

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:** MJA Vineyards; Use Permit Modification P10-00123-MOD.
2. **Property Owner:** Marin Artukovich, 1241 Adams Street, #1127, St. Helena Ca 94574.
3. **Napa County Contact Person and Phone Number:** Sean Trippi, Principal Planner, 253-4417, sean.trippi@countyofnapa.org.
4. **Project Location and APN:** The 17.78 acre project site is located on the west side of Greenfield Road, approximately 1,700-feet northwest of the intersection Greenfield Road and Conn Valley Road APN: 025-380-021. 647 Greenfield Road, St. Helena.
5. **Project Sponsor's Name and Address:** Katherine Philippakis, Farella, Braun & Martell, LLP, 889 Adams Street, Suite G, St. Helena, CA 94574.
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:** Approval to modify Use Permit #U-28889 to allow the following:

(a) increase production capacity from 3,300 gallons per year to 23,775 gallons per year; (b) convert previously approved residential living areas to winery production and accessory uses establishing a winery with approximately 11,921 square feet of production area and approximately 2,588 square feet of accessory area within structures and caves; (c) authorize existing and approve proposed outdoor work (5,534 sq. ft.), tank pad (2,876 sq. ft.), and storage areas (2,161 sq. ft.) totaling approximately 10,571 square feet of area; (d) establish winery uses within a 5,511 sq. ft. cave (cave floor area is included in (b) and (c), above); (e) approve an existing retaining wall; (f) approve an existing expansion of the parking area on the west side of the building; (g) establish a Marketing Plan (see below); (h) specify tours and tastings by appointment only for up to 15 visitors per day, with a maximum of 75 visitors per week; (i) Increase the number of employees from one (1) part-time employee to 2 full-time and 2 part-time; (j) increase the number of on-site parking spaces from 4 to 9; (k) install a new winery process and domestic wastewater system; and, (l) an exception to the County Road and Street Standards recognizing the existing reduced access drive width.

Marketing Plan: In addition to the above-mentioned tours and tasting by appointment only for up to 15 visitors a day, with a maximum of 75 per week, a marketing plan has been included as part of this proposal. The marketing events will occur both inside and outside the winery buildings. The winery has an employee kitchen, but will use food service catered by an off-site service for the larger events. Private tours and tasting would conclude by 4 PM, pursuant to County imposed standard conditions of approval. Evening marketing events are required by the County to cease by 10:00 PM, including cleanup. The start and finish time of marketing activities will be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM. Marketing events are all by invitation, as proposed below:

- Two (2) events per month for a maximum of 15 guests at each event.
- Two (2) events per year for a maximum of 30 guests at each event.

PRELIMINARY DETERMINATION:

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

DATE: June 21, 2010


BY: Sean Trippi

WRITTEN COMMENT PERIOD: July 15, 2010 to August 4, 2010

Please send written comments to the attention of Sean Trippi at 1195 Third St., Room 210, Napa, California 94559, or via e-mail to sean.trippi@countyofnapa.org. A public hearing on this project is tentatively scheduled for the Napa County Conservation, Development and Planning Commission at 9:00 AM or later on Wednesday, August 4, 2010. 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:** Katherine Philippakis, Farella, Braun & Martell, LLP, 889 Adams Street, Suite G, St. Helena, CA 94574.
6. **General Plan Description:** AWOS – Agriculture, Watershed and Open Space
7. **Zoning:** AW – Agricultural Watershed
8. **Background/Project History.** Use Permit (#U-28889) for Finklestein Vineyards was approved by the Planning Commission on October 5, 1988, to construct a 5,300 sq. ft. split-level building with a 2,650 sq. ft. winery. The plans also showed a 750 sq. ft. studio adjacent to the winery, and a 1,900 sq. ft. single-family residence on the floor above the winery and studio on a 14.01 acre property. The approved production capacity for the winery was 3,300 gallons per year. Approved hours of operation were 8:00 am to 4:30 pm, seven days a week. The information submitted with the application indicated that there would be one part-time employee and no full time employees. A minimum of 4 on-site parking spaces were required, two for the residence and two for the winery. Private tours and tastings by appointment only were permitted per the conditions of approval, but no visitor numbers were specified.

It should be noted that although the use permit conditions of approval indicated a winery floor area of 2,650 sq. ft., the use permit application form indicated that the floor area of the winery was proposed at approximately 3,000 square feet. Building permit records showed an approximate 3,026 square foot winery and a 3,863 square foot residence with 468 square feet of floor area labeled as other (residential floor area is not restricted by use permit.)

In 2000 a 742 square foot storage area for the residence was constructed with a new 833 square foot deck above the storage area, replacing the previous deck. No expansion of the winery was involved in the residential building addition.

A Type H Agricultural Preserve Contract was entered into in December 2007 and is still in effect.

A cave and retaining walls were constructed late 2008/early 2009 prior to receiving County authorization. The retaining wall was completed early 2009, enabling an expansion of the parking lot on the west side of the building. Work on the cave was suspended before completion of construction. This request includes addressing and correcting this matter.

9. **Project Description:** Approval to modify Use Permit #U-28889 to allow the following:
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 - (d) establish winery uses within a 5,511 sq. ft. cave (cave floor area is included in (b) and (c), above);
 - (e) approve an existing retaining wall;
 - (f) approve an existing expansion of the parking area on the west side of the building;
 - (g) establish a Marketing Plan (see below);
 - (h) specify tours and tastings by appointment only for up to 15 visitors per day, with a maximum of 75 visitors per week;
 - (i) Increase the number of employees from one (1) part-time employee to 2 full-time and 2 part-time;
 - (j) increase the number of on-site parking spaces from 4 to 9;
 - (k) install a new winery process and domestic wastewater system; and
 - (l) an exception to the County Road and Street Standards recognizing the existing reduced access drive width.

Marketing Plan: In addition to the above-mentioned tours and tasting by appointment only for up to 15 visitors a day, with a maximum of 75 per week, a marketing plan has been included as part of this proposal. The marketing events will occur both inside and outside the winery buildings. The winery has an employee kitchen, but will use food service catered by an off-site service for the larger events. Private tours and tasting would conclude by 4 PM, pursuant to County imposed standard conditions of approval. Evening marketing events are required by the County to cease by 10:00 PM, including cleanup. The start and finish time of marketing activities will be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM. Marketing events are all by invitation, as proposed below:

- Two (2) events per month for a maximum of 15 guests at each event.
- Two (2) events per year for a maximum of 30 guests at each event.

10. Environmental setting and surrounding land uses:

The 17.78-acre site is located in the hills northwest of Lake Hennessey, approximately 1,500 feet north of the lake, on the west side of Greenfield Road, north of Conn Valley Road. The project site is currently developed with a winery, a home attached to the winery, approximately 7.3 acres of vineyards, agricultural buildings, a small reservoir, pond, and wooded areas. An unnamed tributary stream, approximately 340-feet west of the northwest corner of the property, runs from northeast to southwest and into Conn creek. Elevations range from approximately 420-ft. to 640-ft. above mean sea level. Properties in the vicinity of the project site range in size from 2 to 450. Surrounding uses include single-family homes, vineyards, and a couple of producing wineries (Seavey and Buehler) and a recently approved winery (Mansfield).

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

Discretionary approvals required by the County consist of a use permit. The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, encroachment permit, and waste disposal permits. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies

Other Agencies Contacted

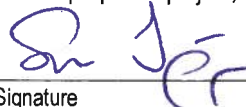
City of Napa
 Federal Trade and Taxation Bureau
 Department of Alcoholic Beverage Control

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

6/21/10

 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. The proposed new development area and previously unpermitted construction would not have a substantial adverse effect on a scenic vista. The project site is currently developed with existing winery buildings and associated improvements. The proposed outdoor work areas will not be visible from any road or neighboring property. The project site is not visible from a designated scenic vista.

b/c. The project would not result in substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. This application proposes the removal of approximately 29 trees, mostly Oak and Madrone trees, with diameters at breast height (dbh) ranging between 8 and 18 inches. However, pursuant to standard Napa County conditions of approval for wineries, trees with a diameter greater than 6-inches at bdh are to be replaced at a 2:1 ratio as follows:

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

d. The project may result in the installation of additional lighting that may have the potential to impact nighttime views. Although the project is in an area that has a certain amount of existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. The standard winery condition of approval relating to lighting states that;

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted. Architectural highlighting and/or spotting are not allowed. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. All lighting shall comply with the California Building Code.

The standard condition of approval will ensure that any potential impacts resulting from new sources of outside lighting are less than significant.

Mitigation Measure(s): 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 checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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. Based on a review of Napa County environmental resource mapping (*Department of Conservation Farmlands, 2008 layer*), the majority of the project area is located on unique farmland. The winery development area, however, is located on land classified as grazing land. The lot coverage associated with the previously constructed and proposed winery improvements is proposed to increase; however, no vines will be removed and the improvements, as is the existing winery, are located on lands designated as grazing. Additionally, the entirety of the proposed project will either be dedicated to active wine production or winery-accessory uses. General Plan Agricultural Preservation and Land Use policies Ag/LU-2 and Ag/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application will not result in the conversion of special status farmland to a non-agricultural use.
- b. The existing property is currently subject to a Type H Williamson Act contract № P07-00773-AGK, which was entered into on December 11, 2007. The contract allows, "facilities for the processing of agricultural products including, but not limited to wineries, dairies, dehydrators, and fruit and vegetable packing plants" subject to use permit approval. The property's AW (Agricultural Watershed) zoning likewise allows wineries and related accessory uses upon grant of a use permit. The previously constructed improvements and the proposed outdoor work areas have not and will not result in the removal of any vineyard areas.
- c. As discussed at items "a." and "b.", above, the winery and winery accessory uses proposed in this application are defined as agricultural by the Napa County General Plan and are allowed under the parcels' AW (Agricultural Watershed) zoning. Neither this project, nor any foreseeable consequence thereof, would result in changes to the existing environment which would result in the conversion of special status farmland to a non-agricultural use.

Mitigation Measure(s): 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:

A Note on Greenhouse Gasses

Construction and operation of the project analyzed in this initial study would contribute to overall increases in Greenhouse Gas (GHG) emissions by generating emissions associated with transportation to and from the site, emissions from energy used within buildings, and emissions from the use of equipment. In addition, the project would marginally decrease baseline carbon sequestration through the removal of approximately 29 trees, which will be replaced by replanting in accordance with the standard condition of approval referenced in Aesthetics. The project-specific increase in GHG emissions would be relatively modest, given the estimated average of 16 new vehicle trips per day, and increasingly stringent Title 24 energy conservation requirements imposed as part of the building permit process.

Neither the State nor Napa County has adopted explicit thresholds of significance for GHG emissions, although the State has recently adopted changes to the State CEQA Guidelines which suggest that agencies may consider (among other factors) the extent to which a project complies with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG (State CEQA Guidelines Section 15064.4(b) (3)). Also, the Bay Area Air Quality Management District (BAAQMD) has proposed compliance with a “qualified climate action plan” as a threshold of significance, along with a quantitative threshold of 1,100 MTCO₂e/yr (metric tons of carbon dioxide equivalents per year) for land use projects.

Overall increases in green house 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 is currently serving as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy **CON-65(e)**. Although the winery building is existing, the applicants here have incorporated GHG reduction methods where feasible including: energy efficient heating and cooling systems, new energy efficient windows, and the use of recycled and low VOC construction materials. Also, two new trees will be planted for every one tree that is removed with a diameter of 6-inches or greater at

Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are “peculiar to the project,” rather than the cumulative impacts previously assessed. The relatively modest increase in emissions expected as a result of the project would be well below the significance threshold suggested by BAAQMD, and in compliance with the County’s General Plan would include the efforts to reduce emissions described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

- a. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan. Wineries as proposed here are not producers of air pollution in volumes substantial enough to result in an air quality plan conflict. The project site lies within the Napa Valley, which forms one of the climatologically distinct sub-regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. Over the long term, emissions resulting from the proposed project would consist primarily of mobile sources, including production-related deliveries and visitor and employee vehicles traveling to and from the winery. The *Bay Area Air Quality Management Plan* states 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). The use permit modification proposed here includes a total of 2 full-time employees, 2 part-time employees, 15 visitors on the busiest-day for tours and tasting, and potentially 2 pickups/deliveries. According to the focused traffic analysis prepared by George Nickelson, dated October 5, 2009, the proposed project would generate 13 to 17 daily trips on a typical weekday and a typical Saturday, respectively and 21 daily trips during harvest. The proposed marketing events would be expected to generate 24 trip for the two monthly events and 50 trips for the two semi-annual events. The trips identified in the traffic study are two-way or round trips and include employees, visitors and deliveries.
- b. Please see “a.”, above. There are no projected or existing air quality violations in the area to which this proposal would contribute. The project would not result in any violations of applicable air quality standards.
- c. Please see “a.”, above and “d.-e.”, below. The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. Standard conditions of approval for any Napa County construction project require dust control measures (see d/e., below).
- d/e. Earthmoving and construction activities required for project construction may cause odors and a temporary degradation in air quality from dust and heavy equipment air emissions during the construction phase. While construction on the site will generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County’s standard condition of approval relating to dust;

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

Wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The nearest residence is approximately 300-feet to the northeast. Construction-phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 project site is developed with a winery and vineyards. The previously constructed unpermitted improvements generally occurred in already disturbed portions of the site.

The California Department of Fish and Game Natural Diversity Data Base indicates the potential presence of Jepson's leptosiphon, a special status plant species, within the vicinity of the project site. A Biological Resources survey and report, dated June 18, 2009, was prepared by Stephen Rae of MUSCI, 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, annual introduced grasses dominate the disturbed areas. The trees and shrubs found on the site are native. Natives also prevail among the forbs which is the most numerous group. The portion of the site proposed for winery expansion (outdoor work areas) currently supports oak woodlands connected to similar vegetation to the north and east. An approximate 40 by 40 foot area will be disturbed, including the removal of approximately 29 trees, mostly oaks and madrones. The trees range in size from 8 to 18 inches in diameter. Numerous opportunities for birds to nest in shrubs or trees are available in forest, woodland and riparian habitats bordering the site. The site is surrounded by forest lands and vineyards, with significant grasslands scattered throughout Conn Valley. Nesting, roosting, foraging and movements areas are evident within the site and contiguous lands. There are adequate movement areas or wildlife corridors along ridges and riparian canopies adjacent the site on contiguous lands. The vegetation on the site is representative of the Conn Valley area and no significant plant or wildlife resources will be impacted by the proposal. The area of oak woodland disturbed as a result of the project is less than 1% of the parcel and less than 5% of the oak woodlands on the site. As noted in the Aesthetics section, above, trees exceeding a diameter of 6-inches will be replaced at a 2:1 ratio. The report concludes that no sensitive plant or animal species were encountered during the site surveys and no mitigation measures are recommended.

e. As mentioned above, this application proposes the removal of a number of trees with diameters at breast height (dbh) ranging between 8 and 18 inches, however, the proposed project is not subject to any local policies or ordinances protecting biological resources, specifically including tree preservation policies and/or ordinances.

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

Mitigation Measure(s): None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c. According to the Napa County Environmental Resource Maps (based on the following layers –Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historical, archaeological, or paleontological resources, sites or unique geological features have been identified on the property. No historical, archaeological, or paleontological resources were encountered on the property when the winery was constructed and when the vineyard was planted, or during cave excavations; there is no information that would indicate that there is a potential for occurrence of these resources. However, if resources are found during construction of the waste disposal system, construction would be required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard conditions of approval related to archaeological or paleontological resources;

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Conservation, Development and Planning Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98

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

Mitigation Measure(s): 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 rupturing a known fault.
 - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the facility 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 the maximum extent possible.
 - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest editions of the Uniform Building Code for seismic stability would reduce any impacts to a less than significant level.
 - 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 portion of the site where the winery, caves, and associated improvements are located composed primarily of soils in the Sobrante loam series, found on 30 to 50 percent slopes. Soils in the Haire clay loam series, found on 15 to 30 percent slopes, are found in the western portion of the site which is primarily planted in vines. Sobrante soils are well-drained and occurs on slopes of 30% to 50% on elevations from 400 to 2,000 feet above mean sea level (MSL.) Runoff is rapid with a moderate to high hazard of erosion. This soil type is found mainly in upland areas. Haire soils are moderately well drained and occur on slopes of 15% to 30% on elevations between 20 and 300 feet above MSL. Runoff is rapid with a moderate hazard of erosion. Project approval will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.
- c/d. According to the Napa County Environmental Resource Maps (Surficial Deposits layer) pre-Quaternary deposits and bedrock underlie the surficial soils on the project site. Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has a very 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 for any improvements requiring building permits. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods.
- e. The Napa County Department of Environmental Management has reviewed this application and recommends approval based on the submitted wastewater feasibility report and septic improvement plans. Soils on the property have been determined to be adequate to support the proposed septic improvements including the winery's process waste from the increased production.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of these materials reach reportable levels.
- 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 not located within two miles of any public airport.
- f. The project site is not located within the vicinity of any private airports.
- g. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan.
- h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires.

Mitigation Measure(s): 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. New domestic and process wastewater systems are proposed. The Napa County Department of Environmental Management has reviewed the proposed domestic and process wastewater systems and recommends approval as conditioned. Additionally, the applicant will be required to obtain all necessary permits from the Napa County Department of Public Works, including a Stormwater Pollution Management Permit. The permit will provide for adequate on site containment of runoff during storm events through placement of siltation measures around the development area.
- b. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. The project is located in a hillside area above the valley floor in an area that has an established acceptable water use criteria of 0.5 acre foot per acre per year.

Based on the submitted phase one water availability analysis, the 17.8 acre parcel has a water availability calculation of 8.9 acre feet per year (af/yr). Existing water usage on the parcel is approximately 4.75 af/yr, including 0.5 af/yr for the residential use, 0.9 af/yr for the winery, 3.66 af/yr for approximately 7.3 acres of established vineyards, and 0.5 af/yr for landscaping. This application proposes abandonment of the residential use (0.5 af/yr) and its replacement with 0.63 af/yr of water use associated with the proposed winery uses. As a result of the foregoing, annual water demand for this parcel would increase slightly from 4.75 af/yr to 4.79 af/yr. Based on these figures, the project would be below the established threshold for groundwater use on the parcel. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

- c.-e. There are no existing or planned stormwater systems that would be affected by this project. The project will likely disturb slightly more than one acre of land, the permittee will be required to comply with the requirements of the Regional Water Quality Control Board addressing stormwater pollution during construction activities. The area surrounding the project is pervious ground that is planted to vineyards and has the capacity to absorb runoff.
- f. There is nothing included in this proposal that would otherwise substantially degrade water quality. As discussed in greater detail at, "a.," above, the Department of Environmental Management has reviewed the sanitary wastewater proposal and has found the proposed system adequate to meet the facility's septic needs as conditioned. No information has been encountered that would indicate a substantial impact to water quality.
- g.-i. According to Napa County environmental resource mapping (*Floodplain* and *Dam Levee Inundation* layers), 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. In coming years, higher global temperatures are expected to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The Intergovernmental Panel on Climate Change estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). However, the project area is located at approximately 420-ft. to 640-ft. above mean sea level and there is no known history of mud flow in the vicinity. The project will not subject people or structures to a significant risk of inundation from tsunami, seiche, or mudflow.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project is located in an area dominated by agricultural and open space uses and the improvements proposed here are in support of the ongoing agricultural use of the property. This project will not divide an established community
- b. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU 1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture Watershed and Open Space), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan.

The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two complimentary policies requiring that new wineries, "...be designed to convey their permanence and attractiveness." (General Plan Agricultural Preservation and Land Use Policy AG/LU-10 and General Plan Community Character Policy CC-2). Although this is not a new winery, the exterior alterations to the existing building proposed here are generally of a high architectural quality in

that the original horizontal wood has been replaced with a multi-colored stone cladding, conveying the required permanence and improving the buildings overall attractiveness.

c. There are no habitat conservation plans or natural community conservation plans applicable to the property.

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

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The proposed project will result in a temporary increase in noise levels during the project construction phase. 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 construction noise impacts. Construction activities would generally occur during the period between 7 am and 7 pm on weekdays- normal waking hours. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (N.C.C. Chapter 8.16).

c/d. Noise from winery operations is generally limited; however, the proposed marketing plan could create additional noise impacts. The submitted marketing plan includes a number of monthly and annual events, some of which would include up to 30 visitors. The Napa County Exterior Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a rural residence as 45 db between the hours of 10 p.m. and 7 a.m. While the 45 db limitation is strict (45 db is roughly equivalent to the sound generated by a quiet conversation), the area surrounding the subject property is very lightly developed, with only a scattering of homes on large lots located in the immediate vicinity. Continuing enforcement of Napa County's Exterior Noise Ordinance by the Department of Environmental Management and the Napa County Sheriff, including the prohibition against outdoor amplified music, should ensure that marketing events and other winery activities do not create a significant noise impact.

e/f. The project site is not located within an airport land use plan nor is it within two miles of a public airport or private airstrip.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" 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 applicant is requesting approval to allow 2 full and 2 part time employees. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The additional employee positions which are part of this project will almost certainly lead to some population growth in Napa County. However, relative to the county's projected low to moderate growth rate and overall adequate programmed housing supply, that population growth does not rise to a level of environmental significance. In addition, the project will be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

b/c. The existing residential floor area attached to the winery is proposed to convert to winery use via this application. While the proposal would result in the loss of housing, in practice, given the county's projected low to moderate growth rate and overall adequate programmed housing supply, the loss of that dwelling unit is not deemed significant either individually or cumulatively. This application will not displace a substantial volume of existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere.

Mitigation Measure(s): 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:				
	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"/>

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

Discussion:

- a. Public services are currently provided to the project area, and as the winery is or has been in full operation, the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire and Public Works Departments have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measure(s): 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. This application proposes new marketing events, construction of new winery facilities and systems, and some very minor additional on-site employment. No portion of this project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities. This project does not include recreational facilities that would have a significant adverse effect on the environment.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-b. The site is located on Greenfield Road, approximately 1/2 mile north of Conn Valley Road. The applicant has submitted a traffic study (*Focused Traffic Analysis for MJA Vineyards Winery Production Increase and Visitor Program*, George W. Nickelson P.E., October 5, 2009) which analyzes existing and proposed traffic conditions and provides the basis for this analysis. The current proposal includes increasing production from 3,300 gallons per year to 23,775 gallons per year, increasing the number of employees from 1 part-time to 2 full-time and 2 part-time, increasing the number of on-site parking spaces from 4 to 9, establishing tours and tasting by prior appointment for up to 15 people a day (maximum of 75 per week) and establishing a Marketing Plan with two events per month with for a maximum of 15 guests, and two events per year for a maximum of 30 guests. Marketing activities would occur outside the weekday and Saturday peak traffic periods (7-10 AM and 4-6 PM).

As analyzed in the submitted focused traffic study, the increases in production, employment and marketing and by-appointment tours and tasting visitation proposed in this application would result in 13 to 17 daily two-way or round trips during a typical weekday and a typical Saturday, respectively. Approximately 21 daily round trips would be generated during the 6 week harvest season. The proposed marketing activities would generate approximately 24 round trips for the two monthly events and 50 round trips for the two annual events. All trips would include employees, visitors and delivery vehicles. Although there are no traffic counts for Greenfield Road, the daily volume is estimated by the project's Traffic Engineer to be no more than 500 trips. As a result, project impacts on traffic loading and levels of service are deemed not to be considerable and would not result in a change in the level of service.

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

d.-e. Primary access to and from the winery is from Greenfield Road via Conn Valley Road. The submitted traffic study analyzes existing vehicle speeds on Greenfield Road as well as Conn Valley Road. The observed vehicle speeds on Greenfield Road were between 15-20 miles per hour (mph). Vehicle speeds on Conn Valley Road at its intersection with Greenfield Road were observed to be about 30 mph. Stopping sight distances, based on Cal Trans design standards would be 125 feet measured along the travel lanes on Greenfield Road and 200 feet along Conn Valley Road. Sight distances along Greenfield Road are about 140-150 feet to the north and 170-180 feet to the south. Vehicle visibility at the Conn Valley/Greenfield Road intersection was about 325 feet to the west and about 150-160 feet to the east. Mitigation measure #1, below is recommended to address the deficiency at the Conn Valley Road/Greenfield Road intersection. The traffic analysis also made three suggestions for advisory road signage. However, these suggestions were not proposed to mitigate specific impacts and it is the recommendation of the County's Traffic Engineer for Public Works staff to implement these suggestions as deemed appropriate.

Access to the site is proposed to remain at the existing driveway entrance off Greenfield Road. The driveway was approved with the original use permit for the winery; however, portions of the existing driveway do not meet the minimum required width of 20-feet with the narrowest portion being about 15-feet wide for an approximate length of 25-feet. In addition, the driveways intersection with Greenfield Road, while more than 20-feet wide, does not meet standards regarding turning radius, slope, and vertical curve. Generally, widening the entire length of the driveway to meet the minimum width of 20-feet would result in the loss of a number of mature trees and is further impacted by the topography (steep slopes), and would affect the stability of the existing embankment by removing the existing vegetation. An exception to the County Road and Street Standards is included as part of this project regarding the existing deficiencies and thereby decreasing the potential environmental impacts. Public Works and the Fire Marshall have reviewed the request and recommend grant of an exception as they have conditioned. Past improvements at the driveways intersection with Greenfield Road have improved the access somewhat but Public Works recommends a condition of approval to further improve access and safety which is also included as Mitigation Measure #2, below.

f. There is currently parking for 8 vehicles provided on site (4 approved). The project proposes the addition of one accessible parking space. The resulting, total, parking proposed here is 9 spaces. These parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors. Additional parking will be required during the marketing events. The applicant has sufficient space to accommodate additional parking throughout the remainder of the property or will provide a shuttle service from nearby legally established parking areas. No parking will be permitted within the right-of-way of Silverado Trail.

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

Mitigation Measure(s):

1. Foilage on the north side of Conn Valley Road, east of Greenfield Road shall be trimmed to maximize sight distance.
2. Remove the existing raised curb on the north side of the project driveway and provide a larger radius at the north side of the driveway to allow an improved right-turn movement from Greenfield Road into the project driveway.

		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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board and will not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal will be accommodated on-site and in compliance with State and County regulations. The project will not require construction of any new water or wastewater treatment facilities that will result in a significant impact to the environment. Wastewater disposal will be accommodated on-site in compliance with State and County regulations.
- c. The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, which will cause a significant impact to the environment.
- d. The project has sufficient water supplies to serve existing and projected needs. No new or expanded entitlements are needed.
- e. Wastewater will be treated on-site and will not require a wastewater treatment provider.
- f. The project will be served by a landfill with sufficient capacity to meet the projects demands. No significant impact will occur from the disposal of solid waste generated by the project.
- g. The project will comply with federal, state, and local statutes and regulations related to solid waste.

Mitigation Measure(s): 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

MJA VINEYARDS WINERY
Use Permit Modification (File #10-00123-MOD)
APN: 025-380-021

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
Transportation/Traffic (XV)			
1. Foliage on the north side of Conn Valley Road, east of Greenfield Road shall be trimmed to maximize sight distance. 2. Remove the existing raised curb on the north side of the project driveway and provide a larger radius at the north side of the driveway to allow an improved right-turn movement from Greenfield Road into the project driveway.	Planning & Public Works Departments	The permittee shall comply with both mitigation measures prior to grant of final occupancy.	

PROJECT REVISION STATEMENT

MJA Vineyards Winery, Use Permit Modification (File #P10-00123-MOD)
 APN: 025-380-021

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.

See signed copy, attached

 Signature of Owner(s)

 Interest

 Print Name

**MJA VINEYARDS WINERY
Use Permit Modification (File #10-00123-MOD)
APN: 025-380-021**

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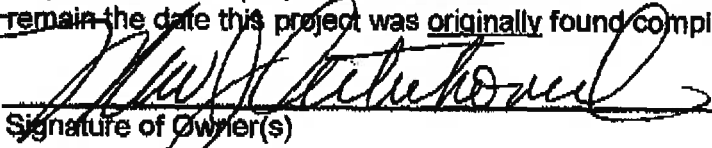
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Signature of Owner(s)

Interest


Print Name