

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

Notice of Intent to Adopt a Mitigated Negative Declaration

1. **Project Title:** Busby Wine Production Facility, Use Permit (P08-00654-UP)
2. **Property Owner:** David Busby
3. **Napa County contact person, phone number and e-mail:** Sean Trippi, Principal Planner, 253-4417, strippi@co.napa.ca.us
4. **Project location and APN:** Located on a 1.28 acre parcel on the west side of Technology Way, approximately 250 south of Morris Court and 560-feet east of the Napa County Airport within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-250-023. Napa.
5. **Project Sponsor's Name and Address:** Busby Enterprises, Inc., 455 Technology Way, Napa CA, 94558 (David Busby)
6. **Hazardous Waste Sites:** The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
7. **Project Description:**

The project consists of a request to approve a Use Permit to establish a new winery with a production capacity of 50,000 gallons per year within a ±18,162 sq. ft. building. Access to the proposed winery would be from a new driveway on Technology Way and via an existing shared driveway with the property to the south. On-site parking for 26 vehicles, landscaping, and a free-standing sign are also included with the proposal. The winery is proposed to be open five (5) days a week, from 7:00 a.m. until 6:00 p.m. Staffing for the winery is expected to include three (3) full-time employees and eight (8) part-time employees for crush and bottling. No tours and tasting or marketing events are proposed. Exterior building materials include 25-foot high concrete tilt-up wall panels with a tex-coat finish, tile roofing, glass entry doors, stone veneer, metal awnings and loading dock cover, and faux wood "barn-style" doors. The height to the peak of the main roof is approximately 34-feet above grade. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively. The proposal also includes a hold and haul system for process waste.

PRELIMINARY DETERMINATION:

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

DATE: May 20, 2009


By: Sean Trippi

WRITTEN COMMENT PERIOD: June 1, 2009 to July 1, 2009

Please send written comments to the attention of Sean Trippi at 1195 Third St., Room 210, Napa, California 94559, or via e-mail to strippi@co.napa.ca.us. A public hearing on this project is tentatively scheduled for the Napa County Planning Commission on Wednesday, July 1, 2009. You may confirm the date and time of this hearing by calling (707) 253-4416.

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Initial Study Checklist
(reference CEQA, Appendix G)

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5. **Project Sponsor's Name and Address:** Busby Enterprises, Inc., 455 Technology Way, Napa CA, 94558 (David Busby)
6. **General Plan description:** Industrial
7. **Zoning:** Industrial Park: Airport Compatibility (IP:AC)
8. **Project Description:**

The project consists of a request to approve a Use Permit to establish a new winery with a production capacity of 50,000 gallons per year within a ±18,162 sq. ft. building. Access to the proposed winery would be from a new driveway on Technology Way and via an existing shared driveway with the property to the south. On-site parking for 26 vehicles, landscaping, and a free-standing sign are also included with the proposal. The winery is proposed to be open five (5) days a week, from 7:00 a.m. until 6:00 p.m. Staffing for the winery is expected to include three (3) full-time employees and eight (8) part-time employees for crush and bottling. No tours and tasting or marketing events are proposed. Exterior building materials include 25-foot high concrete tilt-up wall panels with a tex-coat finish, tile roofing, glass entry doors, stone veneer, metal awnings and loading dock cover, and faux wood "barn-style" doors. The height to the peak of the main roof is approximately 34-feet above grade. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively. The proposal also includes a hold and haul system for winery process waste.

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

The site is currently vacant, has been previously graded and is located within a partially developed industrial park. The site has been designated for industrial development for over 20 years. The site is relatively flat with slopes ranging from 0-5 percent running from east to west, except at the rear of the property where the slopes are about 10-11%. The site includes non-native grasses and weeds. There is an existing office/light industrial complex to the south of the project site. Across Technology Way to the east is vacant property. Adjoining the site to the north is a recently approved winery which has not been built (no building permits have been submitted). An existing large warehouse/distribution building adjoins the property to the west. The project site is in close proximity to the Napa County Airport, and is located in Zone D, the Common Traffic Pattern. This is an area of frequent aircraft overflight at low elevations.

10. **Other agencies whose approval is required:** Discretionary approval required by Napa County consists of a use permit. The proposed project would also require various ministerial approvals by the County including, but not limited to building permits, grading permits, and encroachment permits. Permits to connect to water and sewer utilities are required from the City of American Canyon and Napa Sanitation District, respectively. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Regional Water Quality Control Board standards and is administered by the County Public Works Department.

The proposed project does not involve modifications to a streambed, and thus does not require a streambed alteration agreement from the California Department of Fish and Game. The proposed project does not involve the fill of waters of the United States, and thus does not require a dredge-and-fill permit from the U.S. Army Corps of Engineers. The proposed project does not involve the "take" of listed endangered or threatened species, and thus does not require a "take permit" from the Department of Fish and Game, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service. The project site does not adjoin a state highway, and thus does not require an encroachment permit from the California Department of Transportation.

Responsible (R) and Trustee (T) Agencies

Department of Fish and Game
City of American Canyon
Napa Sanitation District

Other Agencies Contacted

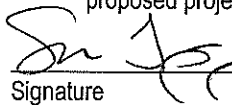
City of Napa
Federal Trade and Taxation Bureau
Department of Alcoholic Beverage Control

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 or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

5/20/09
Date

Sean Trippi, Principal Planner

Napa County Conservation, Development and Planning Department

ENVIRONMENTAL CHECKLIST FORM

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

Discussion:

- a/b. The proposed project would not be located within an area which would damage any known scenic vista, or damage scenic resources, trees, rock outcroppings, or historic buildings. The proposed project site has been previously graded, contains no native vegetation and is currently vacant. The site is not visible from a scenic highway or any scenic routes.
- c. The project is located within a fairly developed portion of the Napa County Airport Industrial Area Specific Plan (AIASP) that allows a mix of industrial developments. The street facing building elevation includes a tile-roofed gable feature that extends approximately 10-feet from the building wall. The feature also includes wood siding materials designed to appear like heavy wood barn doors. The columns supporting the tile roof are clad in stone veneer. On either side of the gable feature are windows with a tube-steel awning above each window. The gable feature is repeated on the south elevation. Two metal trellises are shown at equal intervals along the same elevations. Two roll-up doors are provided on the north elevation flanking an additional trellis. A depressed loading dock is also provided on the north elevation, near the back corner of the building. The overall design is equivalent to other similar projects approved and constructed within the AIASP boundaries, and appears consistent with the design quality requirements of the AIASP. Therefore, the project will not substantially degrade the existing visual character or quality of the site and surrounding area.
- d. The new facility will result in a minor increase in the nighttime lighting. In accordance with County standards, all exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and include shields to deflect the light down. Avoidance of highly reflective surfaces will be required, as well as standard County conditions to prevent light from being cast skyward. This is an area routinely overflowed by low flying aircraft which necessitates strong controls on skyward nighttime lighting. As designed, and as subject to standard conditions of approval, the project will not create a significant impact from light or glare.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. In determining impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The project site is located within a developing industrial park. The project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance as shown on the Napa County Important Farmland Map 2006 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- b. The project site is not subject to a Williamson Act contract, and is zoned for industrial development.
- c. The project site is surrounded by developing industrial park land. Although farming activities occurred on these lands in the past, the area has been designated for industrial development for over 20 years. The project will not result in the conversion of existing farmland.

Mitigation Measures: None required.

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

Discussion: The following analysis is based on the "BAAQMD CEQA Guidelines – Assessing the Air Quality Impacts of Projects and Plans" (December 1999).

- a. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plans. The project site lies at the southern end of the Napa Valley, which forms one of the climatologically 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. Potential air quality impacts could result from construction activities. 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. BAAQMD recommends incorporating feasible control measures as a means of addressing such impacts. These measures are set forth in Table 2 of the BAAQMD CEQA Guidelines. If the proposed project adheres to these measures, then BAAQMD recommends concluding that construction-related impacts will be insignificant. These measures will be incorporated into the proposed project as conditions of approval. In accordance with BAAQMD CEQA Guidelines, these impacts are considered less than significant.

Over the long term, emission sources for the proposed project would consist primarily of mobile sources including deliveries and vehicles visiting the site. The Bay Area Air Quality Management Plan has determined that projects that do not exceed a threshold of 2,000 vehicle trips per day will not impact air quality and do not require further study (BAAQMD CEQA Guidelines, p. 24.). According to information submitted by the applicant, the proposed wine production facility is expected to generate approximately 28 daily trips. In addition to the proposed use of the building for wine production, this facility could also be used solely for wine warehousing and storage. According to the Institute of Traffic Engineers, Trip Generation, 7th Edition, 2003, warehousing uses defined as primarily the storage of materials that may include office and maintenance areas, are expected to generate 4.96 daily vehicle trips per 1,000 sq. ft. of gross floor area. Based on the proposed 18,162 sq. ft. building, approximately 90 total daily vehicle trips would be generated based on warehousing trip generation rates. The total vehicle trips per day is significantly below BAAQMD's recommended threshold of 2,000 vehicle trips/day for purposes of performing a detailed air quality analysis. Given the number of vehicle trips and deliveries generated by this proposal when compared to the BAAQMD's screening criterion, project related vehicles would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan.

Green House Gas Emissions

In 2006, the State Legislature enacted Assembly Bill 32, requiring the California Air Resources Board (CARB) to design measures and rules to reduce GHG emissions statewide to 1990 levels no later than 2020. The measures and regulations to meet the 2020 target are to be put in effect by 2012, and the regulatory development of these measures is ongoing. In August 2007, the Legislature enacted Senate Bill 97, which among other things, directed the Governor's Office of Planning and Research (OPR) to propose new CEQA regulations for the evaluation and mitigation of GHG emissions. SB 97 directs OPR to develop such guidelines by July 2009, and directs the state Resources Agency (the agency responsible for adopting CEQA regulations) to certify and adopt such regulations by January 2010. This effort is underway; however, to date no formal CEQA regulations relating to GHG emissions have been adopted. In September 2008, the Legislature enacted Senate Bill 375, which established a process for the development of regional targets for reducing passenger vehicle GHG emissions. Through the SB 375 process, regions throughout the state will develop plans designed to integrate development patterns and transportation networks in a manner intended to reduce GHG emissions. No regional plans have been adopted to date.

The Napa County General Plan calls on the County to complete an inventory of green house gas emissions from all major sources in the County by the end of 2008, and then to seek reductions such that emissions are equivalent to year 1990 levels by 2020. The General Plan also states that "development of a reduction plan shall include consideration of a 'green building' ordinance and other mechanisms that are shown to be effective at reducing emissions." To implement the first part of this action item, County staff has been participating in a multi-jurisdictional effort headed-up by the Napa County Transportation and Planning Agency (NCTPA). The effort has involved analyzing building capacity within each incorporated jurisdiction and the unincorporated Napa County, and calculating green house gas (GHG) emissions based on a methodology developed by the International Council for Local Environmental Initiatives (ICLEI). NCTPA's consultants, MIG and the Climate Protection Campaign have provided draft results showing the general sources of GHG emissions on a jurisdictional basis and county-wide.

As noted above, Assembly Bill 32 mandated that emissions of green house gases (GHG) in California be reduced to 1990 levels by 2020 and delegated to the California Air Resources Board (CARB) responsibility for crafting related regulations. The CARB's Proposed Scoping Plan, which was released in 2008, refines the AB 32 mandate for local governments by recommending that agencies reduce both their operational emissions and community-wide emissions 15% by 2020. Operational emissions are those associated with local government activities, and community-wide emissions are those associated with all activities within a jurisdictional area. The Napa County Public Works Department, working with Kenwood Energy, has taken the lead on quantifying emissions from County operations and found that approximately 51% of the County's emissions are from buildings, 30% are from employee commutes (i.e. driving to and from work), and 19% are associated with the County's vehicle fleet. The Board of Supervisors has directed Public Works to develop an emissions reduction strategy associated with County operations for consideration sometime in 2009. Community-wide emissions are more difficult to quantify because of challenges associated with data availability and methodology, and resulting inventories are considered estimates suitable for planning purposes. Finding effective ways to reduce community-wide emissions is also more difficult than finding ways to reduce operational emissions because emission sources are not under the County's direct control (i.e. emissions accrue from the independent actions of residents, employees and visitors, and from privately owned cars, buildings, etc.). According to the analysis provided, over 50% of County-wide emissions are attributable to transportation sources, with about 20% attributable to commercial and industrial buildings/uses and 20% attributable to residential buildings/uses (with about 10% attributable to other sources including solid waste). For the unincorporated County, the proportion attributable to transportation is even more striking: 67.4% of emissions are attributable to transportation sources, with 18.4% attributable to commercial and industrial buildings/uses, 9.3% attributable to residential buildings/uses, and 5% attributable to other sources. Because a percentage of GHG emissions (albeit a small percentage in unincorporated Napa County) derive from buildings and the energy they consume, adopting so called "green" building standards is one way that the State and local agencies are pursuing the emission reductions called for in AB 32. Specifically, the State of California has promulgated building standards that address five topics: Planning and Design; Energy Efficiency; Water Efficiency & Conservation; Material Conservation & Resource Efficiency; and Environmental Quality. Some State agencies have already adopted and begun applying the new standards and the County will be expected to adopt the revised building code by July 1, 2009. The new State standards will generally be voluntary until July 1, 2010 and may be modified or supplemented by the State prior to that time.

- b.-d. See (a) above. There are no projected or existing air quality violations in this area to which this proposal would contribute. Nor would the project result in any violations of any applicable air quality standards.

Neither the State Air Resources Board (CARB) nor the BAAQMD have yet identified a significant threshold for green house gas emissions or a methodology for analyzing impacts related to greenhouse gas emissions. However, through Assembly Bill 32 (2006) and Senate Bill 375 (2008), the State has identified a goal of rolling-back green house gas emissions to 1990 levels by 2020, and has set in motion a number of transportation, land use, and air quality planning efforts that are expected to affect regional and local decision making in the future. In Napa County, the County has quantified emissions associated with County operations, and is currently working with the Napa County Transportation and Planning Agency on a community-wide emission inventory. Once this inventory is complete, the County has committed to develop an emissions-reduction plan, and will be prepared to respond when CARB establishes the region's Sustainable Community Strategy pursuant to SB375.

Although it is possible to generally estimate a project's incremental contribution of CO₂ into the atmosphere, it is not possible to determine how a project's incremental contribution might translate into physical effects on the environment. Also, there is currently no simple metric available to determine quantitatively whether a single project's contribution would be considered "considerable" in a CEQA context and whether it would hinder meeting the AB32 goals. Qualitatively, however, the proposed project would incrementally increase greenhouse gas emissions if it would result in increased auto traffic and increase energy use without somehow off-setting those increases. Prior to approval, the project would be reviewed for conformance with building code standards related to energy conservation, and would also comply with County requirements related to storm water management. With these reduction measures and the limited number of vehicle trips anticipated as a result of project implementation, the project's contribution to global climate change is considered less than significant.

- e. The BAAQMD defines public exposure to offensive odors as a potentially significant impact. The project site is not located in close proximity to any sensitive pollution-sensitive receptors. Surrounding land uses are similar to the proposed project (light industrial, warehousing, wine production, and business park uses). During project construction, the project has the potential to generate substantial amounts of dust or other construction-related air quality disturbances. As a standard practice for County development projects, application of water and/or dust palliatives are required in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. These Best Management Practices will reduce potential temporary changes in air quality to a less than significant level.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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-d. The site is part of the Gateway Business Park Industrial Subdivision approved for industrial development in 1989. The site has been previously graded and site improvements such as curb, gutter, sidewalk, sewer and water laterals, street lights, etc. were installed in the mid-1990's. The site has been graded over the years for weed abatement, and contains only seasonal grasses. There are no existing trees on the site. The project site is approximately 600-feet south of Sheehy Creek. According to the Sheehy Creek Enhancement and Realignment Project Mitigation and Monitoring Plan (Army Corps of Engineers file #24755N), prepared by Lucy Macmillan, dated January 2001, in the summer and fall of 1999, Sheehy Creek between Highway 29 and the eastern boundary of the realignment project was enhanced and revegetated as part of the enhancement project. The enhancement project involved the reconfiguration of the creek's banks to create a gentler slope to increase the creek's floodplain capacity. The newly created terraces were revegetated with native grasses and riparian trees

and shrubs. A conservation easement, measured 35-feet from the centerline of the creek on both sides of the creek, was recorded to further protect the creek and the enhanced/created riparian areas. No development or construction activities are permitted within the easement. The creek was rehabilitated as part of the construction of the Gateway Business Park Industrial Subdivision after decades of damage to the creek banks by heavy cattle grazing and erosion.

The California Department of Fish and Game Natural Diversity Data Base indicates the potential presence of four special status animal species (tri-colored blackbird, burrowing owl, Swainsons' hawk, and ferruginous hawk) and one special status plant specie (dwarf downingia) within the vicinity of the project site. A preliminary Biological Resources Evaluation report, dated April 21, 2008, was prepared by Prunuske Chatham, Inc., to determine whether the site is likely to contain state or federally listed rare, threatened, or endangered plant or animal species, address potential impacts, if any, to protected species, and recommend mitigation measures as needed.

According to the report, nonnative grassland and ruderal habitats occupy the entire site, which in general provide limited wildlife habitat. Based on a filed survey by the project biologist, unique habitat features and plant communities that would typically support special-status plants are not present. The report notes that ground foraging birds and other migratory birds may utilize the site for foraging. However, there are limited opportunities for nesting due to the low growing vegetation. Due to the lack of unique habitat features and plant communities, suitable habitat for special-status species is absent from the project site, and they are not likely to be impacted by development. Due to previous reported occurrences, there is low to moderate potential for burrowing owls and ferruginous hawks to be occupying the project areas region during the winter months. The mitigation measure, below, will reduce impacts to any special-status species, including migratory birds protected under the Migratory Bird Treaty Act, to a level of less than significant.

- e. The project would not conflict with any local policies protecting biological resources, such as tree preservation or the County's Conservation Regulations. The site is an improved industrial lot with little to no native vegetation. In accordance with the requirements of the AIASP, new landscaping will be provided on the site. The project does not conflict with any County ordinance or requirement to preserve existing trees, and therefore is considered as not having potential for a significant impact thereto.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. No work will occur within the Sheehy Creek corridor or adjacent conservation easement.

Mitigation Measures:

1. To avoid potential losses to nesting migratory birds protected under the Migratory Bird Treaty Act, work should occur outside of the critical breeding period (mid-March to mid-August). If activities must occur during the normal breeding season, work areas should be surveyed by a qualified Biologist prior to commencing construction activities. If active nests are encountered, those areas plus a buffer area designated by the biologist should be avoided until the nest has been vacated. The buffer should a minimum of 50-feet for small songbirds (e.g., warblers, sparrows) and 100-feet for larger birds (e.g., raptors, owls).

Method of Mitigation Monitoring: The project sponsor shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from mid-March to mid-August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.

	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines§15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-c. The project site is vacant and does not contain any structures. Research into past uses has not identified historic resources that may be present at the site. Two previous archaeological surveys, entitled A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, prepared by Archaeological Resource Service (ARS), dated September 1983, and A Cultural Resources Evaluation of the "Napa 218" Parcel in the Napa County Airport Area, prepared by ARS, dated May 20, 1999, were conducted in the AIASP area and included the project site. Neither study indicated the presence of historical, archaeological, or paleontological resources. In addition, the Napa County Environmental Resource Maps (based on the following layers –Historical sites points & lines, Archaeology sites, sensitive areas, and flags) do not identify any historical, archaeological, or paleontological resources, sites or unique geological features on the project site. There is no information in the County's files that would indicate that there is a potential for occurrence of these resources. The site has been previously graded when public improvements were installed. It is therefore not anticipated that any cultural resources are present on the site, and the potential for impact is considered less-than-significant. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard conditions of approval.
- d. No human remains have been encountered on the property during past grading activities when the public 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 conditions of approval.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI.	GEOLOGY AND SOILS. Would the project:				
	a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
- i. There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed facility would result in a less than significant impact with regards to the rupturing of a known fault.
 - ii. All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the facility must comply with all the latest building standards and codes at the time of construction, including the California Building Code which would reduce any potential impacts to a less than significant level.
 - iii. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction.

- iv. The Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) did not indicate the presence of landslides on the property.
- b. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the soils in the area of development are Haire Loam, 2 to 9% slopes, which have slow to medium runoff and a slight erosion hazard. This soil type is found mainly on old terraces and alluvial fans. Given that the site is essentially flat, development on the site will be subject to the Napa County Stormwater Ordinance related to erosion control measures which would reduce any potential impacts to a less than significant level.
- c/d. According to the Napa County Environmental Resource Maps (Surficial Deposits layer) Late Pleistocene-Holocene fan deposits and Early or mid Pleistocene fan or terrace deposits underlie the surficial soils on the project site. Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has very low to low susceptibility for liquefaction. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level. In addition, a soils report, prepared by a qualified Engineer will be required as part of the building permit submittal. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods.
- e. The project will connect to municipal water service provided by the City of American Canyon and sewer service by Napa Sanitation District. "Will serve" letters have been submitted by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project. Process winery waste will be hauled off-site (hold and haul system).

Mitigation Measure: None required.

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

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in construction of the project and subsequent winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of these materials reach reportable levels. However, in the event that a future use involves the use, storage or transportation of greater than 55

gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less-than-significant impact.

- b. The project would not result in the release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile from the proposed project site.
- d. The proposed site is not on any known list of hazardous materials sites.
- e. The project site is located within two miles of the Napa County Airport, and is therefore subject to the requirements of the County's Airport Compatibility Combination zoning district and the requirements of the Napa County Airport Land Use Compatibility Plan. The project site is located within Zone D of the compatibility plan which is an area of common overflight and moderate risk. The proposed use of the building is highly compatible with the risk and noise impacts associated with properties within Zone D. The building has also been designed to comply with specific requirements regarding light and glare to ensure airport land use compatibility. County development regulations have been certified as meeting ALUC compatibility requirements, and consequently the project is not subject to separate ALUC review because it has been designed to comply with County airport compatibility land use requirements.
- f. The project site is not located within the vicinity of any private airports.
- g. The proposed driveways that serve the project will be improved to comply with County standards and access around the building has been designed to accommodate fire apparatus and large trucks. The project has been reviewed by the County Fire Department and Public Works Department and found acceptable as conditioned. Therefore, the design of the project will not negatively impact or hinder emergency vehicle access.
- h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires because the project is located within an urbanized area.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	HYDROLOGY AND WATER QUALITY. Would the project:				
	a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project will discharge into an existing storm drainage system designed to accommodate the drainage from this site. New storm drainage improvements will be constructed on and off-site to convey stormwater to an existing storm drainage easement at the northwest corner of the property. From there, it will be conveyed to the west via a vegetated swale with an outfall approximately 250 feet southeast of Sheehy Creek near the restored wetland area. The applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board (RWQCB) which is administered in part by the County Public Works Department on behalf of the RWQCB. Given the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.
- b. The project will connect to municipal water provided by the City of American Canyon. No groundwater wells are associated with this property.
- c-d. The proposed project will not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off site. The project will incorporate erosion control measures appropriate to its maximum slope to manage onsite surface drainage and erosion of onsite soils during construction and winter months (October to April). As noted above, the project is required to comply with County Public Works requirements which are consistent with RWQCB standards. These established Best Management Practices have been successfully implemented on numerous previous projects within AIASP area. By incorporating erosion control measures, this project would have a less than significant impact. No substantial alteration of existing drainage is anticipated to occur. There will be an increase in the overall impervious surface resulting from the new building, pavement and sidewalks. However, given the size of the drainage basin, the increase in impervious surfaces will not discernibly change the amount of groundwater filtration or discernibly increase surface runoff from that which currently exists on site. This project would therefore result in a less than significant impact with respect to drainage.
- e. The existing storm drainage system is designed to County standards and is sized to accommodate all drainage from this site.
- f. There are no other factors in this project that would otherwise degrade water quality.
- g-i. The project site is not located within a flood hazard area, nor would it impede or redirect flood flows or expose structures or people to flooding. The project site is not located within a dam or levee failure inundation zone.
- j. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows.

Mitigation Measures: None required

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 would not occur within an established community, nor would it result in the division of an established community. The proposed project complies with the Napa County General Plan, the Napa County Code, The Airport Industrial Area Specific Plan, and all other applicable regulations. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. No work will occur within the conservation easement along Sheehy Creek.

Mitigation Measures: None required.

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

Discussion:

a/b. The Conservation Element of the General Plan does not indicate the presence of valuable or locally important mineral resources on the project site. The proposed project would not result in a loss of a mineral resource of any value.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 the construction of the building, parking areas, and associated improvements. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The proposed project would not result in long-term significant permanent construction noise impacts or operational impacts. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Chapter 8.16).
- c/d. The anticipated level of noise to occur following the completion of construction including the operation of the facility would be typical of wine production and warehousing uses in an existing industrial park. The project is located within an industrial park and is not in an area where noise increases resulting from additional industrial development will impact sensitive receptors. The design of the proposed project, together with adherence to the County Noise Ordinance, would ensure the proposed project would not result in adverse noise impacts.
- e) The proposed project site is located within compatibility Zone D of the Napa County Airport, which is an area of common aircraft overflight. As such, persons on the project site will be exposed to noise from regular aircraft overflight. The nature of the use is not sensitive to increased noise levels from aircraft, and is considered compatible with aircraft operations.
- f) The project is not within the vicinity of a private airstrip.

Mitigation Measures: None required.

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

Discussion:

a. The project site is currently vacant and located in an industrial area. The facility is anticipated to employ a maximum of up to 11 full and part time employees. The project will increase the number of jobs within the industrial park. However, given the size of the project, the number of jobs is considered to be relatively small compared to the overall business park and nearby communities; therefore this increase in jobs will not contribute to a cumulatively considerable increase in the demand for housing units within Napa County and the general vicinity. Furthermore, the County has adopted a Housing Element (certified by the State Housing and Community Development Agency) which identifies locations for new housing, and adopted a development impact fee to provide funds for constructing affordable housing. The fee is paid at the time building permits are issued. This fee is charged to all new non-residential developments based on the gross square footage of non-residential space multiplied by the applicable fee by type of use as listed in Chapter 15.60.100, Table 1, and is considered to reduce housing inducement impacts to a less than significant level.

b/c. There are no existing homes on, or adjacent to, the project site. The project will not result in the displacement of any housing units or people.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII.	PUBLIC SERVICES. Would the project result in:				
	a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

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

Discussion:

- a. The proposed project will have a less than significant impact on public services. Public services are already provided to the site and the proposed project would not increase the demand on those public services. Fire protection measures are required as part of the development and there would be no expected impact to response time as the property has good public road access. School impact mitigation fees will be levied with the building permit application. Those fees assist local school districts with capacity building measures. The proposed project will have little impact on public parks. County revenue resulting from building permit fees, property tax increases and taxes will help meet the costs of providing public services to the property.

Mitigation Measures: None required.

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

Discussion:

- a/b. The proposed project would not significantly increase the use of existing recreational facilities, nor does the proposed project include recreational facilities that may have a significant adverse effect on the environment.

Mitigation Measures: None required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-b. Weekday traffic volumes within the project vicinity consist primarily of commute traffic within the peak traffic periods, with residential, commercial, tourist, and industrial park traffic occurring throughout the day. Southern Napa County is characterized by two distinct commute traffic patterns: a Napa to Bay Area commute, and a Solano County to Napa commute. The existing traffic congestion is primarily the result of regional growth impacts. Major improvements to both Highway 29 and Highway 12 are necessary to address regional traffic congestion. As mandated by Napa County, projects within the industrial park are responsible for paying "fair share" costs to the construction of improvements to impacted roadways within the AIASP area.

Since 1990, the County has imposed and collected traffic mitigation fees on all development projects within the AIASP area. A developer's "fair share" fee goes toward funding roadway improvements within the AIASP area including improvements designed to relieve traffic on State Highways. The traffic mitigation fee is further described in Board of Supervisor's Resolution 08-20. For this project, a traffic mitigation fee based on PM peak hour vehicle trips will be imposed and collected prior to issuance of a building permit as determined by the Director of Public Works and is included as a mitigation measure, below.

The County has established that a significant traffic impact would occur if increases in traffic from a project would cause intersections or two-lane highway capacity to deteriorate to worse than LOS E, or at intersections or two-lane highway where base case (without project) is LOS F, a significant impact is considered to occur if a project increases the base volumes by more than one percent. Napa County utilizes a one percent significance threshold for the identification of significant adverse traffic impact during peak hours to travel. This threshold was directed by the Napa County Transportation and Planning Agency. This factor has been used consistently as the significance determination for all recent EIR and other CEQA documents within the AIASP area.

According to information submitted by the applicant, the proposed wine production facility is expected to generate approximately 28 daily trips. In addition to the proposed use of the building for wine production, this facility could also be used solely for wine warehousing and storage. According to the Institute of Traffic Engineers, Trip Generation, 7th Edition, 2003, warehousing uses defined as primarily the storage of materials that may include office and maintenance areas, are expected to generate 4.96 daily and 0.61 PM peak period vehicle trips per 1,000 sq. ft. of gross floor area. Based on the proposed 18,162 sq. ft. building, approximately 90 total daily vehicle trips would be generated based on warehousing trip generation rates. Based on the more conservative warehousing trip generation rates, the proposed project would generate approximately 11 trips during the p.m. peak period based. According to information from the California Department of Transportation traffic counts taken in 2006 indicate the traffic volume at the Highway 12/29 intersection was approximately 48,500 to 67,000 average daily vehicle trips. Peak hour trips were approximately 3,950 to 5,100 vehicles. Traffic generated by this project will contribute less than 1% to the traffic levels on local roadways and intersections and to deterioration in their level of service. This less than 1% increase is considered a less-than-significant level with the payment of the "fair share" development impact fee described in Board Resolution No. 08-20, and included as a mitigation measure.

- c. The project does not have any impact on air traffic patterns.
- d/e. The project includes construction of a new driveway on Technology Way and sharing an existing driveway with the adjoining property to the south. The driveways have been designed to comply with all County standards. The project will not result in any changes to levels of service or cause any new safety risks.
- f. The project has been designed with 26 parking spaces to comply with Airport Industrial Area Specific Plan standards. The project will not result in inadequate parking.
- g. The proposed project does not conflict with any known policies or plans supporting alternative transportation.

Mitigation Measures:

2. Prior to County issuance of a Building Permit, the applicant shall submit payment of the Napa County's traffic mitigation fee in accordance with Board Resolution 08-20, as may be amended, of the equivalent of the vehicle trips generated by the project in the PM peak traffic period.

Method of Mitigation Monitoring: Payment of fee is required prior to the issuance of a building permit.

		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 checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The project will occur within an urbanized area and connect to a publicly maintained wastewater treatment system. The wastewater provider, Napa Sanitation District, has provided a will serve letter and has found the project to be in compliance with district master plans. The District's wastewater treatment plant complies with all water quality discharge requirements, and therefore the project will comply with regional water quality control standards.
- b. The project will not require construction of any new water or wastewater treatment facilities that will result in a significant impact to the environment. The project site is located in an area planned for industrial development and existing water and wastewater treatment facilities have been sized to accommodate the proposed project.
- c. The proposed project includes the construction of new drainage facilities. The new drainage system will be designed by a qualified engineer and is subject to review and approval by the Department of Public Works. The Department of Public Works has included conditions of approval requiring that the drainage system be designed to avoid diversion or concentration of storm water runoff onto adjacent properties.
- d. The project will receive water from the City of American Canyon which has sufficient water supplies to serve projected needs. The project is located within an area designated for urban development by the City. The City has acquired water rights to provide adequate water for all areas within their service area, and has issued a will serve letter for the proposal.
- e. See response "a." above.
- f. The proposed project will be served by a landfill with sufficient capacity to meet the projects demands. No significant impact will occur from the disposal of solid waste generated by the proposed project.
- g. The proposed project will comply with federal, state, and local statutes and regulations related to solid waste.

Mitigation Measures: None required.

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

Discussion:

- a. A portion of the project site is encumbered by a conservation easement that is intended to protect Sheehy Creek and its enhancement area. The balance of the property was been previously disturbed and graded over the past several years. The Biological resources section indicates that there is a possibility of state or federally protected species occurring within the vicinity of the site. A mitigation measure is proposed to protect any protected species that may be affected by the proposed project. No further effects are expected with the implementation of the mitigation measures. No historic or prehistoric resources are anticipated to be affected by the proposed project. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. The project does not have impacts that are individually limited, but cumulatively considerable as mitigated. Potential traffic and housing impacts are discussed in their respective sections above. The project would also increase the demands for public services to a limited extent, increase traffic and air pollution, all of which contribute to cumulative effects when future development along Highway 29 is considered. Cumulative impacts of these issues are discussed and mitigated in previous sections of this Initial study (e.g. traffic and housing).
- c. The project does not pose any substantial adverse effects on human beings, either directly or indirectly.

**BUSBY WINE PRODUCTION FACILITY
Use Permit (File #P08-00654-UP)
APN: 057-250-023**

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
Biological Resources (IV)			
1. To avoid potential losses to nesting migratory birds protected under the Migratory Bird Treaty Act, work should occur outside of the critical breeding period (mid-March to mid-August). If activities must occur during the normal breeding season, work areas should be surveyed by a qualified Biologist prior to commencing construction activities. If active nests are encountered, those areas plus a buffer area designated by the biologist should be avoided until the nest has been vacated. The buffer should a minimum of 50-feet for small songbirds (e.g., warblers, sparrows) and 100-feet for larger birds (e.g., raptors, owls).	Planning Department	The project sponsor shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from mid-March to mid-August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.	
Transportation/Traffic (Section XV)			
2. Prior to County issuance of a Building Permit, the applicant shall submit payment of the Napa County's traffic mitigation fee in accordance with Board Resolution 08-20, as may be amended, of the equivalent of the vehicle trips generated by the project in the PM peak traffic period.	Public Works Department	Payment of fee is required prior to the issuance of a building permit.	

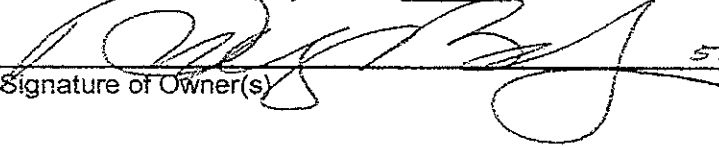
PROJECT REVISION STATEMENT

Busby Wine Production Facility, Use Permit (File #P08-00654-UP)
APN: 057-250-023

Napa County Environmental Review

I hereby revise my request to include the measures specified above.

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


5-27-09 OWNER

 Signature of Owner(s) Interest

 DAVID BUSBY
 Print Name