm)). Therefore, this project will not have a cumulative air quality impact.

- d. The project will not expose sensitive receptors to substantial pollutant concentrations or create objectionable dust or 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 closest offsite residence is approximately 400 feet away. Best Management practices incorporated into the project construction activities as described in (c.) above will serve to limit any potential for impacts from pollutants, dust or odors to a less than significant level.
- e. The BAAQMD defines public exposure to offensive odors as a potentially significant impact. Earthmoving and construction activities required for project construction may cause a minimal temporary degradation of air quality from dust and heavy equipment air emissions during the construction phase of the project. Construction on the site will generate dust particulates in the short-run. This impact would be less than significant with dust control measures specified in the standard conditions of approval as described in (c.) above. The application of exterior building finishes, paint, adhesives, may result in potentially objectionable odors. However, these odors are considered a less than significant impact due to their temporary nature. Potential sources of odors associated with agricultural uses are already located at the site and on adjoining properties. This project will not create additional odors inconsistent with the surrounding agricultural setting. Incorporation of Best Management Practices into the project construction activities as described in (c.) above will reduce potential objectionable odors to a less than significant level.

The City of Calistoga sewage treatment plant is located approximately one mile south of the project site. Ponds associated with the facility are located 4,200 feet from the proposed winery and the main plant is 4,900 feet distant from it. State law mandates the City operate the facility in such a fashion that off-site objectionable odors occur only in rare instances. The frequency of these events should continue to be rare because the City is required to operate the facility in accordance with State requirements. Given the standards for operation mandated by the State and the fact that the project is a mile from the project site, the potential for winery guests and employees to be affected by

objectionable odors coming from the plant is less than significant. The City has requested that the applicant indemnify the City against any claims concerning objectionable odors coming from the plant. However, this is a private matter between the applicant and the City and does not constitute a potential for a significant change to the environment under CEQA.

**Mitigation Measure(s):** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. <b>BIOLOGICAL RESOURCES.</b> 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"/>

#### Discussion:

a-c. The site is previously disturbed containing 11 acres of vineyard and a single family residence developed prior to the 1940's (Napa County GIS aerial photo 1940 series). The northwestern most portion of the property contains a half acre area of native vegetation consisting of mixed evergreen trees. A manmade drainage channel, also evidenced on the 1940 aerial photos, enters the property from the northeast. It is immediately culverted there and at various other points as it traverses to the west side of the property then further west into an unnamed creek finally entering the Napa River approximately one-mile to the south. The project includes: conversion of an existing residence to office/hospitality use; construction of a new production building with an alternative to either build an addition onto this building for barrel storage or bore of a cave system for wine storage; placement of cave spoils in existing disturbed areas; expansion of the existing leach field; and, road widening. All project components occur within lands already devoted to vineyard and wine production areas, landscaping or roadway.

In November of 2008, the property was reviewed by Stephen Rae, PhD, of MUSCI Natural Resource Assessment. (See attachment.) The report states that, "The tunnel entrance and exit are close to native vegetation but are placed within managed areas. There is no evidence of native vegetation within the boundaries of the areas proposed for tunnel construction. The portion of landscaped areas proposed for removal for tunnel construction is minor. Replacement of disturbed landscaping and additional landscaping surrounding the proposed winery structure should offset the short-term disturbance to wildlife habitat. The area proposed for (the) winery structure is completely within existing vineyard. There is no evidence of native vegetation within the area proposed for (the) winery structure. There is no evidence of native vegetation or significant wildlife use within the drainage channel." The report states that while the field review was not conducted during the optimal season, no evidence of native vegetation, wildlife or fishery habitat was observed within the areas proposed for development and therefore no additional botanical, wildlife or fishery surveys were recommended. The report concludes given the lack of habitat, the development activities pose no significant impact on native vegetation, wildlife or fishery values reviewed for

the project. No significant impact on native vegetation, wildlife or fishery values will occur within the proposed alternative production building expansion area because this area is previously disturbed vineyard land.

In October 2009, the Planning Department staff requested an addendum to the initial MUSCI assessment in order to clarify their findings regarding the potential presence of certain special status CNPS List 1B plants documented on the Napa County GIS Natural Diversity Database Layer. Staff also requested clarification regarding potential biological impacts resulting from the proposed civil improvements for the private road serving the project site which had not been analyzed in the original 2008 report. The requested addendum was submitted by MUSCI on October 14, 2009. It states the assessment encompassed the areas proposed for caves, road access and turn-outs. The biologist comments that, "Although the field review of this parcel was not conducted during the optimal season for evaluation of native vegetation and identification of sensitive plant species, there was no native vegetation habitat observed within the areas proposed for disturbance." He concludes, "The sensitive plant species in question were not observed on site and are not expected to be impacted by the project." Therefore, based on the MUSCI 2008 and 2009 assessments, the project (inclusive of the alternative production building expansion area) will not result in 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 and therefore a less than significant impact is expected.

- b. According to the Napa County Environmental Resource Maps (Natural Diversity Database layer), there is no riparian habitat or other sensitive natural community within the project site. An un-named, year round creek runs parallel to the subject parcel 600 feet to the west. The subject parcel contains a culverted drainage channel at the north end of the property which transects the parcel from east to west and eventually drains into the Napa River. The 2008 MUSCI biological assessment states that, "There is no evidence of native vegetation or significant wildlife within the drainage channel." The project (inclusive of the production building expansion area) does not include disturbance within or adjacent to the channel. Because no vegetation or wildlife evidence was found by a qualified biologist and the project does not include improvements within or around the drainage channel, no substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service occur as a result of the project and therefore a less than significant impact is expected.
- c. Neither the above mentioned MUSCI Natural Resource Assessment (November 2008 or October 2009) nor the Napa County Environmental Resource Mapping (Calif. Dept. Fish & Game Natural Diversity Database, vernal pools, various, vernal pools,) identify the presence of Federally protected wetlands as defined by Section 404 of the Clean Water Act on-site and therefore no impact is expected.
- d. The project as proposed will not interfere substantially with the movement of any native resident or migratory fish or wildlife species. Based on the Napa County Environmental Resource Mapping, the project is not located within any established migration patterns or established native resident or migratory wildlife corridors nor will it impede the use of native wildlife nursery sites. No new fencing or structures are proposed which will impede wildlife movement. Further, The MUSCI Natural Resource Assessment states that even though existing landscaping within the proposed cave entrance and exit areas contains wildlife values, the portion of landscaped areas proposed for removal for cave construction is minor. The MUSCI report (November 2008) opines replacement of disturbed landscaping and additional landscaping surrounding the winery will offset the short-term disturbance to wildlife habitat resulting in a less than significant impact. Napa County standard use permit conditions of approval require submittal of a landscaping plan prior to issuance of any grading or building permit and require that any trees removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper thereby ensuring a less than significant impact to wildlife values.
- e. The proposed project is not subject to any local policies or ordinances protecting biological resources. Oak woodland and oak woodland habitat are identified for protection under Napa County General Plan 2008, policy CON-24 and CON-24 (b.). However, no oak woodland or oak woodland habitat areas exist within the project development area. The County does not have a tree protection ordinance. No significant trees are proposed for removal within the project area resulting in no conflict with any local policies or ordinances protecting biological resources.
- f. According to Napa County Environmental Resource Maps (Natural Diversity Database, California Native Plant Society and Watershed Overlays), there are no Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans applicable to the subject project site and therefore no conflict with any of the aforementioned plans.

**Mitigation Measure(s):** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a.-c The project site is developed with a residence, vineyards and associated improvements. In addition to the winery, the project site includes improvements to an existing paved, private road off Silverado Trail serving four other properties and a private driveway to the winery buildings. There are no existing historical resources within the project site as defined by CEQA Guidelines Section 15064.5. There are also no known archaeological resources within the project site. The closest known site is over 2,600 feet southwest of the project site. The proposed road improvements will encroach minimally into adjacent properties. However, these areas are previously developed with vineyard and residential uses. Therefore, the potential for adverse change in the significance of archaeological resources is considered to be less than significant. However, in accordance with the Napa County standard conditions of approval, 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. Further, no unique paleontological or unique geological features are known to be located on or in the vicinity of the project site. As a result, this project is not expected to cause a substantial adverse change in the significance of a paleontological or unique geological feature.
- d. No human remains have been encountered on the property during past residential, vineyard or road construction activities and no information has been encountered that would indicate human remains are interred on the project site. However, if human remains are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist is required to be retained to investigate the site in accordance with standard conditions of approval.

**Mitigation Measure(s):** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS. Would the project:</b>				
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"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion:

- a-i. There are no known faults on the project site as shown on the most recent Alquist-Priolo earthquake fault map. Therefore, the proposed facility would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on said earthquake fault map.
- a-ii. All areas of the Bay Area are subject to strong seismic ground shaking. The all winery construction must comply with all the latest building standards and codes at the time of construction, including the current California Building Code, which would reduce any potential impacts to a less than significant level.
- a-iii. No subsurface conditions have been identified on the project site that would indicate a susceptibility to seismic-related ground failure or liquefaction. Napa County Environmental Resource Mapping (liquefaction layer) indicates that the entire property is in the low liquefaction category. Inclusion of building techniques under the California Building Code and adherence to County Road and Street standards for civil improvements will reduce any seismic-related ground failure relating to liquefaction to a less than significant level.
- a-iv. Napa County Environmental Resource Maps (landslide line, landslide polygon, and landslide geology layers) did not indicate the presence of landslides on or near the property or along the project roads. The proposed cave is classified as Type 1 to be used for storage and/or processing of wine with no public access. Therefore, the proposed project (including the alternative Type 1 cave for storage and/or processing of wine with no public access) will not expose people or structures to potentially substantial adverse effects that include the risk of loss, injury, or death involving landslides.
- b. Based on Napa County environmental resource mapping and the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), there are two soil types that transect the development area. They are classified as: (1) Pleasanton loam series (0 - 2% slopes) which has slow runoff with a slight erosion hazard; and, (2) Forward- Kidd complex 50 - 75% slope which has a rapid to very rapid runoff with the erosion hazard being high to very high.
- The development area will occur within a 4 to 4.5 acre area, generally on the gently-sloping terrain areas with less than 6% slopes. With the cave portal areas included, the slope averages 15%. Since there will be greater than one acre of disturbed area for the project (including the road improvements), a Storm Water Pollution Prevention Plan is required for storm water and erosion control and Best Management Practices under the standards developed in the County's National Pollutant Discharge Elimination System, Phase II Storm Water Permit. Therefore, the potential for substantial soil erosion or loss of topsoil for the project is less than significant.
- c. Based on Napa County Environmental Sensitivity Mapping (Geology, Surficial Deposits GIS Layers) the project site is located on Quaternary surficial deposits with underlying soils containing Late Pleistocene-Holocene fan deposits. This soil characterization is not known to be unstable, or one 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. Therefore, a less than significant is expected.
- d. The winery structures are not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property. Construction of the winery facility (and including the alternative expanded facility) must comply with all the latest building standards and codes at the time of construction, including the current California Building Code and State OSHA regulations. 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. These requirements combine to reduce any potential impacts to a less than significant level.
- e. The project includes construction of a below ground septic system for wastewater management which will require a permit to construct from the Department of Environmental Management. A preliminary septic design has been prepared by a qualified engineer as described in the, "Onsite Wastewater Disposal Feasibility Study" submitted by Applied Civil Engineering on December 4, 2008. The report finds soil on the property is determined to be adequate to support the sanitary and process wastewater improvements proposed. The Napa County Department of Environmental Management has reviewed the preliminary septic design application and finds the proposed system is sufficient to accommodate the proposed winery and domestic waste and recommends approval provided all conditions of approval, dated August 12, 2009, are met by the property owner. (See discussion and mitigation measures under Section XVI, Hydrology and Water

Quality.) Therefore, based on the review and approval of Environmental Management, the soil on the property is found to be capable of supporting the proposed system and will result in a less than significant impact.

**Mitigation Measure(s):** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

**Discussion:**

- a. The proposed project will not involve the transport of hazardous materials. A Hazardous Materials Management Plan will be required by the Department of Environmental Management prior to occupancy of the new winery facility which provides information on the types and amounts of hazardous materials stored on the project site. A business activity plan for the winery will be required by the Department of Environmental Management should the amount of these materials reach reportable levels. Because these plans are incorporated into the conditions of approval, a less than significant impact is expected.
- b. The proposed project will not involve activities whereby reasonable foreseeable upset and accident conditions will result involving the release of hazardous materials into the environment and therefore a less than significant impact is expected.
- c. The project will not have significant quantities of potentially hazardous materials and is not located within one-quarter mile of an existing or proposed school.
- d. The subject property is not on any known list of hazardous materials sites therefore no impact is expected.
- e. The project site is not located within two miles of a public airport or public use airport and is outside any airport compatibility zones therefore no impact on people residing or working in the area is expected.

- f. The project site is not located within the vicinity of any private airports and therefore would not result in a safety hazard.
- g. The applicant has applied for an Exception to the Napa County Road and Street Standards for the access road from Silverado Trail serving the project. The civil improvements for reduced widths were reviewed by the Napa County Fire Marshal and the Public Works Departments. They find the proposed improvements will not impair emergency ingress or egress with the inclusion all conditions of approval including entrance widening on Silverado Trail and a turn-out along the west side of the private easement. As a condition of approval, the Department of Public Works will also require the applicant to record a Lot Line Adjustment with the appropriate land owner(s) to incorporate the additional right of way needed to construct these improvements prior to issuance of any grading or building permit. With the inclusion of these approvals and conditions, the project will not result in a negative impact on emergency response and evacuation planning.
- h. The property is not located in an area identified as a high wild-land fire risk therefore no significant impact from wild-land fires is expected.

**Mitigation Measure(s):** None are required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VIII.</b>	<b>HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a. The proposed winery will produce 20,000 gallons of wine per year and includes visitation of 140 persons per week and eight marketing events per year. The project includes construction of a below ground septic system for wastewater management which will require a permit to construct from the Department of Environmental Management. A preliminary septic design has been prepared by a qualified engineer as described in the, "Onsite Wastewater Disposal Feasibility Study" submitted by Applied Civil Engineering on December 4, 2008. The report finds soil on the property is determined to be adequate to support the sanitary and process wastewater improvements proposed.

An additional report was filed by John Shook dated December 4, 2008. It analyzes the impact of potential waste infiltration into the proposed barrel storage cave system from a septic leach field system on an adjacent property to the northwest. The adjacent property leach field is located on the knoll approximately 30 feet above the subject property and 155 feet northwest of the proposed cave and subject property line. Due to the substandard condition of the septic system on the higher adjacent property, it is the policy of Environmental Management to impose a 1,500 ft. septic setback on the subject property until such time as the condition is remediated to the satisfaction of Environmental Management. On October 19, 2009 Mr. Shook submitted a report entitled "Proposed Protocols for Mitigating the Potential Effects of Adjacent Leach Field on Cave Construction". This report, which outlines how potential waste infiltration into the cave will be mitigated, was not approved by Environmental Management. A revised proposal was not submitted by the applicant.

As mentioned above, the Department of Environmental Management reviewed the applicant's proposed on-site below ground domestic and process wastewater system for the project and project alternative and recommends approval of the application provided the conditions of approval dated August 12, 2009, are met by the property owner. To ensure no significant impact occurs that violate any water quality standards or waste discharge requirements as a result of waste infiltration from the adjacent parcel into the proposed barrel storage cave, Mitigation Measure #1 as described below has been incorporated into the project. Additionally, the applicant will be required to obtain all necessary permits from the Napa County Department of Public Works, including a Stormwater Pollution Management Permit. The permit incorporates Best Management Practices and a pre and post monitoring program for the entire project (inclusive of road improvements and cave spoils) which will provide for adequate on-site containment of runoff during storm events through placement of siltation containment reduction measures around the development area.

- b. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project that reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

The applicant has prepared a Phase I Water analysis for the project which has been reviewed by the Napa County Department of Public Works. The project is located in the Valley Floor area of the Napa Valley which has an established allowable water use allotment of 1.0 acre foot per acre per year. The project is located on a 12.63 acre parcel which allows under County Ordinance, for an allotment of 12.63 acre feet per year (hereafter af/yr). Water for the proposed winery and existing vineyards will be supplied by four existing on-site wells, water storage tanks totaling 10,000 gallons for vineyard irrigation and a proposed additional 12,000 gallon water storage tank for fire protection (approximately 30 -40,000 gallons required for fire protection with the expanded production/barrel storage building alternative).

The Phase 1 Water Availability Analysis indicates that existing water demand for the site is 2.95 af/yr including: 2.20 af/yr for existing vineyard; and, 0.75 af/yr for domestic use and landscaping. The proposed total water demand for the site (including visitation and marketing) is estimated at 2.61 af/yr with the cave system ( 2.54 af/yr with the expanded production building). The proposed includes: 0.53 af/yr for winery related uses and landscaping with caves (0.53 af/yr expanded production bldg); 2.04 af/yr for remaining vineyard with cave system (1.97 expanded production bldg.); and, 0.04 af/yr for winery office use with either caves or expanded bldg. This represents a decrease in water use totaling: **0.34 af/yr with the cave system ( 0.41 with the expanded production building)** over existing uses. The decrease is a result of the proposed removal of 0.8 acres of vineyard with the cave system (1.14 vineyard acres with the expanded wine storage/production building) requested for winery development and the conversion of the existing residential use to winery office/hospitality use. Both the existing and proposed estimated water use falls well below the fair share allotment established by the County. The County has not received any comments or complaints that existing ground water use from the property has affected any neighboring wells during the prior history of the project. The applicant indicates the existing four wells have no performance issues. As a standard condition of all new use permit approvals, the County requires the permittee to monitor ground water usage. Based on the estimated decrease in water use and conditions of approval to monitor water usage, the project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level and thus result in a less than significant impact.

- c-d. The proposed project will not substantially alter the drainage pattern on-site or cause a significant increase in erosion or siltation on or off site or substantially increase the rate or amount of surface runoff in a manner which would result in flooding. The project will incorporate erosion control measures appropriate to its maximum slope to manage onsite surface drainage and erosion of onsite soils during construction and winter months (October to April). By incorporating these erosion control measures, alteration of drainage patterns or increase in erosion or siltation on or off site is expected to be a less than a significant impact. Cave spoils totaling approximately 35,000 sq. ft., (5,300 cubic yards), will be removed and appropriately stockpiled on the area proposed for the winery building pad and immediately south of this area on nearly level terrain. Excess soil will be spread uniformly throughout the existing onsite vineyards (± 10 acres) and will be incorporated with the native soil by vineyard farming operations and/or hauled offsite to a approved location. If the alternative expanded production/barrel storage building is constructed, the cave will not be built thus no cave spoils impact is anticipated. There will be an

increase in the overall impervious surface resulting from the new winery building (or expanded building alternative), paved areas and parking area. However, given the large drainage basin and relatively flat topography, storm waters will be directed in a sheet flow action and be allowed to filtrate over a wider area. This type of runoff pattern is not expected to generate a change to the drainage pattern or cause a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on or off site and would thus result in a less than significant impact on drainage patterns and surface runoff.

- e. The proposed project will not 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. In accordance with current Napa County Code, the applicant will be required to obtain a Storm Water Pollution Management Permit that incorporates storm water and erosion control Best Management Practices under the standards developed in the County's National Pollutant Discharge Elimination System, Phase II Storm Water permit. Since the project (inclusive of road improvements) will result in disturbance to more than one acre of land, a pre and post Storm Water Pollutant Elimination permit (SWPP) and Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to grading or construction will be required by the Napa County Public Works Department to minimize pollutant runoff from pre and post construction and agricultural activities for the proposed project development area. With the implementation of the above described requirements, the impacts on existing or planned storm water drainage due to water runoff or impacts creating additional polluted runoff will be less than significant.
- f. There are no other factors in this proposal that would otherwise substantially degrade water quality. Therefore, a less than significant impact is expected. [See discussion in (a.) above and Mitigation Measure #1 described below.]
- g.-i. According to Napa County Environmental Resource Mapping (floodplain and dam levee inundation layers), the project will not place housing or structures within a Federally mapped 100 year floodplain or other mapped flood hazard area. No housing is proposed as part of this project. The nearest 100 year floodplain area is the un-named creek approximately 500 feet east of the nearest proposed winery structure. Therefore, no impacts to housing or structures from flooding or inundation will occur as a result of the project. According to the Napa County Environmental Resources Mapping (Dam Levee Inundation Layer) no portion of the project is within an inundation area – the closest of which is three-quarters of a mile south of the project site. Therefore, exposure to people or structures to a significant risk of loss, injury or death due to inundation is not expected.
- j. The parcel is not located in an area that is subject to inundation by seiche, tsunami, or mudflow. Therefore, no impact is expected.

#### Mitigation Measures:

1. No approval for any cave construction shall be granted until compliance with applicable setbacks to surrounding septic systems as stated in Environmental Management's memorandum dated November 9, 2009, have been demonstrated to the Department of Environmental Management's satisfaction. Should an acceptable resolution to setbacks to surrounding septic systems not be found, the cave shall not be allowed.

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

#### Discussion:

- a. The proposed project is located in an area dominated by open space and small scale agricultural uses. The improvements proposed are in support of the existing ongoing agricultural use of the property. No aspects of the project proposal that will have an affect of physically dividing a community. Therefore, the project as proposed will have a less than significant impact on the surrounding established community.

- b. The chief goals established by the Napa County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in existing cities and urban areas. The property's General Plan land use designation is AR (Agricultural Resource), which allows agriculture and the "processing of agricultural products." More specifically, **Agricultural Policy AG/LU-1 & AG/LU-2** of the County General Plan recognizes wineries and any use clearly accessory to a winery, as agriculture. The proposed project allows for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan.

The subject parcel is located in the AP (Agricultural Preserve) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The winery facility (including the alternative, expanded production/barrel storage building) will be located on slopes averaging 6%. Therefore, the improvements are consistent with the Napa County Conservation Regulation and does not require a slope exemption under 18.108.060 (A.) for slopes 30% or greater. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Therefore, no conflicts with existing plans, regulations or policies are expected.

- c. There are no habitat conservation plans or natural community conservation plans applicable to the property. Therefore, no impact.

**Mitigation Measures:** None are required.

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

#### Discussion:

The proposed project will not result in impacts to mineral resources or mineral resource recovery sites based on the Napa County resources mapping (Soil Type, Surficial Deposits Overlays), Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (*Mines and Mineral Deposits*, BDR Figure 2-2) and Napa County General Plan (2008) Figure AG/LU-63.

- a. The project site does not contain any known mineral resources.
- b. The project is not designated as a locally important mineral resource recovery site.

**Mitigation Measures:** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. <b>NOISE.</b> 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a.-b. The project is located in a rural agricultural setting. The nearest off-site residence is approximately 330 feet northwest of the planned winery. Other residences are south and southeast at a distance of 1,100 and 1,230 feet respectively and west 600 feet and southwest 1,200 feet. During the construction phase, the proposed project will cause a temporary increase in noise levels. Standard Conditions of Approval require that construction activities occur during the daylight hours between 7 am and 7 pm on weekdays- normal waking hours and construction vehicles are properly muffled. Therefore, noise generated during this time is not anticipated to be significant. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (County Code Chapter 8.16). Construction noise may result in short-term ground borne vibrations and noise levels. However, given the generally sparsely populated agricultural setting, there is a relatively low potential for noise from the construction site as conditioned thus resulting in a less than significant impact.

c.-d. Noise from the proposed winery operations is generally limited and typical of agricultural winery and rural uses. However, the proposed marketing plan could create additional noise impacts. The submitted marketing plan includes: three private food and wine tasting events per year with 10 persons per event; five private food and wine tasting events per year with 30 persons per event; and participation in the Napa Valley Wine Auction.

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 system or amplified music and requiring mechanical equipment be kept indoors or inside acoustical enclosures. Further, Napa County has a right to farm policy that proclaims that people may be subjected to noises and other annoyances from agricultural operations. Outdoor noise-producing activities associated with the use would generally occur from 7:00 am to 6:00 pm, except during harvest. Marketing events must cease by 10 PM.

Finally, the Napa County Exterior Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a rural residence as 45 db between the hours of 10 p.m. and 7 a.m. While the 45 db limitation is strict (45 db is roughly equivalent to the sound generated by a quiet conversation), the area surrounding the subject property is very lightly developed with the nearest residence located 330 feet from the proposed winery. The inclusion of the above conditions of approval to reduce ambient noise levels and continued adherence to Napa County's Exterior Noise Ordinance by the Department of Environmental Management and the Napa County Sheriff, ensures that marketing events and other winery operational activities are not expected to create a substantial temporary, periodic or permanently increase to ambient noise levels and therefore, impacts are expected to be less than significant.

e.-f. The project site is not located within an airport land use plan nor is it within two miles of a public airport or private airstrip. Therefore, no impact.

**Mitigation Measures:** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. <b>POPULATION AND HOUSING.</b> 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a. - b. This project proposes to convert an existing residence to a hospitality/administration building, construct a winery production building (or expanded production/barrel storage alternative) or barrel storage cave system, and make minor civil improvements the existing private road serving the property. No new homes or extension of roads are proposed as part of this project. The applicant is, however, requesting approval to allow two full-time and two part-time employees and this new employment may lead to some population growth in Napa County. However, the County's housing impact mitigation fee, which provides funding to meet local housing needs and would be applied to the building permits associated with this project, would act to reduce the very limited population growth potentially resulting from this project to a level of insignificance. The project will not displace substantial numbers of existing housing or numbers of people or necessitate the construction of replacement housing elsewhere. While the project proposes to convert one existing residence to agriculture/winery use a single family residential use is still allowed on the property and thus would not necessitate construction of replacement housing elsewhere.

**Mitigation Measures:** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES.</b> 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"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a. The project site is located within the unincorporated area of Napa County. The site is currently served by the Napa County Fire Department and the Napa County Sheriff's Department. No new facilities or public services will be required as a result of approval of this project. Prior to commencing construction, the project will be subject to the payment of building permit fees which pay for the time and services provided by the County to review and inspect the project. Based on the project valuation, the project is also subject to payment of a housing impact fee and increased property taxes which are used to offset the project's fair share contribution toward public services.

Fire protection measures are required as part of the entire project development (including the alternative expanded production/barrel storage building) pursuant to the Napa County Fire Marshall's conditions of approval including the provision of sufficient, permanent water storage for fire protection. The proposed use of the new Type 1 cave (exclusively for the wine barrel storage and no public access), reduces to a minimal level the exposure of visitors, employees, and thus the need to provide new or altered fire protection service. County fire services and police protection are already provided to this site and there will be no foreseeable impacts to emergency response times

resulting from this project with the inclusion of conditions of approval from the Napa County Public Works Department and the Napa County Fire Marshal. 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. Therefore, 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
<b>XIV. RECREATION.</b> Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a.-b. No portion of this winery development project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities. This project does not include recreational facilities nor does it require the construction or expansion of recreational facilities which will have a significant adverse effect on the environment. Therefore, no impact is expected.

**Mitigation Measures:** None are required.

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

**Discussion:**

- a.-b. Access to the project site is from an existing private driveway on the northeast side of Silverado Trail approximately 1,188 feet northwest of its intersection from Dunaweal Lane and one-half mile southeast of the City of Calistoga. The private driveway serves four other properties; Silverado Trail is a County maintained arterial. In December 2008, the project's civil engineer, Applied Civil Engineering, submitted the project traffic information sheet and a report providing supporting traffic calculations for estimated weekday and weekend visitation and marketing event traffic counts in conjunction with their request not to install a left turn lane on Silverado Trail. An Exception to the Napa County Road and Streets standards was also requested to allow a reduced road width for the access road serving the project site. At the request of the Public Works Department, the project engineer completed a sight distance analysis report for the existing private driveway at Silverado Trail. The report was submitted on September 1, 2009. [See also discussion (d.) below.]

The submitted traffic information sheet indicates the subject property currently generates approximately 13 trips daily, of which 4 occur in the P.M. peak hour. With the proposed project, the property's trip generation will increase to 29 daily trips on typical business days, and between 20 and 34 daily trips on marketing event days which are proposed 8 times per year. Thus, the net increase of traffic generated by the proposed project is 16 vehicle trips per day on typical business days, and 7 to 21 vehicle trips per day on marketing event days.

During regular business days, the project is estimated to generate 4 vehicles during peak hour. According to the Napa County Transportation Engineer, this segment of Silverado Trail currently operates at Level of Service B – C. The most recent traffic counts on Silverado Trail north of Dunaweal Lane were taken in 2007 and measured 5,217 vehicles average daily traffic (ADT). The peak hour volume is 535 vehicles per hour, thus turning movements to and from Silverado Trail represent a  $\pm$  0.8% increase over existing volumes in the peak hour of a regular business day. While the traffic supporting calculations report an additional 8.8 visitor vehicles during peak hour per day, the proposed Visitation and Marketing for the project will be conditioned to occur outside of peak traffic periods. Therefore, visitor vehicles were not calculated in the increase over existing volumes in the peak hour of a regular business day.

The traffic information and reports were evaluated by the County Transportation Engineer, and the Public Works Department determined that with the inclusion of Public Works conditions of approval for the project, a left turn lane was not warranted due to the limited production capacity for the winery and the limits proposed for visitation and marketing events. They also determined the driveway sight distances as reported by Applied Civil Engineering (Sept. 1, 2009), were also found to be adequate. Conditions of Approval include civil improvements and maintenance to the existing private driveway as specified in the Exception to Napa County Road & Street Standards to: widen the driveway entrance from Silverado Trail to improve turning radii; install a turn-out on the west side of the private road to improve ingress and egress; record a Lot Line Adjustment with adjacent property owner for said improvements; and, require continuous maintenance of horizontal and vertical vegetation clearances of 10 feet on both sides of the roadway.

Therefore, the additional traffic will not result in a noticeable change to the traffic volumes nor impact the Level of Service on Silverado Trail or at any intersections on Silverado Trail. The net increase of traffic attributable to the proposed project will be arriving and departing the site throughout the day thus not resulting in a noticeable increase in traffic. The project will also not result in a significant impact individually or cumulatively to the surrounding street capacity, traffic load or level of service.

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

- d.-e. The report submitted by Applied Civil Engineering on September 1, 2009, analyzes the north and south sight distances at the existing driveway onto Silverado Trail. It concludes the existing distances exceed Napa County Road and Street Standards and Caltrans requirements for stopping sight distance. (Looking North: 900+ feet; Looking South: 750 feet.) The Napa County Transportation Engineer concurs that the stopping sight distances are within County and Caltrans standards.

The project also incorporates widening the private road entrance to a width of 20 feet at Silverado Trail to improve turning radii (Napa County Road Standards). A turn-out on the west side of the private road to improve ingress and egress and continuous maintenance of horizontal and vertical vegetation for a distance of 10 feet on both sides of Silverado Trail will be required as a condition of approval for the Road Exception. Additionally, the on-site driveway to the winery will be widened to the County standard of 20 feet.

The County Fire Marshall and the Department of Public Works have reviewed the requested Exception to the Napa County Road and Street Standards and recommend approval as specified in their conditions of approval for this project. A recorded Lot Line Adjustment securing the additional right of way for these improvements from the adjacent property owner to the west will be required as a condition of approval prior to issuance of any grading or building permits for the project. The applicant will be required to meet all County Department conditions of approval prior to issuance of a Temporary or Final Certificate of Occupancy for the winery. Therefore, as conditioned, the project impacts related to traffic hazards and emergency access are expected result in a less than significant.

- f. This application proposes six parking spaces, including one ADA-accessible space, in a paved parking area on the north side of the proposed production building. With two full-time and two part-time winery employees and 20 busiest day by-appointment tours and tasting visitors, the six proposed parking spaces is adequate to provide parking over the course of an eight hour day. Where marketing event visitation exceeds parking capacity, standard conditions of approval disallow parking in the right-of-way or emergency access and require the shuttling of marketing event visitors from an approved off-site location. With the inclusion of Standard Conditions of Approval, the proposed project will not result in inadequate parking facilities.

- g. There is no aspect of this proposed project that would conflict with any adopted policies, plans or programs supporting alternative transportation.

**Mitigation Measures:** None are required.

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

**Discussion:**

- a. The project will not exceed wastewater treatment requirements as established by the Regional Water Quality Control Board and will not result in a significant impact related to wastewater discharge.
- b. Wastewater disposal for the project will be accommodated on site in compliance with State and County regulations as specified in the conditions of approval from the Department of Environmental Management as discussed under Hydrology and Water Quality Section VIII., Mitigation #1. The proposed winery domestic and process wastewater system is described in full in the submitted wastewater and septic feasibility report (Applied Civil Engineering, "Onsite Wastewater Disposal Feasibility Study for the Venge Winery", December 4, 2008). The system consists of treating and disposing of the process and sanitary wastewater from the proposed winery via a standard sub-surface gravity distribution type septic system. The existing residence will be converted and used as a hospitality/administration building. Portions of the existing septic system will be utilized requiring the final leach line trenching area to be expanded from 680 lineal feet to a total of 800 lineal feet. The Department of Environmental Management has reviewed the proposed wastewater treatment system and recommends approval with the inclusion of conditions of approval and mitigation # 1 as previously noted. With the inclusion of these conditions and mitigation, the no new water or wastewater facilities will be constructed which will cause a significant environmental impact.
- c. The project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities which would cause a significant impact to the environment.
- d. As discussed at the **Hydrology and Water Quality** section, above, this project will result in a slight decrease in groundwater usage of existing on-site wells which remains below the County established threshold for the parcel.
- e. Wastewater will be treated on site and will not require a wastewater treatment provider.

- f. The project will be served by a landfill with sufficient capacity to meet the project's demands. No significant impact will occur from the disposal of solid waste generated by the project.
- g. The project will comply with all federal, state, and local statutes and regulations related to solid waste (See discussion under Hydrology and Water Quality Section VIII. Mitigation #1.)

**Mitigation Measures:** None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a. As substantiated by a biological assessment performed in 2008 and updated in 2009, the project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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.
- b. As discussed above, the proposed project does not have impacts that are individually limited, but cumulatively considerable.
- c. As mitigated by **Mitigation Measure #1** in Section VIII. Hydrology and Water Quality, there are no environmental effects caused by this project that would result in substantial adverse effects on human beings, whether directly or indirectly.

**PROJECT REVISION STATEMENT**

**Venge Winery / Dianna Venge, Kirk Venge and Erika Phillips (Tenants in Common)  
Use Permit #P08-00647- UP (APN: 020-350-008)**

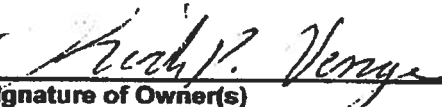
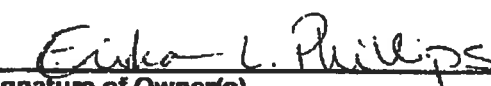

I hereby revise my above reference use permit proposal to include the following mitigation measures as specified below:

**1. Hydrology and Water Quality:**

No approval for any cave construction shall be granted until compliance with applicable setbacks to surrounding septic systems as stated in Environmental Management's memorandum dated November 9, 2009, have been demonstrated to the Department of Environmental Management's satisfaction. Should an acceptable resolution to setbacks to surrounding septic systems not be found, the cave shall not be allowed.

I further commit myself and my successors-in-interest to communicate the above specified requirements in writing to any future purchasers of renters of property prior to the transfer of any deeds or the signature of any contracts.

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)	Kirk P. Venge Print Name	18% Interest
 Signature of Owner(s)	Erika L. Phillips Print Name	9% Interest
 Signature of Owner(s)	Dianna Venge Print Name	73% Interest

**RECEIVED**

NOV 16 2009

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**VENGE WINERY #P08-00647-UP (APN: 020-350-038)**

Mitigation Measure Hydrology and Water Quality (Section VIII)	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p>1. No approval for any cave construction shall be granted until compliance with applicable setbacks to surrounding septic systems as stated in Environmental Management's memorandum dated November 9, 2009, have been demonstrated to the Department of Environmental Management's satisfaction. Should an acceptable resolution to setbacks to surrounding septic systems not be found, the cave shall not be allowed.</p>	<p>Department of Environmental Management</p>	<p>The Department of Environmental Management shall report that compliance with said requirements of conditions of approval dated August 12, 2009 have been met by the property owner prior to issuance for any grading or building permit for the cave or any cave portal.</p>	