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## FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALL WINERY DISTILLERY BUILDING DEMOLITION SCH#2014062057

### I. INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared by Napa County in accordance with the requirements of the California Environmental Quality Act (CEQA).

### II. PURPOSE AND INTENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (EIR) for the Hall Winery Distillery Building Demolition. The Draft EIR identified potential environmental consequences associated with the proposed project and recommended mitigation measures to reduce those potentially significant impacts. This document together with the Draft EIR will constitute the Final EIR and will be used to support the County's decision regarding whether to approve the Hall Winery Distillery Building Demolition project.

The Draft EIR was made available for public review on June 19, 2014 and was distributed to local and. The general public was advised of the availability of the Draft EIR through public notice posted by the County as required by law. A public hearing to receive comments on the Draft EIR was held by the Planning Commission on July 16, 2014. During the public review period the County received four comment letters listed in Table 1 and attached to this document.

**TABLE 1 – Comments on Draft EIR**

<b>Comments Received from</b>	<b>Letter Dated</b>
1. Native American Heritage Commission, Katy Sanchez	June 24, 2014
2. Mount Veeder Stewardship Council, Gay Margadant (Mr. Margadant also spoke at the July 16, 2014 hearing summarizing his letter)	July 15, 2014
3. Native American Heritage Commission, Katy Sanchez	July 22, 2014
4. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan	August 4, 2014
5. Yocha Dehe Wintun Nation, Marshall McKay	August 11, 2014
6. Verbal Comments from Mike Reynolds, President Hall Wines	July 16, 2014

1. **Native American Heritage Commission, Katy Sanchez, Associate Government Program Analyst, Letter dated June 24, 2104.**

This comment letter is from the Native American Heritage Commission (NAHC). The letter recommends actions to determine whether the project would have an adverse impact on an archeological resource. The letter recommends contacting the NAHC for a Sacred Lands File Check. This was completed and the results are contained in the NAHC letter dated July 22, 2014. The NAHC also recommended consulting with appropriate Native American contacts from a list provided by the NAHC.

**Response:** A letter was sent to those individuals included on the list. One response was received (see item No. 6, below). In addition, to further protect accidentally discovered archaeological resources and human remains, the following standard condition of approval is required of all projects:

*In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building and 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 he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.*

2. **Mount Veeder Stewardship Council, Gay Margadant, President, July 15, 2014.**

This comment letter is from the Mount Veeder Stewardship Council and states reasons, indicated below, why the Planning Commission should not approve the proposed Distillery Building demolition.

- a. Notice to Neighbors. The letter states that sending notice to property owners within 300 feet of the project site is insufficient and should be extended to 1,000 feet. **Response:** Currently, County Code requires notice to be sent to property owners within 300 feet of a proposed project site. Notice was sent in accordance with this requirement.
- b. The Draft EIR Fails to Address Greenhouse Gas Impacts of the Project. The letter states that greenhouse gas emissions created during building demolition are not addressed. **Response:** 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 the short term, potential air quality impacts would result from construction activities, in this case building demolition. Emissions resulting from demolition activities would have a temporary effect; consisting mainly of dust and exhaust emissions from construction related equipment and vehicles. According to the applicant, building demolition would take approximately four days to complete and generate approximately four truck trips to haul off the debris. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to the relevant best management practices identified by the Air District and the County’s conditions of project approval, noted below, 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 demolition activities 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.*

- c. The Draft EIR Fails to Address Water. The letter starts that the Draft EIR fails to even mention the amount of water used during demolition. **Response:** According to the project applicant, approximately 3,000 gallons of water will be used over the four day demolition project.
- d. The Draft EIR Fails to Address Traffic. The letter states that fails to even mention the amount of traffic generated by the proposed project. **Response:** As noted above, the project is expected to generate approximately four truck trips.
- e. The Draft EIR Fails to Mention the Cumulative Environmental Impacts of the Project. The letter states that the Draft EIR does not address all predictable and cumulative impacts such as traffic, noise, wastewater, water, air quality and the carbon footprint of the project. **Response:** The proposed project consists of demolishing an existing building. Most, if not all of the interior improvements have been previously removed. Demolition will take approximately four days. There will be no long-term impacts

associated with the project as there is no change to the operation of the winery (i.e. production levels, employees, visitors, septic system, etc.) Traffic, water and greenhouse gas emissions have been addressed above. Construction noise will be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. Once the building is removed, the area will be landscaped.

Mr. Margadant also spoke at the July 16, 2014 hearing indicating that the Mt. Veeder Stewardship Council submitted a letter on this EIR since one of their members is very familiar with EIRs. He goes on to state that they had a few comments to be made where they thought that the EIR needed more information. That certain things were missing about greenhouse gas impacts, water and addressing traffic and cumulative impacts. So they wanted to just bring this to the County's attention and hopefully this will help produce a better document because he was sure their points are going to be answered in later correspondence. **Response:** as mentioned in Mr. Margadant's comments, the Mt. Veeder Stewardship Council submitted a letter outlining that certain potential impacts were not addressed. These impacts, included in more detail in their letter, are addressed above.

**3. Native American Heritage Commission, Katy Sanchez, Associate Government Program Analyst, July 22, 2104.**

This comment letter is from the Native American Heritage Commission (NAHC) indicating that a record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the project area. As with the previous letter, this letter recommends contacting appropriate Native American contacts from the list provided by the NAHC. **Response:** One response has been received, see item No. 6, below.

**4. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan, Director, August 4, 2014.**

This comment acknowledges that the State Clearinghouse has received the Draft EIR and has circulated copies of the documents to selected State agencies for review. The letter further states that Napa County has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. **Response:** No further response is necessary.

**5. Yocha Dehe Wintun Nation, Marshall McKay, Tribal Chairman, Letter dated August 11, 2104.**

This comment letter is from the Tribal Chairman of the Yocha Dehe Wintun Nation. The letter indicates that the Yocha Dehe Wintun Nation is aware of known cultural resources near the project site (no additional specificity as to location is provided). The letter asks the county to consider potential impacts to cultural resources. **Response:** As noted above in item No. 1, the following standard condition of approval is required of all projects addressing accidentally discovered archaeological resources and human remains:

*In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building and 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 he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.*

## **6. Verbal Comments from Mike Reynolds at Planning Commission July 16, 2014, Hearing on the Draft EIR.**

Mr. Reynolds introduced himself as the President of the Hall Winery. He stated that he appreciated the staff's help in bringing the project to this point. He indicated that he would digest the comments that were received at the hearing and respond over the next couple of weeks. He mentioned that he did have the opportunity to show Commissioner Scott the building in question two days prior to the hearing and invited the other Commissioners to come by if they had time and could view the building that's being discussed and its current state. With that, that's all I have to say and we will continue with the process.

Mr. Reynolds spoke a bit later in the meeting to address two items in the Draft EIR. First, it had been suggested that the building might have been historic six - eight years ago. And, then the finishes on the interior of the building were removed as per the plans as was described and when the finishes were removed, what was discovered on the interior of the building was not what they expected to see. So a historian came back and said that the historic characteristics of that building, which is at the bottom of page 29 of the report, that once conveyed its historical significance in justified eligibility for inclusion in the California register, those characters were either found not to exist or no longer exist. And further, given this preponderance of evidence now supports a conclusion that the building is not historically or culturally significant. So that's the recent evidence that's been submitted to Napa County by an accredited historian or historic architect Bruce Judd.

**Response:** As referenced by Mr. Reynolds, on page 29 of the Draft EIR Mr. Judd states, as referenced in his report titled "Hall Winery Summary of Approvals and Status Report", dated November 6th, 2013, that, "...demolition of the [Distillery] Building would not adversely impact those physical characteristics of the building that once conveyed its historical significance, and justified eligibility for inclusion in the California Register, because those characteristics either were not found to exist, or no longer exist." And further, "...under subsection (B), any physical characteristics that could once account for the Building's inclusion in a local register, or in a historical resources survey, either were found not to exist or no longer exist; and, a preponderance of the evidence now supports a conclusion that the Building is not historically or culturally significant."

On page 28 of the Draft EIR is the following discussion: The Judd Reports found that the Distillery Building would still meet National Register Criterion A (association with events that have made a significant contribution to the broad pattern of history or culture) since the history and importance of the events associated with the Distillery Building and other structures have not changed. However, the Judd Reports find that National Register Criterion C (distinctive physical characteristics of design, construction or form) is no longer met. According to the Judd Reports, *“the building has greatly deteriorated, and as a result, no longer meets Criteria C. What remains is in poor condition. After the 1970s additions and alterations were removed in 2007, including non-historic doors, windows and finishes, the only remaining elements are the structural blocks. Thus, little remains to convey the historic character or integrity of the building.”*

Mr. Reynolds went on to state that there is evidence in the record that would suggest that (by a structural engineer) that it would be prohibitively expensive to restore this building and shore it up. And even if you were to do that he questions whether this unreinforced cement metal block building still would not sustain substantial damage in a seismic event. **Response:** as noted on page 28 of the Draft EIR, A recent analysis of the structural condition of the Distillery Building (*“Hall Winery-Distillery Building, Structural Assessment”* prepared by Derrick Rooda, California-registered Structural Engineer, dated April 30, 2013) notes that the Distillery Building is constructed of unreinforced masonry material and could sustain substantial damage in the event of a large earthquake, possibly resulting in total building collapse. Although the structural engineer notes that the building could be reinforced to partially resist a seismic event, the necessary reinforcement effort may prove to be cost prohibitive based on a cost per square foot basis.

### III. REVISIONS TO SECTION 2.6 OF THE DEIR

A) Section 2.6 *“Hydrology and Water Quality”* of the DEIR is hereby revised as follows:

*Hydrology and Water Quality-* demolition of the Distillery Building would not generate any wastewater that would violate any water discharge requirements or water quality requirements. The proposed project would also use minimal and less-than-significant quantities of groundwater (approximately 3,000 gallons of water over a four day period) for dust suppression and related demolition activities. Implementation of the proposed project would serve to remove existing impervious surfaces, improve local groundwater percolation and reduce the existing amount of stormwater runoff. There would be no structure left at the site that would be subject to flood hazard.

B) Section 2.6 *“Transportation and Traffic”* of the DEIR is hereby revised as follows:

*Transportation and Traffic-*implementation of the proposed project would not affect the amount of traffic on local roads in the long-term since no increase to the number of visitors or delivery of grapes is proposed. The project is expected to generate approximately four truck trips for removal of the demolished building. There would be no changes to air traffic patterns since the existing building does not use any air service. Removal of the building would not impact existing site access, emergency access, on-site circulation or parking.