

COUNTY OF NAPA
 PLANNING, BUILDING & ENVIRONMENTAL SERVICES DEPARTMENT
 1195 THIRD ST., SUITE 210
 NAPA, CA 94559
 (707) 253-4417

Initial Study Checklist
 (form updated September 2010)

1. **Project Title:** Darioush Winery – Use Permit Major Modification # P13-00178-MOD
2. **Property Owner:** Darioush Khaledi Winery, LLC / Darioush Khaledi
3. **County Contact Person, Phone Number and Email:** Ronald Gee, Planner; (707) 299-1351, ronald.gee@countyofnapa.org
4. **Project Location and APN:** The project is located on an approximately 31.49 acre parcel on the east side of Silverado Trail, approximately 0.75 mile (3,985 feet) north of the intersection with Soda Canyon Road, 4240 Silverado Trail, Napa, CA 94558, APN 039-400-084.
5. **Project sponsor's name and address:** Darioush Khaledi, 4240 Silverado Trail, Napa, CA 94558
6. **General Plan description:** AR (Agricultural Resource), *Napa County General Plan, 2008*
7. **Zoning:** AP (Agricultural Preserve) District
8. **Project Description:** Approval of Use Permit Major Modification # P13-00178-MOD to modify prior Use Permits # U-547879, # 99008-MOD, # 02301 and # P12-00197-MOD to allow the following:
 - Increase total winery facility size from 32,868 sq. ft. to 72,751 sq. ft.;
 - Increase the winery production area from 23,774 sq. ft. to 52,452 sq. ft. with construction of an expanded covered crush pad, additional stainless storage area, barrel and case goods storage areas;
 - Increase winery accessory use areas 9,904 sq. ft. to 20,299 sq. ft. with construction of new or remodeled office, break room kitchen, conference and service areas;
 - Add capacity to the existing Lyve wastewater processing facility;
 - Increase the number of employees from 14 full-time and 6 part-time (20 total) to 35 full-time and 20 part-time (up to 55 total);
 - Increase on-site parking from 45 to 87 spaces with expansion of truck and parking circulation areas; and
 - Allow on-site sale and consumption of wine pursuant to AB 2004 (Evans).

No changes to existing winery production levels, hours of operation, visitation or marketing program are proposed.

Use Permit # 547879-UP was approved on January 9, 1980 to establish a 100,000 gallons/year, 21,252 sq. ft. winery with a phased development plan. Use Permit # 99008-MOD defined Phases 2 and 3 of the winery's development with 66,667 gallons/year production (after initial production of 25,000 gallons/year), construction of a 4,961 sq. ft. winery building and 1,716 sq. ft. crush pad. Phase 3 increased production levels to 100,000 gallons/year with additional construction of a 3,641 sq. ft. "future production building expansion" for a total 21,252 sq. ft. winery. In addition, installation of the appropriate wastewater treatment system, 15 on-site parking spaces and visitation restricted to 100 people on the busiest day (with 350 maximum weekly average) were included. A Mitigated Negative Declaration was adopted for this permit after completion of an Environmental Checklist and incorporation of potential mitigation measures as part of the project.

The Board of Supervisors approved a Use Permit # BB-498485 to construct a personal residence with an attached Bed & Breakfast facility on December 17, 1985. Winery production capacity was reduced to 20,000 gallons/year while the Bed & Breakfast existed. The Bed & Breakfast was only allowed under the previous owner's or his family's property ownership. Although the winery site plan was modified to accommodate this residence, only the foundation was ever constructed. When the County was notified that the property had been sold, an October 1, 1998 letter was sent notifying the new property owner that the Use Permit for the Bed & Breakfast was terminated and that the change in use required a winery use permit modification.

On March 15, 2000, Use Permit # 99008-MOD modified the use permit to allow: 1) relocation and redesign of the remaining portion of the winery, including covering the existing 1,716 sq. ft. crush pad; 2) relocation and reduction of the number of approved parking spaces from 45 to 30; 3) deleted an earlier condition regarding the design/color of the winery building; 4) installation of a modular unit for use as offices and tasting during construction; 5) visitation restricted to 100 on the busiest day with 350 visitors for a weekly average; and 6) construction of an engineered sewage disposal system in place of a waste disposal reservoir system that had originally been approved. A Negative Declaration was adopted for this permit after completion of an Environmental Checklist.

On December 4, 2002, Use Permit # 02301-MOD allowed further amendments to: 1) add a marketing plan to include 15 dinners/month, 20 lunches/month and 8 release events. By prior appointment, tours and tastings without meals served were allowed with no more than 400 total visitors/day, including marketing activities; 2) Previously-approved parking was relocated and 30 new parking spaces were added for 45 total; 3) Full-time employees were increased from 6 to 14 and part-time employees from 5 to 6; 4) Floor plans were revised to replace an office with a laboratory area and a storage room with an office; and 5) Parking plan revisions that relocated the employee and residential (not a part of the winery) parking areas and eliminated the Phase 3 parking area. An Initial Study and Negative Declaration were adopted for the project.

Use Permit Very Minor Modification # P12-00197-VMM was approved on July 2, 2012 to allow installation of a new wastewater treatment system with new landscape screening improvements. This permit was determined to be Categorically Exempt from CEQA review under Section 15304, Class 1, Additions to Existing Structures and Appendix B, Class 1(3), Increase of less than 25% to winery size.

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

The approximately 28.45 acre parcel slopes gently to the southeast, ranging in elevation from 65 ft.-100 ft. MSL, and is located approximately 3 miles north of the City of Napa. According to County of Napa GIS Resource Maps, surficial deposits consist of Quaternary deposits and bedrock consisting of andesitic to basaltic lava flows and older distal fan deposits, overlain by Class III soils of Haire loam (2%-9% slopes) series and Class VII Hambright rock Outcrop complex (30%-75% slopes); approximately 85% of the property is located between Silverado Trail and the eastern hill side with Haire loam soils. Runoff is slow to medium in the Haire soils with slight erosion and rapid to very rapid runoff with high erosion hazard for the Hambright rock Outcrop complex. A potential landslide area is noted in the southeastern corner of the site, outside of any existing or proposed development areas. The property is located within the Oak Knoll Creek Drainage Area, outside any designated groundwater deficient area, wetlands, vernal pools, FEMA flood zone or Alquist-Priolo fault zones. Vegetation on the property consists of planted vineyards and ornamental landscaping and screening around developed areas. According to the California Department of Fish & Wildlife Natural Diversity Database, the site is located within a designated Biologically Sensitive area for *Lasthenia conjugens* (Contra Costa goldfields).

Surrounding land uses include open space, agriculture/vineyard, winery and rural residential uses. The closest residences are located approximately 366 and 544 feet south of the winery site.

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

Discretionary approvals required by the County include a Use Permit. The project would also require various ministerial approvals by the County, including but not limited to waste disposal permits.

Responsible (R) and Trustee (T) Agencies

None Required.

Other Agencies Contacted

None Required.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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

Ronald Gee, Project Planner
Napa County Planning, Building &
Environmental Services Department

Date

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the Silverado Trail area is defined by a mix of vineyard, winery, and rural residential uses. Physical development associated with this approval will include the addition of parking spaces along existing and expanded access roads, expanded winery production areas, accessory use areas and new storage structures located behind the existing winery building and production area. No tree removal is proposed and all proposed or foreseeable improvements will be at-grade. No rock outcroppings or historical structures are located in proposed development areas.

The Darioush Winery has parcel frontage along Silverado Trail, a designated County Viewshed Road, but the winery facility is located approximately 705 feet from the road and is screened with a significant amount of mature trees, ornamental landscaping and vineyards that buffer its visibility from other parcels and the roadway.

All previous Use Permit approvals included a Condition of Approval for, "A detailed landscaping plan including parking details shall be submitted to the Department for review and approval indicating the names and locations of plant materials along with the method of maintenance prior the issuance of any building permits for the winery. The landscaping shall be completed prior to the completion and final occupancy of the winery." This permit condition was fully implemented. Seen as a whole, nothing in this project would substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. Impacts related to scenic resources will be less than significant.

d. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. The standard winery condition of approval relating to lighting states the following:

"All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting during harvest activities is not subject to this permit condition.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code."

With standard conditions of approval, this project will not create a substantial new source of light or glare.

Mitigation Measure(s): No mitigation measures are required.

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

Discussion:

- a. Based on a review of Napa County environmental resource mapping, the entirety of the project area is located on Prime Farmland (*Department of Conservation Farmlands, 2008* layer). New impervious surfaces are proposed to expand the rear crush pad area, construct new storage structures, accessory use structures (i.e., kitchen, conference room and service areas) and expand access road and parking areas. All new facilities will be located in previously-disturbed areas along existing access roadways, adjacent to the existing winery facility and vineyards. The entirety of the proposed development will be dedicated to active wine production uses. General Plan Agricultural Preservation and Land Use policies **Ag/LU-2** and **Ag/LU-13** recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application will not result in the conversion of special status farmland to a non-agricultural use.
- b. As discussed at "a." above, the proposed winery is consistent with the parcel's AP (Agricultural Preserve) District agricultural zoning. No agricultural or Williamson Act contracts are associated with this property.
- c-d. The subject parcel includes neither forestland nor timberland and is not subject to timberland zoning. There will be no impact to forest resources.
- e. As discussed at items "a." and "b.", above, the winery improvements proposed in this application are defined as agricultural by the Napa County General Plan and are allowed under the parcel's AP District zoning. Neither this project, nor any foreseeable consequence thereof, would result in changes to the existing environment which would result in the conversion of special status farmland to a non-agricultural use.

Mitigation Measure(s): No mitigation measures are required.

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

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

Discussion:

a-c. On June 2, 2010, the Bay Area Air Quality Management District's Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act (CEQA). The thresholds were designed to establish the level at which the District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Air District's website and included in the Air District's May 2011 updated CEQA Guidelines.

On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the Air District had failed to comply with CEQA when it adopted the thresholds. On August 13, 2013, the Court of Appeal reinstated the District's thresholds of significance provided in Table 3-1 (Criteria Air Pollutants & Precursors Screening Levels Sizes) and are applicable for evaluating projects in Napa County.

The proposed project includes up to 55 full-time and part-time employees, 400 busiest-day tours-and-tasting visitors and 100,000 gallons/year of production meaning that this project would account for 186 maximum daily trips on a typical weekday, 243 on a typical Saturday and 316 trips on a Crush Saturday. The subject application includes marketing events approved in 2002, with up to 150 people at the largest event; at 2.8 persons per car that would add up to 163 additional trips on the day of a large marketing event.

Over the long term, emission sources for the proposed project will consist primarily of mobile sources including vehicles visiting the site. The Air District's threshold of significance provided in Table 3-1 has determined that similar projects such as a quality restaurant that do not exceed a threshold of 47,000 square feet will not significantly impact air quality and do not require further study (BAAQMD CEQA Guidelines, May 2011, Pages 3-2 & 3-3.). Given the size of the ultimate winery project is approximately 72,751 square feet, including all winery production (52,452 sq. ft.) and accessory uses (20,299 sq. ft.) compared to the BAAQMD's screening criterion of 541,000 square feet (general light industry), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

The proposed project would not conflict with or obstruct the implementation of any applicable Air Quality Plan. Wineries as proposed here are not producers of air pollution in volumes substantial enough to result in an air quality plan conflict. The project site lies within the Napa Valley, which forms one of the climatologically distinct sub-regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. Over the long term, emissions resulting from the proposed project would consist primarily of mobile sources, including production-related deliveries and visitor and employee vehicles traveling to and from the winery. The resulting busiest day plus marketing total is below the threshold of significance. The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.

d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from

paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adhere to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

The permittee shall comply during all construction activities with the Bay Area Air Quality Management District Basic Construction Mitigation Measures as provided in Table 8-1, May 2011 Updated CEQA Guidelines.

Furthermore, while earthmoving and construction on the site will generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

- e. While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Construction-phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

Mitigation Measures: No mitigation measures are required.

	Potentially Significant Impact	Less Significant With Incorporation	Than Mitigation	Less Significant Impact	Than No Impact
IV. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input 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-e. Napa County Environmental Resource Mapping (*Biological Critical Habitat Areas - California Red-legged Frog, Contra Costa Goldfields, and Vernal Pool Fairy Shrimp; Vernal Pools; CNDDDB; Plant Surveys; and CNPS layers*) indicates the potential presence of *Isthmia conjugens* (Contra Costa goldfields) on the project site. The LSA Associates, Inc., *Biological Resource Report, Darioush Khalid Winery (APN # 039-400-084), Napa, California, May 13, 2013 (sic)*, concluded that, 'Existing biological resources are limited to ornamental and vineyard plantings and common rural-adapted wildlife species. The entire parcel has been modified by humans for viticulture and no pre-development plant communities or native trees are present. The parcel does not contain habitat for any special-status plant or animal species. No wetlands, streams, ponds or other aquatic features potentially subject to agency jurisdiction are present.'

However the report stated, "The ornamental trees and shrubs behind the existing stainless cellar provide nesting habitat for common native birds such as the northern mockingbird, California towhee, and lesser goldfinch. Although these and many other native species do not have any special regulatory status, the nests of all native birds are protected under the federal Migratory Bird Treaty Act (MBTA) and California Fish & Game Code. If conducted during the nesting season (March 1 to August 31), removal of the existing trees or shrubs could result in the destruction of active bird nests. If such activities are scheduled during the nesting season (March 1 to August 31), a qualified biologist should conduct a preconstruction nest survey of all trees or other suitable nesting habitat in and within the 50 feet of the limits of work no more than 14 days prior to start of work. If the survey determines nesting birds are present, establish buffers around the nest until the young have successfully fledged. In general buffer sizes of up to 50 feet should suffice to prevent disturbance to small birds nesting in human-modified environments. With implementation of the above measure, the proposed construction of new winery facilities is not expected to result in significant impacts to any sensitive biological resource."

With the above recommended mitigation measure, the project will not 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

- f. There are no Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans applicable to the subject parcel.

Mitigation Measure(s): 1) Any winery construction conducted during the nesting season of common native birds (March 1 to August 31) may result in removal of the existing trees or shrubs could result in the destruction of active bird nests. If such activities are scheduled during the nesting season (March 1 to August 31), a qualified biologist shall conduct a preconstruction nest survey of all trees or other suitable nesting habitat in and within 50 feet of the limits of work no more than 14 days prior to start of work. If the survey determines nesting birds are present, buffers around the nest shall be established until the young have successfully fledged, as determined by a qualified biologist.

Method of Mitigation Monitoring: Prior to issuance of Building Permits, the applicant shall submit a proposed construction schedule to coordinate with the Planning, Building & Environmental Services (PBES) Department Director and Building Official preparation of the required preconstruction nest survey by a qualified biologist. All nest survey recommendations shall be implemented and made a part of the Building Permit by reference for the duration of project construction. A pre-construction meeting with the applicant, designated PBES staff and the Building Official shall identify nest survey recommendations, implementation procedures and coordinate monitoring of those survey recommendations prior to initiation of construction.

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

Discussion:

- a-c. No historical, archaeological or paleontological resources have been identified on or near the existing project site. No mitigation measures were adopted as part of the Mitigated Negative Declaration for the original winery project, Use Permit # U-547879, or any subsequent permit. The project site is already developed with a winery and newly-designated, existing parking spaces will be located along existing access roads and adjacent to the existing garage. It is not anticipated that any cultural resources are present on the site and there is no potential for impact. However, if resources are found during any future grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval:

"In the event that archeological artifacts or human remains are discovered during any subsequent construction in the project area, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building & Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause

of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98."

- d. No human remains have been encountered on the property during past grading activities when winery improvements were constructed and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard condition of approval noted above.

Mitigation Measure(s): No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, defined as soil having an expansive index greater than 20 as determined in accordance with ASTM (American Society of Testing and Materials), 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:

As detailed above, Negative Declarations or Mitigated Negative Declarations adopted as part of earlier Use Permits for the project site. Although a potential landslide is identified in the southeast corner of the site, about 415 feet east of the project site, no other geologic hazards are identified at any existing or proposed winery development areas.

- ai. There are no known faults on the project site as shown on the Napa County Environmental Resource Mapping (Alquist-Priolo layer) earthquake fault map. The existing winery facility would not expose people to injury as the result of rupture of a known fault.
- aii. All areas of the Bay Area are subject to strong seismic ground shaking. The proposed improvements must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which will function to reduce any potential impacts to a less than significant level.
- aiii. No subsurface conditions have been identified on the project site that would indicate a high susceptibility to seismic-related ground failure or liquefaction. Napa County Environmental Resource Mapping (*Liquefaction* layer) indicates that the project area is subject to "Very Low" liquefaction potential. The existing winery must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which would reduce any potential impacts related to liquefaction to a less than significant level.
- aiv. Napa County Environmental Resource Maps (*landslide line, landslide polygon, and landslide geology* layers) do not indicate the presence of landslides or slope instability on the mostly level subject property.

- b.-d. Based on Napa County Environmental Resource Mapping, the subject parcel is comprised of surficial deposits that consist of Quaternary deposits and bedrock overlain by Class II soils of Haire loam (2%-9% slopes) series and Hambright rock Outcrop complex (30%-75% slopes); approximately 85% of the property is located between Silverado Trail and the eastern hill side with Haire loam soils. Runoff is slow to medium in the Haire soils with slight erosion and rapid to very rapid runoff with high erosion hazard for the Hambright rock Outcrop complex. A potential landslide area is noted in the southeastern corner of the site, outside of any existing or proposed development areas.

The proposed project will require incorporation of best management practices and will be subject to the *Napa County Stormwater Ordinance*, which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.

The proposed winery expansion area is level. Quaternary deposits and bedrock deposits underlay the soils in the project area. Based on Napa County Environmental Sensitivity Mapping (*Liquefaction* layer) the project site has "Very Low" liquefaction potential. Any new construction at the facility must comply with all current building standards and codes, including the California Building Code, which will function to reduce any potential impacts to a less than significant level.

- e. The Napa County Division of Environmental Health has reviewed this application and recommends approval based on the submitted wastewater feasibility report and septic improvement plans. Soils on the property have been determined to be adequate. Please see the **HYDROLOGY AND WATER QUALITY** section, below, for a discussion of proposed wastewater treatment improvements.

Mitigation Measure(s): No mitigation measures are required.

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

Discussion:

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

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO₂e)]. These thresholds of significance are now appropriate for evaluating projects in Napa County due to BAAQMD's compliance with CEQA as discussed under Section III. Air Quality.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy **CON-65(e)**. (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.)

The applicant proposes to incorporate GHG reduction methods including: 1) generation of on-site renewable energy; 2) using solar hot water heating; 3) planting shade trees within 40 feet of south side building elevations; 4) providing priority parking for efficient transportation vehicles; 5) providing bicycle racks and an electrical vehicle charging station; 6) installing energy- and water-efficient fixtures; 7) educating staff and visitors about sustainable practices; and 8) recycling 75% of all waste.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO₂e. GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions below BAAQMD thresholds.

The increase in emissions expected as a result of the project will be relatively modest and the project is in compliance with the County's efforts to reduce emissions as described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

Mitigation Measures: No mitigation measures are required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-b. An updated Hazardous Materials Management Plan will be required by the Division of Environmental Health. Such plans provide information on the type and amount of hazardous materials stored on the project site. The proposed project will not result in a significant risk of release of hazardous materials into the environment.
- c. There are no schools located within 0.25 mile of the project site.

- d. Napa County Environmental Resource Mapping (*Hazardous Facilities* layer) indicates that the subject property is not on any known list of hazardous material sites nor is it located within 1,500 feet of any known hazardous releases.
- e. The project site is not located within two miles of the Napa County Airport, the closest public airport facility. This facility is located approximately ten miles south of the project site which does not result in a safety hazard for people residing or working in the project area.
- g. Existing project access complies with emergency access and response requirements; the proposed winery operational changes will not have a negative impact on emergency response planning.
- h. The project is located in an area that includes intensive irrigated agriculture. Risks associated with wildland fire in the direct vicinity are quite low; and to the extent they exist they are primarily associated with smoke related damage to wine grapes (smoke taint) and not with risks to life or structures. The Napa County Fire Marshal has reviewed this application and believes there is adequate fire service in the area. This project will not expose people or structures to a significant risk of loss, injury or death involving wild-land fires.

Mitigation Measure(s): No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project will not violate any water quality standards or waste discharge requirements. The Napa County Environmental Services Division has reviewed the existing domestic and process wastewater systems, including proposed wastewater treatment and facility expansion, and recommends approval as conditioned. Additionally, the applicant will be required to obtain all necessary permits

from the Napa County Engineering Services Division, including a Stormwater Pollution Management Permit. The permit will provide for adequate on-site containment of runoff during storm events through placement of siltation 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 which reduces water usage or any water usage which is at or below the established threshold is, for purposes of the application of the County's Groundwater Conservation Ordinance, assumed not to have a significant effect on groundwater levels.

Based on the submitted *Phase One* water availability analysis, the 31.49 acre subject valley floor-area parcel has a water availability calculation of 31.49 acre feet per year (af/yr), which is arrived at by multiplying its approximately 31.49 acre size by a 1.0 af/yr fair-share water use factor. According to the applicant, existing water usage at the winery's current production rate has been 14.37 af/yr. With the proposed production facility area increase only, no wine production increase and use of recycled irrigation water, water use is projected to decrease to 13.74 af/yr for the winery, including domestic (consisting of residential, winery staff, visitation and increased marketing amounts), landscaping, and vineyard irrigation. The combined total falls well below the 31.49 af/yr fair-share limit. As stated in its August 8, 2013 memo, the Department of Public Works has reviewed this analysis and recommends approval of this project on the basis that the project water use would be below the established threshold for groundwater use on the property and would not have a significant impact on static water levels of neighboring wells. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area. 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.

- c-e. There are no existing or planned stormwater systems that would be affected by this project. The area surrounding the project is pervious ground that is planted to vineyards and has the capacity to absorb runoff.
- f. There is nothing included in this proposal that would otherwise substantially degrade water quality. As discussed in greater detail at, "a.," above, the Division of Environmental Health has reviewed the proposed wastewater improvements and has found the proposed system expansion adequate, as conditioned, to meet the facility's septic and process wastewater treatment and disposal needs. No information has been encountered that would indicate a substantial impact to water quality.
- g. This project proposes no housing development. No housing would be placed within a mapped flood zone.
- h. According to Napa County environmental resource mapping (*Floodplain and Flood Zones* layers), no part of the Darioush Winery or the project area is located within a 100-year flood hazard area. Given the winery's location, it is very unlikely that any proposed improvements would impede or redirect flood flows or expose structures or people to flooding.
- i. According to Napa County environmental resource mapping (*Dam Levee Inundation* layer), no part of the Darioush Winery project is located in the Rector, Bell Canyon or Conn Dam inundation areas. Therefore, it is unlikely if this dam was to fail, that visitors and employees would be subject to water inundation. It should be noted that dams are subject to regular inspection by the California Department of Conservation, Division of Dam Safety, and the State's ongoing dam inspection program insures that any risks associated with dam failure are less than significant.
- j. In coming years, higher global temperatures are expected to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The Intergovernmental Panel on Climate Change estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). However, the project area is located between approximately 65-100 feet MSL in elevation and is located outside the tsunami inundation area pursuant to the *Tsunami Inundation Map for Emergency Planning*. There is also no known history of mud flow in the vicinity. The project will not subject people or structures to a significant risk of inundation from tsunami, seiche, or mudflow.

Mitigation Measure(s): No mitigation measures are required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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-c. The proposed project is located in an area dominated by agricultural, rural residential and open space uses and the improvements proposed here in support of ongoing agricultural uses county-wide, as they provide a market for grapes grown within Napa County. The project will not divide an establish community. Furthermore, the proposed project is in compliance with the *Napa County General Plan*, the *Napa County Zoning Ordinance* and related applicable County Code sections, and all other applicable regulations. There are no habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measure(s): No mitigation measures are required.

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

Discussion:

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

Mitigation Measure(s): No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. The proposed project will result in a temporary increase in noise levels during additional marketing events. No new construction is proposed therefore, no ground borne vibration or ground borne noise is anticipated. Noise generated from the proposed expansion is not anticipated to be significant. The proposed project will not result in long-term significant construction noise impacts.
- c/d. The site is currently built, therefore, the proposed additional visitation and marketing events will increase the overall anticipated level of noise in the operation of the winery; however, this would be typical of a winery. Enforcement of Napa County's Exterior Noise Ordinance is and will continue by the Division of Environmental Health and the Napa County Sheriff to reduce ambient noise levels to less than significant.
- e/d. The project is not within the vicinity of a private or public airstrip that would create noise pollution.

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

Discussion:

- a. Staffing for the winery would include 55 (35 full time and 20 part-time equivalent) employees, an increase from 20 (14 full-time and 6 part time) employees approved earlier. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. Employee positions which are part of this project will almost certainly lead to some population growth in Napa County. However, relative to the county's projected low to moderate growth rate and overall adequate programmed housing supply, that population growth does not rise to a level of environmental significance. In addition, the project will be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

- b/c. This application will displace neither persons nor housing and will not necessitate the construction of replacement housing elsewhere.

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

Discussion:

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

Mitigation Measure(s): No mitigation measures are required.

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

Discussion:

- a-b. This application proposes modifications to an existing winery, including increases in production and accessory use areas. No portion of this project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities. This project does not include new recreational facilities of any description.

Mitigation Measure(s): No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the Napa County Transportation and Planning Agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Installation of a southbound, left-turn lane at the property entrance, including acceleration and deceleration lane road tapers on the east side of Silverado Trail, were required as Conditions of Approval for Use Permit # U-547879. These mitigation measures have been fully implemented.

- a-b. The applicant has submitted traffic data including the attached, *Crane Transportation Group, Left Turn Lane Evaluation – Darioush Winery at 4240 Silverado Trail, Napa County California, May 14, 2013 (Memorandum)*. The winery will contribute to the overall traffic by 186 vehicle trips per day (65 PM peak trips) on weekdays and 243 vehicle trips per day (121 PM peak trips) on typical Saturdays. A total of 316 total daily trips will be generated for traffic during a Crush Saturday. For the largest marketing event of up to 150 people, an additional 163 trips would be generated. The Memorandum concluded that an increase in employee vehicle activity of 75% could increase the southbound, left-turn lane vehicle queues by one vehicle during employee arrival and departure periods. This maximum queue of two inbound vehicles would be easily accommodated by the existing, 75-foot long left-turn lane.

The Department of Public Works has reviewed this data and recommends approval of the project on the basis that the traffic volumes are below the threshold that would impact Silverado Trail and would not require construction of any additional roadway improvements in accordance with the Napa County Roads and Streets Standards. According to Public Works Transportation Engineering staff, the project will have no net increase in existing traffic generation and there will be no residual individually or cumulatively significant traffic impacts associated with this project as regards traffic congestion and levels of service.

There is adequate off-road turnaround area between the gate and Silverado Trail roadway.

- c. The proposed project would not result in any change to air traffic patterns.
- d-e. The project site is accessed directly from Silverado Trail. The Division of Engineering Services has reviewed project access and recommends approval with standard conditions. The Napa County Fire Marshal has reviewed this application and has not identified any significant impacts related to emergency vehicle access provided that standard conditions of approval are incorporated. Project impacts related to traffic hazards and emergency access are expected to be less than significant.
- f. Use Permit # 02301-MOD approved 45 winery parking spaces that now include 7 additional employee parking spaces on-site (52 total). To accommodate proposed expansion, 35 additional spaces are proposed that include 3 new office/visitor spaces, 23 new employee parking spaces in a new north lot with 9 seasonal production parking spaces (87 total). Four unmarked bus and limousine parking spaces

are located in the north side driveway that is utilized on an as-needed basis. The Division of Engineering Services has reviewed the winery's existing parking layout and recommends approval with standard conditions. The project will not conflict with General Plan Policy CIR-23, which requires provision of adequate parking to meet the anticipated parking demand and not to provide excess parking that may stimulate unnecessary vehicle trips that could cause potentially significant environmental impacts.

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

Mitigation Measure(s): No mitigation measures are required.

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

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 on the environment relative to wastewater discharge. Wastewater disposal will be accommodated on-site and in compliance with State and County regulations.
- b. The Napa County Division of Environmental Services has reviewed the existing wastewater treatment and processing facility improvements, as well as the suitability of existing process wastewater systems and recommends approval as conditioned. Continued use and monitoring of existing wastewater treatment facilities will not result in significant environmental impacts over permitted baseline levels.
- 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, groundwater usage will remain below the property's fair share volume. No new or expanded entitlements are necessary.
- e. Domestic wastewater will be treated on-site and will not require a wastewater treatment provider. Process wastewater will likewise be treated and disposed of on-site consistent with the requirements of the Napa County Division of Environmental Health.
- 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.

Mitigation Measure(s): No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The project would have a less than significant impact on wildlife resources. No sensitive resources or biological areas will be converted or affected by this project. Also as analyzed above, the project would not result in a significant loss of native trees, native vegetation, or important examples of California's history or pre-history.
- b. As discussed above and in particular under **Air Quality, Transportation/Traffic, and Population and Housing** the proposed project does not have impacts that are individually limited, but cumulatively considerable.
- c. There are no environmental effects caused by this project that would result in substantial adverse effects on human beings, whether directly or indirectly. No hazardous conditions resulting from this project have been identified. The project would not have any environmental effects that would result in significant impacts.

Mitigation Measure(s): No additional mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. SUBSEQUENT MITIGATED NEGATIVE DECLARATION				
a) Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Has new information of substantial importance been identified, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted which shows any of the following:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents have declined to adopt the mitigation measure or alternative. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents have declined to adopt the mitigation measure or alternative. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a-e. Negative Declarations were previously adopted for the project site in conjunction with the approval of Use Permits # U-547879, # 99008-MOD and # 02301-UP. The following mitigation measures, which addressed Aesthetics, Hydrology/Water Quality, Noise and Traffic, were adopted as modifications to the project for Use Permit # U-547879:

Aesthetics

1. Installation of plantings around the proposed parking lot and any outdoor use or storage areas of sufficient height and density to completely screen these areas from view from adjoining properties.
2. Installation of shields on the proposed lights to direct all the illumination produced downward and away from nearby residences and Silverado Trail.

Hydrology/Water Quality

3. Adherence in constructing the proposed combination irrigation/wastewater disposal reservoir to the Napa County Mosquito Abatement District's "Recommended Guidelines for Mosquito Prevention, Weed Control and Maintenance in Wastewater Ponds".

Noise

4. Limitation of all construction activities proposed to that portion of the day when they will cause the least amount of annoyance (i.e., between 7:30 AM and 4:30 PM).
5. Selection of existing construction techniques, staging plans and equipment designed to produce a minimum amount of noise during waking hours.
6. Requiring proper maintenance of the construction equipment including mufflers.
7. Placement of noise stationary construction equipment such as compressors away from developed areas off-site and/or providing shielding for such equipment.

Traffic

8. Installation of a southbound left-turn lane on Silverado Trail at this winery's entrance.
9. Installation of acceleration and deceleration tapers on the east side of Silverado Trail at said entrance.
10. Installation of a dust free all weather surface on the proposed site entrance way, parking lot and any outdoor storage or use areas developed.
11. Installation of at least a 45 space parking lot.

New environmental effects resulting from proposed changes, altered severity, altered conditions, or new information are addressed in their respective sections are discussed above. There are no changes proposed in this project which will require major revisions to previous environmental documents. The above mitigation measures have already been implemented. With the updated LSA Associates, Inc.

Biological Resources Report, May 13, 2013, detailed in Section IV. Biological Resources, above, a new mitigation measure was recommended for the project. Therefore, a Subsequent Mitigated Negative Declaration is appropriate for this project.