



A Tradition of Stewardship
A Commitment to Service

COUNTY OF NAPA

CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT

1195 3rd Street, Suite 210

Napa, Calif. 94559

707.253.4417

Notice of Intent to Adopt a Mitigated Negative Declaration

Project Title

Krupp Brothers Winery Use Permit Application № P11-00348 and Conservation Regulations Stream Setback Exception № P11-00495

Property Owner

Bart and Patricia Krupp, 300 Upper Mountain Avenue, Montclair, N.J., 07043

County Contact Person, Phone Number and Email

Christopher M. Cahill, Planner, 707.253.4847, chris.cahill@countyofnapa.org

Project Location and APN

The 13 acre project parcel is located on the east side of the Silverado Trail, approximately ½ mile south of its intersection with Soda Canyon Road, within the AP (Agricultural Preserve) zoning district. APN: 039-610-006. 3150 Silverado Trail, Napa, Calif., 94558

Project Sponsor's Name and Address

Dr. Jan Krupp, 3267 Soda Canyon Road, Napa, Calif., 94558, 707.226.2215, jan@kruppbrothers.com

General Plan Description

AR (Agricultural Resource)

Zoning

AP (Agricultural Preserve)

Project Description

Use Permit to establish a new 50,000 gallon per year winery with:

- a +/- 13,675 sq. ft. two level (one story plus a cellar) production building;
- a +/- 675 sq. ft. covered crushpad;
- conversion of a +/- 4,525 sq. ft. existing residence into a winery hospitality and administration building with a commercial kitchen;
- up to 10 employees;
- 25 parking spaces (including 2 ADA-accessible spaces);
- by-appointment tours and tastings including food/wine pairings with a maximum of 124 and an average of 60 visitors per day;
- hours of operation from 8 am to 6 pm, daily;
- Evans Bill (AB2004) on-premise consumption at the proposed hospitality building entry courtyard;
- an annual marketing plan with 105 24-person events, eight 75-person events, and two 125-person events annually (excepting the days on which 125-person marketing events occur, combined tours and tastings and marketing event visitation will not exceed 124 persons on any day);
- new winery domestic and process wastewater treatment and disposal systems;
- a 12 foot tall 50,000 gallon recycled water holding tank and a 12 foot tall 40,000 gallon fire-flow and domestic water tank;
- grading including 3,300 cubic yards of net cut, with spoils disposed of on site;

- abandonment of the existing residential driveway and construction of a relocated 18 foot wide winery access drive;
- demolition of the existing Hardman Creek bridge and construction of a new 20 foot wide bridge in roughly the same location;
- construction of a 4 to 7 foot tall stone wall and entry structure, partially within the Silverado Trail right-of-way;
- installation of a southbound Silverado Trail center left-turn lane at the proposed winery driveway; and
- a landscape and Hardman Creek stream restoration plan.

Conservation Regulations exception to allow encroachment within required setbacks from Hardman Creek (85 feet required, 38 feet proposed).

The project site is not located on the lists enumerated under Section 65962.5 of the Government Code, including, but not necessarily limited to lists of hazardous waste facilities.

Preliminary Determination

Napa County's Director of Conservation, Development, and Planning has tentatively determined that the project analyzed in the attached initial study checklist would not have a significant effect on the environment and the County intends to adopt the **mitigated negative declaration**. Copies of the proposed **mitigated negative declaration** and all documents referenced therein are available for review at the offices of the Napa County Conservation, Development, and Planning Department, 1195 Third St., Suite 210, Napa, CA 94559 between the hours of 8:00 AM and 4:45 PM Monday through Friday (excepting holidays).


C.M. Cahill, Planner

MAY 1, 2012
date

Written Comment Period - May 4, 2012 to June 4, 2012

Please send written comments to the attention of C.M. Cahill at 1195 Third St., Suite 210, Napa, CA. 94559, or via e-mail to chris.cahill@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 June 6th, 2012. You may confirm the date and time of this hearing by calling (707) 253.4417.

COUNTY OF NAPA

Conservation, Development, and Planning Department
 1195 Third St., Suite 210
 Napa, Calif. 94559
 (707) 253-4416

Initial Study Checklist
(form updated September 2010)

1. **Project Title:**
 Krupp Brothers Winery Use Permit Application № P11-00348 and Conservation Regulations Stream Setback Exception № P11-00495
2. **Property Owner:**
 Bart and Patricia Krupp, 300 Upper Mountain Avenue, Montclair, N.J., 07043
3. **County Contact Person, Phone Number and Email:**
 Christopher M. Cahill, Planner, 707.253.4847, chris.cahill@countyofnapa.org
4. **Project Location and APN:**
 The 13 acre project parcel is located on the east side of the Silverado Trail, approximately ½ mile south of its intersection with Soda Canyon Road, within the AP (Agricultural Preserve) zoning district. APN: 039-610-006. 3150 Silverado Trail, Napa, Calif., 94558
5. **Project Sponsor's Name and Address:**
 Dr. Jan Krupp, 3267 Soda Canyon Road, Napa, Calif., 94558, 707.226.2215, jan@kruppbrothers.com
6. **General Plan Description:**
 AR (Agricultural Resource)
7. **Zoning:**
 AP (Agricultural Preserve)
8. **Description of Project.**
 Use Permit to establish a new 50,000 gallon per year winery with:
 - a +/- 13,675 sq. ft. two level (one story plus a cellar) production building;
 - a +/- 675 sq. ft. covered crushpad;
 - conversion of a +/- 4,525 sq. ft. existing residence into a winery hospitality and administration building with a commercial kitchen;
 - up to 10 employees;
 - 25 parking spaces (including 2 ADA-accessible spaces);
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 - a landscape and Hardman Creek stream restoration plan.

Conservation Regulations exception to allow encroachment within required setbacks from Hardman Creek (85 feet required, 38 feet proposed).

9. Describe the environmental setting and surrounding land uses.

The project is proposed on a 13 acre parcel located on the east side of the Silverado Trail, approximately ½ mile south of its intersection with Soda Canyon Road. As the crow flies, it is 1¼ miles north of the City of Napa and 4 ½ miles southeast of the Town of Yountville. The property presently includes a 4,500 square foot single family residence, a swimming pool and other residential-accessory improvements, and approximately seven and one half acres of producing vineyard. The parcel dips to as low as 44 feet in elevation along its Silverado Trail frontage, runs eastward along a relatively flat floodplain terrace some 500 feet to the Hardman Creek riparian corridor, and then climbs relatively abruptly up to a benchland with an average elevation of 65 feet. All of the property's existing structural development is located on the narrow north-south running bench, hemmed in by Hardman Creek on the west and the parcel's rear property line to the east. Hardman Creek itself travels south off the property, parallel to the Silverado Trail, before emptying into Milliken Creek at Monticello Road and from thence into the Napa River. Virtually all of the parcel area west of Hardman Creek is located within the FEMA-mapped 100-year floodplain and submitted biological materials indicate that the southeastern corner of the property includes a seasonal wetland swale subject to the jurisdiction of the Army Corps of Engineers.

Based on Napa County environmental resource mapping and the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), the project area includes soil classified as Coombs Gravelly Loam (2 to 5 percent slopes) and Boomer-Forward-Felta Complex (5 to 30 percent slopes). The Coombs Gravelly Loam series is characterized by well drained soils on terraces at elevations ranging from 100 to 500 feet; it consists of a mixed alluvium derived from igneous and sedimentary rock. Runoff from Coombs soils is slow and the threat of erosion is slight. The Boomer-Forward-Felta Complex is characterized by well drained soils on uplands where permeability is moderately slow. The soils on this site are predominantly Felta-type, which formed in material weathered from volcanic tuffs mixed with uplifted river sediment and metamorphosed basic rock. Runoff from Boomer-Forward-Felta soils is generally medium with a slight to moderate erosion hazard. Native vegetation types in the project vicinity would have included oak and madrone woodlands along with annual grasses and forbs. The County's geological hazard mapping indicates that the subject parcel is located in a fairly stable geologic zone with no known faulting, landslides, or other identified slope stability issues.

Land uses in the vicinity of the project are a mix of medium to large lot residential uses, active vineyard operations on lots ranging (generally) from 15 to 60 acres, and wineries with production ranging from 5,000 to 200,000 gallons annually. Individual wineries located within ½ mile of the project area include the former Silverado Trail Wine Studio (3105 Silverado Trail, 200,000 gallons/year, tours and tasting by appointment), Razi Winery (3106 Silverado Trail, 20,000 gallons/year, tours and tasting by appointment), Luna Vineyards (2921 Silverado Trail, 150,000 gallons/year, tours and tasting by appointment), Kitchak Winery (1094 Hardman Avenue, 5,000 gallons/year, tours and tasting by appointment), and Reynolds Winery (3260 Silverado Trail, 20,000 gallons per year, tours and tasting by appointment). Residential uses in the vicinity are, by the standards of unincorporated Napa County, comparatively extensive with a number of residential lots sized at one to two acres located within ½ mile of the proposed winery. The subject property, and all areas to the west, are zoned AP (Agricultural Preserve) and General Plan designated AR (Agricultural Resource). Lands to the east and northeast are zoned AW (Agricultural Watershed) and General Plan designated AWOS (Agriculture, Watershed, and Open Space) and there is a large area of RC (Residential Country) zoned and RR (Rural Residential) General Plan designated land located approximately ½ mile to the south.

10. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).
Department of Alcoholic Beverage Control, Federal Taxation Trade Bureau

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.

Krupp Brothers Winery

Use Permit N^o P11-00348 and Conservation Regulations Stream Setback Exception N^o P11-00495

- 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

MAY 1, 2012

Date

Name: C.M. Cahill for Napa County Conservation, Development, & Planning

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

Discussion:

a.-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the lower Silverado Trail area is defined by a mix of residential, vineyard, and winery uses wound through by somewhat disturbed riparian corridors and situated at the foot of the first low ridgeline on the eastern side of the Napa Valley. The new winery proposed here will be visible from the Silverado Trail, however, the more than 600 foot setback from the roadway should minimize visual impacts and the design of the proposed facility is largely in keeping with existing residential development on site. The more than 13 acre property, which has a long history of agricultural use, will be largely unaffected by the project as the winery development area will be limited to the property's easternmost edge. Vegetation removal associated with this project would be limited to the removal of approximately ¼ acre of existing vines. No tree removal is proposed. Seen as a whole, nothing in this project will substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. Impacts related to scenic resources will be less than significant.

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

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

Mitigation Measures: No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. Based on a review of Napa County environmental resource mapping, much of the subject property is designated either Prime Farmland or Farmland of Statewide Importance (*Department of Conservation Farmlands, 2008* layer), however, the highland upon which the winery and most of its associated improvements would be located is not designated as special status farmland. While the project would result in the removal of approximately ¼ acre of vines (overlying an equivalent area of Prime Farmland) to accommodate the new winery driveway, the driveway itself is a winery-accessory use. General Plan Agricultural Preservation and Land Use policies **Ag/LU-2** and **Ag/LU-13** recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application will not result in the conversion of special status farmland to a non-agricultural use.
- b. As discussed at "a." above, the proposed winery is consistent with the parcel's AP agricultural zoning. The parcel is subject to and fully consistent with Williamson Act contract 93283-AGK.
- c. The subject parcels do not include timberland and are not subject to timberland or forestland zoning. The project will not conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)
- d. The subject parcel includes neither forestland nor timberland and is not subject to timberland zoning. There will be no impact to forest resources.
- e. As discussed at items "a." and "b." above, the winery and winery accessory uses proposed in this application are defined as agricultural by the Napa County General Plan and are allowed under the parcel's AP (Agricultural Preserve) 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 Measures: No mitigation measures are 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the Air District had failed to comply with CEQA when it adopted the thresholds. The court did not determine whether the 2011 thresholds were valid on the merits, but found that their adoption was a project under CEQA. The court issued a writ of mandate ordering the District to set aside the thresholds and cease dissemination of them until the Air District had complied with CEQA.

In view of the court's order, the Air District is no longer recommending that the 2011 thresholds be used as a generally applicable measure of a project's significant air quality impacts (see <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>), instead the Air District recommends that lead agencies rely on project-specific evidence and the Air District's 1999 thresholds of significance (*CEQA Guidelines – Assessing the Air Quality Impacts of Projects and Plans*, BAAQMD, December 1999). The following analysis is based upon and consistent with the Air District's 1999 *CEQA Guidelines*.

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. In the short term, potential air quality impacts are most likely to 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. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts in their 1999 *CEQA Guidelines*. If the proposed project adheres to these measures, the Air District recommends concluding that construction-related impacts will be less than significant. Relevant best practices are set forth at Table 2 of the 1999 *Guidelines* and are incorporated into the County's standard conditions of project approval.

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 (1999 *Guidelines*, p. 24). The use permit proposed here includes up to 10 full-time employees, 124 busiest-day tours and tasting visitors, and potentially 4 busiest-day production pickups/deliveries; meaning that this project should account for 126 maximum daily trips on a harvest-season day with no marketing events (see Nickelson, George, P.E, Omni-Means Engineering, *Traffic Study for a Proposed Krupp Brothers Winery at 3150 Silverado Trail*, December 1, 2011). The subject application also proposes occasional marketing events, with up to 125 people at the largest event; at 2.6 persons per car that would add up to 48 additional trips on the day of a large marketing event. The resulting busiest day plus marketing total of 251 project-related trips is well below the established 2,000 vehicle trip threshold of significance. The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.

d.-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.

While the Bay Area Air Quality Management District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Construction-

phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

Mitigation Measures: No mitigation measures are required.

	Potentially Significant Impact	Less 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input 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. Napa County Environmental Resource Mapping (*Biological Critical Habitat Areas – Steelhead, California Red-legged Frog, Contra Costa Goldfields, and Vernal Pool Fairy Shrimp; Wetlands and Vernal Pools; CNDDDB; Plant Surveys; Sensitive Biotic Groups; Biological Points and Areas; and Known Fish Presence* layers) do not indicate the presence of candidate, sensitive, or special status species on or near the project site. However, because this project proposes work within the Conservation Regulations-imposed setbacks from Hardman Creek, Planning Staff and (in consultation) the Department of Fish and Game required a full biological resources survey. The required survey was completed by Kjeldsen Biological Consulting in late 2011 and early 2012 (Kjeldsen Biological Consulting, *Biological Resource Survey for Krupp Brothers Winery, 3150 Silverado Trail, Napa County, CA, March 1, 2012*). The survey, which is based on available resource mapping and a biotic and floristic survey including November 29, 2011; January 31, 2011, and February 8, 2012 site reconnaissances, finds no evidence of the presence of any special status plant or animal species listed by the California Native Plant Society, the California Department of Fish and Game, or the US Fish and Wildlife Service either in the project area or on the remainder of the property. However, the submitted study does find that the project has the potential to impact a number of special status species which are not currently present on the site, but may use the site in the future. Quoting from the report's discussion on these species;

Emys marmorata (Western Pond Turtle). The pond turtle is found throughout California and is listed by the State as a Species of Concern. Suitable habitat consists of any permanent or nearly permanent body of water or slow moving stream with suitable refuge, basking sites and nesting sites. Refuge sites include partially submerged logs or rocks or mats of floating vegetation. Basking sites can be partially submerged rocks or logs, as well as shallow-sloping banks with little or no cover. Nesting occurs in sandy banks or in soils up to 300 feet away from aquatic habitat. Although Hardman Creek does contain deep pools or sunning pull outs the portion of Hardman Creek through the property could provide passage for this species to potential habitat areas upstream.

Oncorhynchus mykiss (Steelhead) migrate from a marine environment into the freshwater streams and rivers of their birth in order to mate. *O. mykiss* hatch in gravel-bottomed, fast-flowing, well oxygenated rivers and streams. Steelhead are capable of surviving in a wide range of temperature conditions. There are not barriers for movement through the property from the Napa River to potential breeding habitat upstream. Although Hardman Creek does not have suitable breeding habitat the portion of Hardman Creek through the property could provide passage for this species to potential breeding areas upstream.

Rana boylei (Foothill Yellow-Legged Frog) are found in or near rocky streams with riffles and sunny banks in a variety of habitats from sea level to approximately 6,300 feet elevation. Yellowlegged frogs require shorelines with dense, overhanging vegetation such as willow trees. The Napa River and its tributaries may potentially be suitable habitat for Foothill yellow-legged frogs. No foothill yellow-legged frogs have been identified within Hardman Creek. No work is proposed within the bed and or bank and native plantings will enhance water quality and has the potential to improve habitat for the foothill yellow-legged frog.

Our fieldwork found the riparian corridor has potential for movement for special-status species. We did not find any other suitable habitat for special-status animal species that are known for the Quadrangle surrounding Quadrangles or for the region associated with the proposed project. The present conditions of the project site are such that there is little reason to expect the occurrence of any special-status animal species within the footprint of the project.

Raptors. Raptors were observed in the area although no raptor nests were identified during our survey. We found no indications of nesting raptors on the property or in the near vicinity of the project sites. We did not observe any nests, whitewash or nest droppings, perching associated with the project site. No bird rookeries were present on the property or within the project footprint. No raptor nests or whitewash from nests was observed.

Bats. The site does not contain any significant natural roosting habitat for bat species (i.e. mines, caves, riparian woodlands). Mature oaks on the property have the potential to support limited roosting habitat. Construction activities associated with the proposed (project) will not significantly impact or disturbed bat roosting habitat. No evidence of bat roosting was observed. No mature trees are proposed to be removed.

The Kjeldsen report goes on to conclude that potentially significant impacts on special status species could result from the project, and that those impacts are primarily related to the quality of the habitat in and around Hardman Creek. The report recommends mitigation measures which are designed to reduce impacts to special status species to a less than significant level. The mitigation measures call for pre-construction follow-up surveys to confirm that neither Western Pond Turtles, Steelhead, Yellow-Legged Frogs, nor raptors have colonized the site by the time of construction. Proposed mitigation measures also call for construction fencing around Hardman Creek and on-site trees to protect potential habitat for special status species, as well as for the implementation of an applicant-proposed revegetation and creek restoration plan to protect and improve habitat in Hardman Creek (encroachment into stream setbacks and the proposed revegetation plan are discussed in greater detail at "b.", below.) As mitigated, impacts on special status species will be less than significant.

- b. In order to address the environmental impacts of the proposed 47 foot (at its nearest point) encroachment into required stream setbacks, the applicant submitted a biological analysis of the proposed encroachments and of the applicant-proposed creek restoration plan (Kjeldsen Biological Consulting, *Re. Exemption Request – Encroachment Into Stream Setback – Napa County, Krupp Brothers Winery, 1350 [sic] Silverado Trail, Napa County, CA, March 1, 2012*). According to the submitted analysis;

The project is proposing an encroachment into the stream setback of Hardman Creek, and a(n) exemption for stream setback.... A revegetation planting plan for the creek setback zone has been prepared by CBH Design. The Planting Plan consists of native riparian zone species that will function to stabilize the banks, provide vegetation layering, provide wildlife habitat, aquatic habitat and protect water quality. The proposed restoration plantings will result in a net riparian and aquatic benefit on the property as well as off site.

The project within the stream setback proposes the widening and relocation of bridge footings for a clear span bridge and grading for an access road. The project will include a storm water collection system for the existing hardscape and the new access road. The storm water system will collect storm water from the hardscape and release it into a bio-swale. The proposed access road and bridge widening and relocation are within a portion of the standard Napa County stream setback zone of from the top of the bank of Hardman Creek which is (a) tributary of the Napa River...

The existing site conditions along the stream setback consist of a channelized seasonal drainage with mature overstory of Valley Oaks along sections of the banks. Understory vegetation along the drainage has been cleared exposing bare substrate by previous owners. Bare soil is exposed along both sides of the creek channel as shown in the photographs below. There is an

existing residence gravel access road along the west side of the drainage which will be abandoned and a new entrance road constructed through the vineyard. It is noted that the existing entrance road is within the stream setback and removal will result in a net benefit. A portion of the entrance road will continue to be used as vineyard turn around, and portions will be re-vegetated. The east bank Hardman Creek contains an existing residence, gravel parking lot, and a gravel road...

The proposed project will not increase water temperature or water quality. The present conditions on the site indicate a high potential for soil erosion. Natural erosion protection is a function of vegetation root structure along creek banks. Revegetation of the banks and layering of vegetation will create over time a functional riparian corridor and reduce potential soil erosion. It is anticipated that there will be a net improvement of on-site and off-site aquatic and terrestrial resources.

An analyzed in the submitted Kjeldsen report, and as mitigated by the proposed stream restoration plan (required pursuant to "a", above), the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community. The submitted report finds that the proposed revegetation plan will have a net positive impact on Hardman Creek and will not have a substantial adverse effect in and of itself.

- c. While the proposed project is primarily located on a dry upland bench, a new bridge is proposed to span Hardman Creek and the submitted biological report identifies a seasonal wetland located at the property's southeastern corner.

Waters of the State

Waters of the State include drainages which are characterized by the presence of a defined bed and bank. Hardman Creek clearly meets this definition, and as a result, the new bridge span proposed in this project would be subject to permitting by the Army Corps of Engineers, the California Department of Fish and Game, and the Bay Area Regional Water Quality Control Board. According to the submitted biological report, because the proposed bridge is of a clear span design and will utilize new bridge abutments that would be located farther from the stream bank than those of the existing bridge, "there are no direct impacts (to Hardman Creek) associated with the project." Still quoting Kjeldsen, "the proposed project and new bridge will not substantially divert or obstruct the natural flow of, or substantially change or use any new material from the bed, channel, or bank of the stream for construction. The new access road will remove vineyard and be constructed at grade and will not alter high flows or increase potential flooding."

Seasonal Wetlands

Seasonal Wetlands usually denote areas where the soil is seasonally saturated. To be classified as a wetland, the duration of saturation or inundation by water must be extensive enough to cause the soils themselves to be altered or adapted to the wetland condition. According to the submitted biological study, "varying degrees of pooling or ponding and saturation will produce different edaphic and vegetative responses. These soil and vegetative clues, as well as hydrologic features, are used to define then wetland type. Seasonal wetlands typically take the form of shallow depressions and swales that may be intermixed with a variety of upland habitat types." Seasonal wetlands, of the type identified on the Krupp property, are subject to the jurisdiction of the US Army Corps of Engineers under Section 404 of the *Clean Water Act* and Section 10 of the *Rivers & Harbors Act of 1899*.

Quoting the submitted report;

A seasonal wetland swale was identified on the property. The majority of the watershed is from the neighbor's vineyard to the northeast. This seasonal wetland adjacent to the proposed project is not a high quality wetland due to lack of botanical and animal diversity, and lack of cover for aquatic or terrestrial species. Surface water is only present during and shortly after rainfall events. The wetland is sloped and drains to the south onto the neighbor's vineyard. The seasonal wetland meets the definition of a wetland by containing greater than 50% hydric plants, hydric soils, and contains seasonal saturated soils.

The project has been designed to avoid this area and (has) provided it with a 30-foot buffer. A 30-foot buffer zone from the proposed project is adequate given the nature of the wetland (i.e. slope, seasonality and relatively low quality). The proposed project will not impact the vegetation, hydrology, and soils of the adjacent seasonal wetland. The proposed project will not reduce or increase runoff into this wetland. The proposed project will not negatively impact this resource. There are no seasonal wetlands associated with the project footprint.

Following additional consultation with Suzanne Gilmore of the Department of Fish and Game (Yountville), it was determined that a 35 foot buffer would be more appropriate than the 30 feet recommended by Kjeldsen. A mitigation measure, loosely based on the one recommended in the above-quoted biological study but increasing the required setback to 35 feet, is incorporated below. As mitigated, impacts on protected wetlands and watercourses will be less than significant.

- d. According to the submitted Kjeldsen biological report;

There are no identifiable wildlife corridors through the property. The project will reduce a small amount of wildlife habitat on the property. Significant areas of woodlands on the property are outside of the project footprint. On a regional scale the loss will be less than significant. The proposed project has avoided significant portions of the property, which will remain and continue to provide habitat for wildlife in the area. Habitat on the property will continue to function and provide habitat for wildlife in the area.

Impacts to special status species which might utilize the Hardman Creek riparian corridor are discussed and mitigated for at "a.", above. As discussed in both that section and this one, and as mitigated below, impacts on wildlife habitat and wildlife corridors will be less than significant.

- e. While Napa County does not have a tree preservation ordinance, General Plan Policy **CON-24** requires the County to "maintain and improve oak woodland habitat." No tree removal is proposed as a component of this project. To further protect existing trees, and the habitat for special status species that they could potentially provide, a mitigation measure has been incorporated (see "a.", above) requiring tree protection fencing for the mature trees to be preserved. The project will not conflict with any local policy or ordinance protecting biological resources, such as a tree preservation policy or ordinance.
- 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 project site.

Mitigation Measures:

1. For bridge construction, a qualified wildlife biologist shall conduct preconstruction surveys for the potential presence of aquatic habitat for the Northwestern Pond Turtle Foothill-yellow legged Frog and Steelhead. Surveys should be conducted prior to the commencement of construction activities to identify that the channel is dry and no potential for these species is present. Surveys must be conducted no more than two weeks prior to bridge construction and are subject to the review and approval of the Planning Director. If no water or pools are identified on the property within Hardman Creek then there is no potential impact to these species. Construction must take place when Hardman Creek is dry.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of survey results prior to the issuance of a building permit. **RESPONSIBLE AGENCY(IES)-** Planning Division

2. For ground disturbing activities occurring during the breeding season (March 1 through July 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential nesting habitat for birds within 500 feet of earthmoving activities. Surveys should be conducted within 14 days prior to tree removal and or ground-breaking activities on the project site. If active bird nests are found during preconstruction surveys the project applicant should consult and obtain approval for appropriate buffers with the California Department of Fish and Game prior to tree removal and or ground-breaking activities or until it is determined that all young have fledged.

Method of Mitigation Monitoring: Pre-construction survey reports must be submitted to the Planning Division and, depending on the circumstance, the Department of Fish and Game for review and approval prior to the initiation of construction. **RESPONSIBLE AGENCY(IES)-** Planning Division and the Department of Fish and Game

3. Project construction must avoid any impact to the bed and bank of Hardman Creek. Construction fencing must be installed at the top of bank and signed "**Keep Out – Environmentally Sensitive Area**". Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

4. Prior to the initiation of construction activities, tree protection fencing shall be installed along the outside edge of the tree canopy adjacent to construction activities to ensure they are not disturbed or impacted during construction activities. Soil disturbance within the canopy of avoided trees shall be avoided during construction activities. Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

5. The project shall comply with the CBH creek restoration planting plan dated 3/1/2012, which the project biologist finds will function to stabilize the banks, provide layering, improve water quality, and improve wildlife and aquatic habitat. Revisions to the plan may be approved at building permit submittal subject to the review and approval of the Planning Director, provided that they do not minimize any of the above-stated functions.

Method of Mitigation Monitoring: This Mitigation Measure requires compliance with an approved plan. If requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

6. The seasonal wetland swale and a required 35 foot buffer zone shall be identified on all building, grading, environmental management, or other permits henceforth submitted to the County. Any drainage from impervious surfaces must flow through an approved bio-swale before entering either the seasonal wetland swale or any other drainage on the property. Prior to the initiation of any earth disturbing activities, the wetland buffer zone shall be fenced off at its perimeter and signed "**Keep Out – Environmentally Sensitive Area**". Wetland buffer protection fencing shall remain in place for the entirety of the construction activities by this project. Whether during construction, or at any point in the future, no earth disturbing activity shall be allowed in the wetland earth disturbing activities within the buffer zone shall be limited to construction of approved bio-swales and their routine maintenance. Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

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

Discussion:

- a. According to Napa County Environmental Resource Mapping (*historic sites* layer), no historic resources are known to be located on or in the direct vicinity of the project site. Neither this project nor any foreseeable resulting ministerial activity will cause a substantial adverse change in the significance of a historic resource.
- b. Archeological evidence indicates that human occupation of California began at least 10,000 years ago. Early occupants appear to have had an economy based largely on hunting, with limited exchange, and social structures based on the extended family unit. Later, milling technology and an inferred acorn economy were introduced. This diversification of economy appears to have evolved along with the development of more permanent settlements, population growth, and expansion. Sociopolitical complexity and status distinctions based on wealth are also observable in the archeological record, as evidenced by an increased range and distribution of trade goods such as shell beads and obsidian tool stone, which are possible indicators of both status and increasingly complex exchange systems. At the time of European settlement, Napa County was primarily settled by people speaking Southern Wappo and Patwin dialects. The Patwin and Southern Wappo were hunter-gatherers who lived in rich environments that allowed for dense populations with complex social structures. They settled in large permanent villages which were surrounded by a great many seasonal camps and other task-specific sites. Primary

village sites were occupied throughout the year and other sites were visited in order to procure particular resources that were especially abundant or available only during certain seasons. Sites often were situated near fresh water sources and in areas where plant and animal life were diverse and abundant.

According to Napa County Environmental Resource Mapping (*archaeology surveys, archeology sites, archeologically sensitive areas, and archeology flags* layers), the project area is not part of any known archeologically sensitive area. However, due to the site's proximity to a reliable water source and a number of identified archeological sites, Planning staff requested that an archeological survey be completed. The applicant contracted with Tom Origer & Associates of Rohnert Park, who submitted a cultural resources report dated October 17, 2011 (Hagensieker and Loyd, *A Cultural Resources Study for the Krupp Brothers Winery Project, 3150 Silverado Trail, Napa County, California*). The Origer report does not identify any likely archeological resources in the project area. According to Hagensieker and Loyd, "no cultural resources were found within the study area, and no resource specific recommendations are warranted." As analyzed in the submitted report, there is a less than significant likelihood that the project will cause a substantial adverse change in the significance of an archeological resource.

- c. No unique paleontological or geological features are known to be located on or in the vicinity of the project site. As a result, neither this project nor any foreseeable resulting ministerial activity will cause a substantial adverse change in the significance of a paleontological or geological resource.
- d. No formal cemeteries are known to exist within the project area and, as noted above, no significant evidence of historic and/or prehistoric Native American settlement was found in the project area. Public Resources Code §5097.98, Health and Safety Code §7050.5, and CEQA §15064.5(e) detail the procedures to follow in case of the accidental discovery of human remains, including requirements that work be stopped in the area, that the County Coroner be notified, and that the most likely descendants be identified and notified via the Native American Heritage Commission. Foreseeable project-specific impacts to human remains are less than significant.

Mitigation Measures: No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

- b. Based on Napa County environmental resource mapping and the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), the project area includes soil classified as Coombs Gravelly Loam (2 to 5 percent slopes) and Boomer-Forward-Felta Complex (5 to 30 percent slopes). The Coombs Gravelly Loam series is characterized by well drained soils on terraces at elevations ranging from 100 to 500 feet; it consists of a mixed alluvium derived from igneous and sedimentary rock. Runoff from Coombs soils is slow and the threat of erosion is slight. The Boomer-Forward-Felta Complex is characterized by well drained soils on uplands where permeability is moderately slow. The soils on this site is predominantly Felta, which formed in material weathered from volcanic tuffs mixed with uplifted river sediment and metamorphosed basic rock. Runoff from Boomer-Forward-Felta soils is generally medium with a slight to moderate erosion hazard. The proposed project will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance, which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.

- c.-d. Quaternary surficial deposits with late and early Pleistocene alluvium underlay the soils in the project area. Based on Napa County Environmental Sensitivity Mapping (*liquefaction* layer) the project site has a "very low" liquefaction predilection. 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 will function to reduce any potential impacts to a less than significant level.

- 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. Please see the **HYDROLOGY AND WATER QUALITY** section, below, for a discussion of proposed wastewater treatment improvements.

Mitigation Measures: No mitigation measures are required.

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

Discussion:

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

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

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)**. The applicants intend to have the building LEED Gold (or better) certified and have incorporated extensive GHG reduction methods including (without limitation): bicycle parking, solar panels, recycled-water irrigation with zero potable water use, landscaping with native plants, and high efficiency HVAC systems.

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

- b. The County's Draft Climate Action Plan would require discretionary projects to reduce their GHG emissions to 38% below "business as usual" volumes as of 2020 through the application of a combination of State, local, and project-specific programs and policies. Because the Draft Climate Action Plan has not yet been formally adopted, it can not be considered a formal threshold of significance for CEQA purposes. Nonetheless, the project was analyzed for consistency with the Draft Climate Action Plan. Although project-specific GHG emissions would be limited, the applicant would likely find it challenging to reduce emissions by 38% unless the project could take credit for GHG reductions that may have occurred at the winery between 2005 and the present or find another way to offset emissions from the projected increase in vehicle trips. The project's "business as usual" emissions were calculated by Planning staff using CalEEMod GHG modeling software, resulting in modeled annual emissions of 672 metric tons of carbon dioxide and carbon dioxide equivalents (MT CO₂e). GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including the potential installation of a solar energy system could combine to reduce emissions below the "business as usual" level, and make it feasible to exceed the proposed 38% requirement.

Mitigation Measures: No mitigation measures are required.

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

Discussion:

- a.-b. A Hazardous Materials Management Plan will be required by the Department of Environmental Management prior to occupancy of the new winery facility. Such plans provide information on the type and amount of hazardous materials stored on the project site. The proposed project will not result in a significant risk of release of hazardous materials into the environment.
- c. There are no schools located within ¼ mile of the project site; the closest school is Vichy Elementary School, which is located approximately 2 miles to the southeast.
- d. Napa County environmental resource mapping (*hazardous facilities layer*) indicates that the subject property is not on any known list of hazardous material sites.
- e.-f. The project site is not located within two miles of any airport, be it public or private, and is not subject to any Airport Land Use Plan.
- g. The project has been designed to comply with emergency access and response requirements and has been reviewed by the Napa County departments responsible for emergency services; it will not have a negative impact on emergency response planning.
- h. The project is located in an area dominated by intensive irrigated agriculture. Risks associated with wildland fire in the direct vicinity are quite low; and to the extent they exist they are primarily associated with smoke related damage to wine grapes (smoke taint) and not with risks to life or structures. The Napa County Fire Marshal has reviewed this application and believes there is adequate fire service in the area. This project will not expose people or structures to a significant risk of loss, injury or death involving wild-land fires.

Mitigation Measures: No mitigation measures are required.

Krupp Brothers Winery

Use Permit N^o P11-00348 and Conservation Regulations Stream Setback Exception N^o P11-00495

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

Discussion:

- a. The proposed project will not violate any water quality standards or waste discharge requirements. The applicant has submitted a project Septic Feasibility Report (Bruce Fenton for Riechers Spence & Associates, *Feasibility Report for Krupp Brothers Winery*, December 14, 2011) which proposes two possible wastewater treatment and disposal options. In either case, the existing residential wastewater disposal system would be abandoned. In the first option, winery process waste would be treated to 160 mg/l BOD and 80 mg/l TSS, buffered through a 2,500 gallon septic tank and from thence into a 1,500 gallon aeration tank, a 2,500 settling tank, filtration through Advantex textile filter pods, and disposed of through vineyard irrigation. To achieve adequate wet-season storage, option one would require 50,000 gallons of treated wastewater storage. If option one is used, winery domestic waste would be treated in a conventional septic tank and disposed of through 1,044 linear feet of new subsurface distribution lines. As an alternative, Mr. Fenton is also proposing an alternate system, in which winery process and domestic waste would be treated separately and then disposed of through a combined subsurface drip system.

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. Said permit will provide for adequate on-site containment of runoff during storm events through placement of siltation measures around the development area. Consistent with General Plan Policy **CON-50c** ("The County will take appropriate steps to protect surface water quality and quantity, including... requiring...

discretionary projects to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions”), submitted post-construction stormwater runoff documentation indicates that there will be no net increase in post-construction peak runoff during 2-, 10-, 50-, and 100-year storm events.

- 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.

Based on the submitted *Phase One* water availability analysis, the 13.23 acre subject valley-area parcel has a water availability calculation of 13.23 acre feet per year (af/yr), which is arrived at by multiplying its 13.23 acre size by a one af/yr/acre fair share water use factor. According to the applicant, existing water usage on the parcel is approximately 4.5 af/yr, including .75 af/yr for residential use and 3.8 af/yr for irrigation of established vineyards. This application proposes an additional 1.33 af/yr of winery water use, .49 af/yr for landscaping, and a decrease in vineyard water use of 0.2 af/yr due to a marginal decrease in vineyard area. As a result of the foregoing, annual water demand for this parcel would increase to 5.87 af/yr. Based on these figures, the project would be below the established threshold for groundwater use on the property. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

- c.-e. There are no existing or planned stormwater systems that would be affected by this project. As the project will likely result in disturbance to 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. 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 proposed wastewater improvements and has found the system adequate, as conditioned, to meet the facility’s septic and process wastewater treatment and disposal needs. No information has been encountered that would indicate a substantial impact to water quality.
- g. This project proposes no housing development. No housing will be placed within a mapped flood zone.
- h.-i. According to Napa County environmental resource mapping (*Flood Zones* and *Dam Levee Inundation* layers), while portions of the property are located within the 100-year floodplain, the winery site itself is not located within a mapped floodplain or dam levee inundation area. This project will not expose people or structures to significant risks associated with flooding.
- 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 60 feet in elevation 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 Measures: No mitigation measures are required.

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

	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. The proposed project is located in an area dominated by agricultural, residential, and open space uses and the improvements proposed here are in support of ongoing agricultural uses county-wide, as they provide a market for grapes grown within Napa County. This project will not divide an established community.
- b. The subject parcel is located in the AP (Agricultural Preserve) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. With the winery road setback variances requested here, the project would be fully 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 AR (Agricultural Resource), 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**). The buildings proposed here are generally of a high architectural quality and are fully in keeping with the design of the existing winery structure. The proposed winery additions will convey the required permanence and attractiveness.

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

Mitigation Measures: No mitigation measures are required.

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

Discussion:

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

Mitigation Measures: No mitigation measures are required.

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

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 annual events, two of which would include up to 125 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), much of the area around the proposed winery is given over to agricultural uses and standard winery conditions of approval are designed to minimize noise impacts on neighboring properties associated with outdoor amplified music by requiring;

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

In addition, continuing enforcement of Napa County's Exterior Noise Ordinance by the Department of Environmental Management and the Napa County Sheriff, including a separate and reinforcing prohibition against outdoor amplified music, will ensure that marketing events and other winery activities do not create a significant noise impact.

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

Mitigation Measures: No mitigation measures are required.

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

Discussion:

a. The Association of Bay Area Governments' *Projections 2009* figures indicate that the total population of Napa County is projected to increase some 7.2% by the year 2035, while county-wide employment is projected to increase by 29% in the same period (Metropolitan Transportation Commission, *Superdistrict and County Summaries of ABAG's Projections 2009 - 2000-2035 Data Summary*, September 2009). The new employee positions which are part of this project may lead to some population growth within Napa County, however, the project will be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs. Relative to the county's projected low to moderate growth rate and overall adequate programmed housing supply, any resulting population growth does not rise to a level of environmental significance.

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

b.-c. An existing occupied single family residence is proposed to be converted to commercial use as part of the development of winery facilities contemplated by this project. While the proposal would therefore result in the loss of one dwelling unit, 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 Measures: No mitigation measures are required.

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

	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 subject parcel and, as a result, the additional demand placed on existing services resulting from the project will 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. Impacts to parks will be limited-to-nonexistent. County revenue resulting from building permit fees, property tax increases, and taxes from the sale of wine and wine-related products will help meet the costs of providing public services to the facility. The proposed project will have a less than significant impact on public services.

Mitigation Measures: No mitigation measures are required.

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

Discussion:

- a. This application proposes a new winery, including construction of new winery facilities and systems, new on-site employment, tours and tasting by appointment, and a number of marketing events. No portion of this project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities.
- b. This project does not include new recreational facilities of any description.

Mitigation Measures: No mitigation measures are required.

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

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

Discussion:

a.-b. The site is located on the Silverado Trail, approximately 1¼ miles north of the City of Napa and 4 ½ miles southeast of the Town of Yountville. The Silverado Trail is one of the two primary north-south throughways serving the Napa Valley (the other being State Highway 29) and consists of two travel lanes with a total of 15 feet of paved shoulders in the vicinity of the proposed winery. Driveway access to the proposed winery would be from the Trail, along a new driveway intersecting the roadway about 300 feet south of the northern property boundary. This location would align with an existing driveway, for 3165 Silverado Trail, located on the western frontage of the Silverado Trail. The existing residential driveway, which intersects the road nearer to the southern property boundary, would be abandoned as a component of this project.

The applicant has submitted two traffic analyses describing existing and proposed traffic conditions in the project vicinity, they provide the basis for this analysis (George Nickelson, P.E, *Traffic Study for a Proposed Krupp Brothers Winery at 3150 Silverado Trail*, December 1, 2011 and George Nickelson, P.E, *Supplemental Traffic Evaluation – Visitor Program Revisions Related to a Proposed Krupp Brothers Winery at 3150 Silverado Trail*, March 15, 2012).

Traffic conditions on roads and at intersections are generally characterized by their "level of service" or LOS. LOS is a convenient way to express the ratio between volume and capacity on a given link or at a given intersection, and is expressed as a letter grade ranging from LOS A through LOS F. Each level of service is generally described as follows:

LOS A- Free-flowing travel with an excellent level of comfort and convenience and freedom to maneuver.

LOS B- Stable operating conditions, but the presence of other road users causes a noticeable, though slight, reduction in comfort, convenience, and maneuvering freedom.

LOS C- Stable operating conditions, but the operation of individual users is substantially affected by the interaction with others in the traffic stream.

LOS D- High-density, but stable flow. Users experience severe restrictions in speed and freedom to maneuver, with poor levels of comfort and convenience.

LOS E- Operating conditions at or near capacity. Speeds are reduced to a low but relatively uniform value. Freedom to maneuver is difficult with users experiencing frustration and poor comfort and convenience. Unstable operation is frequent, and minor disturbances in traffic flow can cause breakdown conditions.

LOS F- Forced or breakdown conditions. This condition exists wherever the volume of traffic exceeds the capacity of the roadway. Long queues can form behind these bottleneck points with queued traffic traveling in a stop-and-go fashion. (2000 Highway Capacity Manual, Transportation Research Board)

According to traffic counts conducted by Mr. Nickelson during November 2011, in the vicinity of the winery Silverado Trail sees a weekday peak hour traffic volume of 1,107 daily vehicles and 1,053 peak hour vehicles on Saturday. However, because traffic volume is traditionally higher in the summer months, Mr. Nickelson adds a 5% to 10% seasonal peaking factor and arrives at a likely summer weekday peak hour traffic flow of 1,200 vehicles and 1,100 Saturday peak hour vehicles. Total daily summertime traffic flow is estimated at 13,000 vehicles. Nickelson states that the existing function of the parcel's driveway intersection with the Silverado Trail is LOS C. According to the Nickelson study, the proposed winery would generate 66 daily trips on a typical weekday, 108 daily trips on a peak Saturday, and 126 typical daily trips during the eight week harvest season. At a 20% peak hour rate, these traffic volumes would result in 13 trips during the typical weekday afternoon peak hour and 22 trips during the weekend peak hour. At these predicted traffic volumes, outbound project traffic would continue to operate at LOS C during both weekday and weekend peak hours.

Quoting the Nickelson studies regarding the need for turn lanes;

The daily traffic generated by the proposed Krupp Brothers Winery project would not measurably affect traffic flows along Silverado Trail. The added trips would typically increase Silverado Trail traffic volumes by about 0.4% and the road's operation would be unchanged. However, the combination of existing traffic volumes and winery volumes on Silverado Trail and on the access road would exceed the minimum Napa County thresholds for installation of a left turn lane. Plans for a left turn lane have been incorporated into the project's design. (December 1, 2011 report)

Based on Caltrans design standards, the very low peak hour left turn volumes would result in a single car storage need. However, as per Caltrans guidelines, a standard minimum 50 foot left turn lane would be provided. The 50 foot left turn lane could serve volumes that are significantly higher than those identified in the prior (December 2011) traffic study. (March 15, 2012 report)

With the turn lane improvements recommended in the project traffic study and already incorporated into the project by the applicant, this project will not result in a significant increase in traffic or a decrease in the existing roadway level of service either individually or cumulatively. Impacts to signalized and unsignalized intersections will be less than significant. There will be no impact to existing transit services or pedestrian/bicycle facilities

c. The proposed project will not result in any change to air traffic patterns.

d.-e. Sight distances and projects likely impacts on roadway safety were evaluated in the Nickelson traffic studies. Quoting from those reports;

... required vehicle visibility or 'corner sight distance' is a function of travel speeds on Silverado Trail. Caltrans design standards indicate that for appropriate corner sight distance, 'a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the cross road and the driver of an approaching vehicle in the right lane of the main highway.' Caltrans design guidelines also indicate that at private access intersections the minimum corner sight distance 'shall be equal to the stopping sight distance.'

Silverado Trail has a posted speed limit of 55 mph. New radar speed surveys were conducted at the proposed site access. The 'critical' vehicle speed (the speed at which 85% of all surveyed vehicles travel at or below) along Silverado Trail was measured at 54-57 mph. Caltrans' design standards indicate that these vehicle speeds require a stopping distance of about 500-550 feet, measured along the travel lanes on Silverado Trail.

Based on a field review, site distances from the proposed driveway location are about 600 feet to the north and 800 feet to the south. Thus, the sight distances are adequate for the speed limit and measured vehicle speeds. It is noted that the sight distances can be affected by foliage along the east side of Silverado Trail. To the extent that foliage and grasses are trimmed low to the ground, the sight distances would be maximized.

The Department of Public Works has reviewed project access and recommends approval with standard conditions related to driveway improvements. The Napa County Fire Marshall has reviewed this application and has identified no significant impacts related to emergency vehicle access provided that standard conditions of approval are incorporated. Project impacts related to traffic hazards and emergency access are expected to be less than significant.

- f. This application proposes 25 parking spaces, including 2 disabled-accessible spaces. Employee parking spaces are not individually identified. The winery would have up to 10 employees along with 124 busiest-day by-appointment tours and tasting visitors. Given those figures, the facility would appear to be somewhat underparked. Standard conditions of approval disallowing parking in the right-of-way and requiring the shuttling of special event visitors from off-site where visitation exceeds parking capacity should, however, adequately address this potential parking shortfall. The project will not conflict with General Plan Policy CIR-23 so as to cause potentially significant environmental impacts.
- g. There is no aspect of this proposed project that will conflict with any adopted policies, plans or programs supporting alternative transportation. The project is not reasonably accessible by bike given the length and steepness of the property's access drive.

Mitigation Measures: No mitigation measures are required.

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

Discussion:

- a. The project will not exceed wastewater treatment requirements as established by the Regional Water Quality Control Board and will not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal will be accommodated on-site and in compliance with State and County regulations.
- b. This application proposes abandonment of an existing residential domestic wastewater treatment and disposal system and installation of new process and domestic wastewater systems as described at **HYDROLOGY AND WATER QUALITY**, above. The Napa County Department of Environmental Management has reviewed the proposed domestic and process wastewater systems and recommends approval as conditioned. Required wellhead setbacks and ongoing monitoring of the facility's wastewater systems by the Department of Environmental Management should reduce any impacts on water quality to less than significant levels. The new process wastewater

treatment and disposal system is environmentally superior and will not result in significant environmental impacts over permitted baseline levels.

- c. The project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities which would cause a significant impact to the environment.
- d. As discussed at the **HYDROLOGY AND WATER QUALITY** section, above, groundwater usage will remain unaffected by this project at levels well below the property's fair share volume. No new or expanded entitlements are necessary.
- e. Domestic wastewater will be treated on-site and will not require a wastewater treatment provider. Process wastewater will likewise be treated and disposed of on-site consistent with the requirements of the Napa County Department of Environmental Management.
- f. The project will be served by a landfill with sufficient capacity to meet the project's demands. No significant impact will occur from the disposal of solid waste generated by the project.
- g. The project will comply with all federal, state, and local statutes and regulations related to solid waste.

Mitigation Measures: No mitigation measures are required.

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

Discussion:

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

Mitigation Measures: No additional mitigation measures are required.

Project Revision Statement & Mitigation Monitoring and Reporting Program

Krupp Brothers Winery

Use Permit Application N^o P11-00348 and Conservation Regulations Stream Setback Exception N^o P11-00495 Assessor's
Parcel N^o 039-610-006
3150 Silverado Trail, Napa, C^{alif.}, 94558

I hereby revise my request to include the mitigation measure(s) specified below:

BIOLOGICAL RESOURCES

1. For bridge construction, a qualified wildlife biologist shall conduct preconstruction surveys for the potential presence of aquatic habitat for the Northwestern Pond Turtle Foothill-yellow legged Frog and Steelhead. Surveys should be conducted prior to the commencement of construction activities to identify that the channel is dry and no potential for these species is present. Surveys must be conducted no more than two weeks prior to bridge construction and are subject to the review and approval of the Planning Director. If no water or pools are identified on the property within Hardman Creek then there is no potential impact to these species. Construction must take place when Hardman Creek is dry.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of survey results prior to the issuance of a building permit. **RESPONSIBLE AGENCY(IES)-** Planning Division

2. For ground disturbing activities occurring during the breeding season (March 1 through July 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential nesting habitat for birds within 500 feet of earthmoving activities. Surveys should be conducted within 14 days prior to tree removal and or ground-breaking activities on the project site. If active bird nests are found during preconstruction surveys the project applicant should consult and obtain approval for appropriate buffers with the California Department of Fish and Game prior to tree removal and or ground-breaking activities or until it is determined that all young have fledged.

Method of Mitigation Monitoring: Pre-construction survey reports must be submitted to the Planning Division and, depending on the circumstance, the Department of Fish and Game for review and approval prior to the initiation of construction. **RESPONSIBLE AGENCY(IES)-** Planning Division and the Department of Fish and Game

3. Project construction must avoid any impact to the bed and bank of Hardman Creek. Construction fencing must be installed at the top of bank and signed "**Keep Out – Environmentally Sensitive Area**". Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

4. Prior to the initiation of construction activities, tree protection fencing shall be installed along the outside edge of the tree canopy adjacent to construction activities to ensure they are not disturbed or impacted during construction activities. Soil disturbance within the canopy of avoided trees shall be avoided during construction activities. Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

5. The project shall comply with the CBH creek restoration planting plan dated 3/1/2012, which the project biologist finds will function to stabilize the banks, provide layering, improve water quality, and improve wildlife and aquatic habitat. Revisions to the plan may be approved at building permit submittal subject to the review and approval of the Planning Director, provided that they do not minimize any of the above-stated functions.

Method of Mitigation Monitoring: This Mitigation Measure requires compliance with an approved plan. If requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

6. The seasonal wetland swale and a required 35 foot buffer zone shall be identified on all building, grading, environmental management, or other permits henceforth submitted to the County. Any drainage from impervious surfaces must flow through an approved bio-swale before entering either the seasonal wetland swale or any other drainage on the property. Prior to the initiation of any earth disturbing activities, the wetland buffer zone shall be fenced off at its perimeter and signed "Keep Out – Environmentally Sensitive Area". Wetland buffer protection fencing shall remain in place for the entirety of the construction activities by this project. Whether during construction, or at any point in the future, no earth disturbing activity shall be allowed in the wetland earth disturbing activities within the buffer zone shall be limited to construction of approved bio-swales and their routine maintenance. Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a protective fencing plan prior to the issuance of a building permit. If the required plan is not submitted, or if its requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)-** Planning Division

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 §66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.

	Jan Krupp	Owner/Managing member
Signature of Owner	Print Name	Interest