
Hall Winery- Distillery Building Demolition

Draft Focused Environmental Impact Report

**Lead Agency:
County of Napa**

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Table of Contents

Contents

1.0	EXECUTIVE SUMMARY	3
	Table 1.1 – Impacts and Mitigation Measures	5
2.0	PROJECT CHARACTERISTICS.....	8
2.1	Introduction	8
2.2	Project Location	8
2.3	Detailed Project Description.....	8
2.4	Project Objectives	10
2.5	Project Context	11
2.6	Effects Found to be Less-Than Significant.....	18
2.7	Other Uses For This EIR.....	20
	Exhibit 2.1. Regional Location.....	21
	Exhibit 2.2. Site Context	22
	Exhibit 2.3. Distillery Building Location.....	22
	Exhibit 2.4. Existing Distillery Building Photographs	24
3.0	ENVIRONMENTAL ANALYSIS	25
3.1	Cultural/Historic Resources	26
3.2	Hazards and Hazardous Materials	32
4.0	OTHER CEQA SECTIONS	34
4.1	Unavoidable Significant Adverse Effects	34
4.2	Significant Adverse Effects That Can Be Mitigated	34
4.3	Significant Irreversible Changes	34
4.4	Growth Inducing Impacts.....	35
4.5	Relationship Between Local Short-Term Uses of Man’s Environment and the Maintenance and Enhancement of Long- Term Productivity.....	35
5.0	ALTERNATIVES TO THE PROPOSED PROJECT	36
5.1	No Project.....	36
5.2	Alternative 2: Relocate Distillery Building.....	37
5.3	Alternative 3: Leave the Distillery Building “As-Is”	38
5.4	Alternative 4: Minimal or Partial Restoration (Shell, Wall, or other components)	38
5.5	Environmentally Superior Alternative	39
6.0	ORGANIZATIONS AND PERSONS CONSULTED	40
6.1	Persons and Organizations Consulted.....	40
	EXHIBIT A HALL WINERY PERMIT HISTORY.....	41

1.0 Executive Summary

A. Introduction and Purpose

This summary is provided in accordance with the California Environmental Quality Act (CEQA) Guidelines §15123. As stated in CEQA Guidelines §15123(a) “an Environmental Impact Report (EIR) shall contain a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical.” As required by the Guidelines, this section includes: (1) a summary description of the proposed project; (2) a synopsis of environmental impacts and recommended mitigation measures; (3) identification of the alternatives evaluated and of the environmentally superior alternative; and (4) a discussion of the areas of controversy associated with the project. This Draft focused EIR analyzes the impacts of demolishing the historic Distillery Building on the Hall Winery complex.

B. Project Location

The project site consists of approximately 33.2 acres of land currently occupied by the Hall Winery complex, which includes wine production and storage, administrative offices, a tasting room and vineyards. The winery is located on the west side of State Route 29 between Lewelling Lane and Inglewood Avenue within the unincorporated portion of Napa County. 401 St. Helena Highway South, St. Helena 94574. APN’s 027-120-061 & 062 (SFAP).

C. Summary of Project Description

The project includes a request filed by Mike Reynolds, on behalf of Hall St. Helena Winery LLC & Hall Highway 29 Winery LLC (the “Applicant”), to modify Use Permit No. P05-0140 to allow demolition of the existing 1,752 square foot Distillery Building located in the approximate center of the Hall Winery complex (Use Permit Modification No. P13-00233-MOD). The Distillery Building was constructed in 1936 and was used for making distilled wine products. In the 1940’s and until recently, the building was used for storage and winery offices. The building is constructed as a two-story structure using concrete blocks with a wood framed roof structure.

A Historical Resources Report for the Hall Winery complex was prepared by Lail Design Group, Inc. dated March 15, 2005. Lail (2005) concluded that the Distillery Building and other structures on the Hall site, including the 1935 Forni-Williamson Production building and the 1885 Peterson-Bergfeld Winery, were eligible for listing in the California Register of Historic Resources and the National Register of Historic Places. The report indicated that the Peterson-Bergfeld Winery eligible for listing under Criteria C; the Forni-Williamson Building eligible under Criteria A, B and C; and the Distillery Building under Criteria A and C. Criterion A is associated with events that have made a significant contribution to the broad patterns of our history, Criterion B is associated with the lives of persons significant in the past, and Criterion C is associated with distinctive characteristics of a type, period or method of construction that represent a significant and distinguishable entity whose components may lack individual distinction. These criterion are discussed further in Section

2.5. Lail (2005) went on to say that the three eligible buildings and one eligible contributing feature, a circa 1824 Oak tree, formed an historic district.

A peer review of the Lail (2005) report was prepared by the Architectural Resources Group (ARG), authored by founding Principal Bruce Judd¹, dated May 10, 2005. The ARG report concluded that two buildings, the Peterson-Bergfeld Winery and Distillery Building, were eligible for listing in the California Register of Historic Resources under Criteria C (Design/construction) and A (Events/Patterns of Events), respectively. ARG indicated, however, that it was not prepared to reach the conclusion that the eligible historic resources on the site formed an historic district.

In September 2007, the County issued a building permit allowing the applicant to remove doors, windows, interior non-load bearing walls, interior wall furring, second floor framing, stairs and fixtures. The applicant then removed those components of the Distillery Building.

A building permit application for interior improvements to the Distillery Building was submitted to the County in November 2007 and the plans were approved and ready to be issued in January 2008 pending submittal of a letter-of-hire from a special testing agency, a wet-signed letter from the Geotechnical Engineer (RGH) stating they have been hired to observe the foundation excavation and final drainage, and a copy of the signed, accepted contract showing all project costs. However, these items were not submitted and the building permit application subsequently expired in March 2009.

In July and November 2013, Bruce Judd, submitted reports providing his analysis of the current condition of the Distillery Building following the removal of the components identified above. Mr. Judd concluded that, *"Today, the Distillery Building still meets Criteria A, as the history and importance of what happened over time has not changed. However, the building has greatly deteriorated, and as a result, no longer meets Criteria C. What remains is in poor condition. After the 1970s additions and alterations were removed in 2007, including non-historic doors, windows and finishes, the only remaining elements are the structural blocks. Thus, little remains to convey the historic character or integrity of the building."*

In 2013, the Applicant submitted an application to amend Use Permit No. P05-0140 to authorize demolition of the Distillery Building. The applicant also proposes to landscape the area of the building footprint and will include a historic marker and a bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench. No other amendments to Use Permit No. P05-0140 are proposed.

¹ Bruce Judd Consulting Group, Bruce Judd, FAIA – Mr. Judd meets The Secretary of the Interior's Historic Preservation Professional Qualifications Standards in Architecture, Historic Architecture, Architectural History, and History.

D. Summary of Significant Effects and Mitigation Measures

Table 1.1 summarizes impacts and mitigation measures contained in the DEIR.

Table 1.1 – Impacts and Mitigation Measures

Topic/Impact	Mitigation Measure	Significance After Mitigation
<p>Cultural Resources, Impact 3.1-1: Approval of a use permit modification and demolition permit to demolish the historic Distillery Building would result in a significant impact.</p>	<p>Mitigation Measure 3.1-1: Prior to demolition of the Distillery Building, the Applicant shall:</p> <ul style="list-style-type: none"> a) Retain a qualified architectural historian, as approved by the Napa County Planning, Building & Environmental Services Director (Director), to prepare a “Historic Documentation Report” for the Distillery Building. The Report shall include appropriate current and historic photographs of the building, scale drawings and a brief text description of the building. The photo-documentation shall be done in according to Historic American Building Survey/Historic Engineering Record (HABS/HAER) guidelines. The final Report shall be deposited with the Napa County Planning, Building & Environmental Services Department, the Napa County Historical Society, the Northwest Information Center, the State Office of Historic Preservation, local libraries and other appropriate organizations and agencies as identified by the Director. b) Place and maintain a publically accessible space for a memorial plaque on or near the Distillery Building site identifying the 	<p>Significant and Unavoidable</p>

	<p>former location of the building, its function and historic significance and a bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench.</p>	
<p>Hazardous Materials, Impact 3.2-1: Demolition of the historic Distillery Building could release potentially hazardous lead based paints and asbestos containing material into the environment.</p>	<p>Mitigation Measure 3.2-1: Prior to demolition of the Distillery Building, the Applicant shall prepare and submit a Phase I Environmental Site Assessment report to the Napa County Planning, Building & Environmental Services Department to determine the presence or absence of hazardous material within the building. If no such materials are found, no further action is required.</p> <p>If the Phase I report identifies the possible presence of building material contamination, a work plan for remediation shall be prepared by a qualified environmental consulting firm to safely remove and dispose of contaminated material. Necessary permits and approvals shall be obtained from the Napa County Planning, Building & Environmental Services Department or other agency with appropriate jurisdiction. The work plan shall contain a worker health safety component. A demolition permit shall not be issued until necessary clearances are obtained for the site from appropriate environmental regulatory agencies.</p>	<p>Less-than-Significant</p>

E. Areas of Known Controversy and Issues to be Resolved.

No such issues are known at this time.

F. Project Alternatives Considered

Section 5.0 of the DEIR analyzes the following alternatives.

- Alternative 1: "No Project" (required by CEQA to be considered)
- Alternative 2: Relocate Distillery Building
- Alternative 3: Leave the Distillery Building "As-Is"
- Alternative 4: Minimal or Partial Restoration (Shell, Wall, or other components)
- Environmentally Superior Alternative.

G. Potential approvals and permits required.

Discretionary approval required by Napa County consists of a use permit modification. The proposed project would also require ministerial approval by the County including but not limited to building permits. Permits may also be required by the Bay Area Air Quality Management District for demolition activities involving building materials that contain lead and/or asbestos. The proposed project does not involve modifications to a streambed, and thus does not require a streambed alteration agreement from the California Department of Fish and Game. The proposed project does not involve the fill of waters of the United States, and thus does not require a dredge-and-fill permit from the U.S. Army Corps of Engineers. The proposed project does not involve the "take" of listed endangered or threatened species, and thus does not require a "take permit" from the Department of Fish and Game, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service.

2.0 Project Characteristics

2.1 Introduction

The project site includes a portion of the Hall Winery property that encompasses approximately 33.2 acres of land located within the unincorporated portion of Napa County. The winery is located on the west side of State Route 29 (SR 29) between Lewelling Lane to the north and Inglewood Avenue to the south. 401 St. Helena Highway South, St. Helena 94574. APN's 027-120-061 & 062 (SFAP).

Exhibit 2.1 depicts the regional setting of the project site. **Exhibit 2.2** shows the project site and **Exhibit 2.3** shows the existing Distillery Building in the context of the entire Hall Winery complex.

The project includes the proposed demolition of the existing Distillery Building that has been determined to have historic significance.

2.2 Project Location

Site location. As identified above, the project site consists of approximately 33.2 acres of land currently occupied by the Hall Winery complex, which includes wine production and storage, administrative offices, a tasting room and vineyards. The winery is located on the west side of State Route 29 between Lewelling Lane and Inglewood Avenue within the unincorporated portion of Napa County. The incorporated City of St. Helena is located approximately 750 to 1,000 feet north of the project site along State Route 29.

Within the winery complex, the Distillery Building is located in the approximate center of the facility, north and east of the tasting/visitor center and east of the winery office building. The Distillery Building is located south of the restored Peterson-Bergfeld historic building and west of the parking lot. (See **Exhibit 2.3**)

Area context. Land use to the north of the Hall Winery includes a manufactured home complex. Vineyards are located west of the Hall Winery complex. An existing winery (Heitz Cellars) is located east of the project site, on the east side of SR 29. Commercial uses are located south of the Hall Winery on the west side of SR-29 including a restaurant, a specialty food store and other uses.

2.3 Detailed Project Description

Overview. The proposed project includes a Use Permit Modification to allow demolition of the existing historic Distillery Building on the Hall Winery complex. In addition to the Use Permit Modification (P13-00233), a demolition permit would be needed from Napa County prior to demolition.

Exhibit 2.4 shows photographs of the existing Distillery Building.

Background. According to materials previously submitted by the Applicant, wine has been produced on the site since the late 1800's. During the mid-1930's the site became a large volume, bulk-processing facility. The first use permit addressing winery operations on the site was approved in 1975, when local County ordinances were changed to require a use permit. A number of use permits and use permit modifications have been approved on the subject property since 1975 which established various conditions of approval for operation of the winery, restoration and upgrading of existing buildings, and other features on the site that existed prior to filing of use permits and other land use applications. One of the existing buildings associated with the former winery is the Distillery Building that was constructed in 1936.

In 2005, the Applicant requested and received approval of a use permit modification authorizing alterations to the site (Use Permit Modification No. P05-0140-MOD). Restoration and reuse of the three historic buildings eligible for listing in the National Register of Historic Places, the Distillery Building, the Forni-Williamson Production Building, and the Peterson-Bergfeld Winery, was a component and objective of the use permit modification approved in 2005. The 2005 Lail report prepared in connection with the redevelopment proposal indicated these buildings formed an historic district. A peer review of the Lail report by the Architectural Resources Group, dated May 10, 2005, stated that, *"although we are not prepared to reach that conclusion based on the information available to us, the fact that the project is preserving and rehabilitating all three structures poses no adverse effect on any historic resources."* The approval also included, among other things, a substantial reduction of production capacity from 2,805,000 gallons per year to 1,260,000 gallons per year, the construction of new buildings for fermentation, tank and barrel storage, hospitality, and administrative functions, new parking areas, and additional marketing events.

Napa County Regulatory Actions. The site has been historically used as a winery prior to the adoption of the first land use requirements by the County in 1975 that require approval of a use permit to establish a winery. Napa County has approved the following applications addressing winery operations on the site:

Use Permits #U-697475, #U-638384 and #U118586. In addition, the County has approved the following Use Permit Modifications: #96539-MOD, #97365-MOD, P05-0140-MOD, P06-01337-MOD, and P11-00452-MOD. (See Exhibit A, Permit History for a summary of these previous approvals, attached and incorporated here by reference.)

As noted above, conditions of approval attached to the above approvals (as modified) limited the amount of wine production on the site per year to 1,260,000 gallons per year, allowed construction of new buildings, allowed construction of new on-site parking stalls, allowed new marketing events on the site, and similar improvements.

Use Permit Modification No. P05-01040 included restoration and reuse of the Distillery Building and the nearby Peterson-Bergfeld Building. The project description also included relocation and reuse of the circa 1935 Forni-Williamson Building. The Peterson-Bergfeld Building has been fully restored. The Forni-Williamson Building has been dismantled and the significant architectural elements have been retained and stored on site to be used sometime in the future. Interior demolition of the Distillery Building including removal of exterior windows and doors was completed in 2007, however, the subsequent permit for interior improvements was allowed to lapse. The applicant is now requesting to amend the 2005 approval to allow demolition of the Distillery Building.

Proposed Project. The project includes demolition of the existing 1,752 square foot Distillery Building located in the approximate center of the Hall Winery complex. The Distillery Building was constructed in 1936 and was used for making distilled wine products. In the 1940's and until recently, the building was used for storage and winery offices. It is currently vacant. The building was constructed as a two-story structure using concrete blocks with a wooden roof structure. In 2007, a building permit was issued allowing the Applicant to remove doors, windows, interior non-load bearing walls, interior wall furring, second floor framing, stairs and fixtures. A building permit for interior improvements was submitted to the County and the plans were approved and ready to be issued, pending submittal of two letters of-hire and project costs, but subsequently expired absent those remaining items. The Applicant has determined that preservation of the Distillery Building is infeasible and is now requesting a permit to demolish this structure. The Applicant proposes to landscape the area of the building footprint and will include a historic marker and a bench incorporating materials from the Distillery Building as a 8-10 foot long, 3-4 foot high wall behind the bench.

Details regarding the historic aspects of the Distillery Building are set forth in Section 3.0 of this EIR.

2.4 Project Objectives

The following is the Applicant's Objective:

- 1) Amend Use Permit Modification P05-0140 to authorize demolition of the Distillery Building in light of information concerning its value as an historic resource.

The following are the County's Objectives:

- 2) Identify and preserve Napa County's irreplaceable cultural and historic resources for present and future generations to appreciate and enjoy.
- 3) Encourage the reuse of historic buildings by providing incentives for their rehabilitation and reuse.

2.5 Project Context

General Plan Consistency. General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guides the County to, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” General Plan Agricultural Preservation and Land Use Goal AG/LU-3 states the County should, “support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.” Approval of this project furthers both of these key goals.

The subject parcel is located on land designated Agricultural Resource (AR) on the County’s adopted General Plan Land Use Map. According to Agricultural Preservation and Land Use Policy AG/LU-21 the intent of the AR designation is to identify areas in the fertile valley and foothill areas of the county in which agriculture is and should continue to be the predominant land use, where uses incompatible with agriculture should be precluded, and where the development of urban type uses would be detrimental to the continuance of agriculture and the maintenance of open space which are economic and aesthetic attributes and assets of the County of Napa.

This project is comprised of an agricultural processing facility (winery), along with wine storage, marketing, and other Winery Definition Ordinance (WDO)-compliant accessory uses as outlined in and limited by the approved project use permits and use permit modifications. These uses fall within the County’s definition of agriculture and thereby preserve the use of agriculturally designated land for current and future agricultural purposes. As previously approved, the use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) and for uses accessory thereto 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...).

General Plan Community Character Element Goal CC-4 guides the County to “identify and preserve Napa County’s irreplaceable cultural and historic resources for present and future generations to appreciate and enjoy.” General Plan Community Character Element Goal CC-5 states, “Encourage the reuse of historic buildings by providing incentives for their rehabilitation and reuse.”

Lail (2005) identified the Distillery Building a historic resource, eligible for listing in the National Register of Historic Places under Criteria A (Events/Patterns of events) and Criteria C (Design/Construction). Judd (2013) indicated that after the 1970s additions and alterations were removed in 2007, little remains to convey the historic character or

integrity of the building, what remains is in poor condition, and as a result no longer meets Criteria C. However, Judd (2013) did state that the Distillery Building still meets Criteria A. Based on the information presented by Judd (2013), the Applicant questions whether the Distillery Building was a historic resource and contends that rehabilitation is infeasible.

According to Cultural Resource Policy CC-17 of the Community Character Element, “Significant cultural resources are sites that are listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources due to their potential to yield new information regarding prehistoric or historic people and events or due to their intrinsic or traditional cultural values.” In addition, Cultural Resource Policy CG-18 states that “Significant cultural resources are buildings, structures, districts and cultural landscapes that are designated Napa County landmarks or listed in or eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources. Owner consent is a prerequisite for designation as a County Landmark.”

As noted above, Lail (2005) identified the Distillery Building a historic resource and eligible for listing on the National Register. Judd (2013) indicates that the Distillery Building has lost its integrity and is no longer eligible for listing under Criteria C (Design/Construction) but remains eligible under Criteria A (Events/Patterns of events). Although requested to be demolished, the Applicant proposes full documentation and a marker/monumentation of this building so that its historical significance will be memorialized and accessible to the public.

Cultural Resource Policy CC-19 states that “The County supports the identification and preservation of resources from the County’s historic and prehistoric period” and Cultural Resource Policy CC-20 indicates that “The County shall support and strengthen public awareness of cultural and historic preservation through education, public outreach and partnership with public and private groups involved in historic preservation” In furtherance of this policy, Cultural Resource Policy CC-23 says that “The County supports continued research into and documentation of the county’s history and prehistory and shall protect significant cultural resources from inadvertent damage during grading, excavation and construction activities.”

Although the Applicant requests demolition of the Distillery Building, the property owner has preserved the Peterson-Bergfeld historic winery building and proposes to document the historic significance of the Distillery Building. The property owner has also retained the significant historic elements of the Forni-Williamson Building for future renovation and reuse. In 2005, the property owner commissioned the Lail Design Group to prepare a Historic Resources Report and a historic study/timeline prepared by Rue Ziegler from the origins of wine making on the site through Prohibition to 2005.

Cultural Resource Policy CC-26.5 states that “When discretionary projects involve potential historic architectural resources, the County shall require an evaluation of the eligibility of the potential resources for inclusion in the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR) by a qualified architectural historian. When historic architectural resources that are either listed in or determined eligible for inclusion in the NRHP or the CRHR are proposed for demolition or modification, the County shall require an evaluation of the proposal by a qualified preservation architect to determine whether it complies with the Secretary of the Interior’s Standards for Preservation Projects. In the event that the proposal is determined not to comply with the Secretary of the Interior’s Standards, the preservation architect shall recommend modifications to the project design for consideration by the County and for consideration and possible implementation by the project proponent. These recommendations may include modification of the design, re-use of the structure, or avoidance of the structure.

As noted above, Lail (2005) identified the Distillery Building a historic resource and eligible for listing in the National Register. Judd (2013) indicated that after the 1970s additions and alterations were removed in 2007, little remains to convey the historic character or integrity of the building, what remains is in poor condition, and as a result no longer meets Criteria C (Design/Construction). Judd (2013) goes on to say that, *“The condition of the remaining structure and the effort required to brace and then make the building habitable will require an extraordinary effort and the result will be a building that reflects little of its historic character. The building has lost its integrity for historic preservation purposes and would not be eligible for listing on the National Resister.”*

Cultural Resource Policy CC-27 states that the County should “Offer incentives for the appropriate rehabilitation and reuse of historic buildings and disseminate information regarding incentives available at the state and federal level. Such incentives shall include but are not limited to the following: a) Apply the State Historical Building Code when building modifications are proposed; b) Reduce County building permit fees when qualified preservation professionals are retained by applicants to verify conformance with the SHBC and the Secretary of the Interior’s Standards; c) Use of the federal historic preservation tax credit for qualified rehabilitation projects; and, d) Income tax deductions for qualified donations of historic preservation easements. Cultural Resource Policy CC-29 states that “Significant historic resources that are damaged by flood, fire, neglect, earthquake or other natural disaster should be carefully evaluated by a structural engineer with preservation experience before they are determined to be beyond repair and destroyed.”

In general, the physical condition of the Distillery Building has deteriorated over time and has lost its historic character after the post 1970’s features were removed. A recent report prepared by Derrick Rooda, California-registered Structural Engineer, (dated April 30, 2013), discussed below, notes that *“due to the large ratio of*

wall area to interior floor area, this procedure (i.e. restoration outlined in his letter) may prove to be prohibitively expensive when evaluated on a cost per square foot basis."

Zoning and Other Applicable Local Regulations. The Hall Winery site is zoned Agricultural Preserve (AP). A winery (as defined in Napa County Code §18.08.640) and uses in connection with a winery (see Napa County Code § 18.16.030) are permitted in an AP-zoned district subject to use permit approval. The winery complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. The Applicant owner has obtained a use permit to operate a winery on the site.

There are no other local regulations pertaining to the site.

Applicable Federal Regulations. Cultural and historic resources are protected on a federal level by the following:

National Historic Preservation Act of 1966 (as amended). This Act declared a national policy to preserve and protect historic and cultural resources. The Act established the National Register of Historic Places that consists of districts, sites, buildings, structures and other objects that are significant in American history, architecture, archeology, engineering and culture.

Criteria for listing on the National Register is as follows:

- Criterion A: Association with events that have made a significant contribution to the broad patterns of history;
- Criterion B: Association with the lives of persons significant in the past;
- Criterion C: Embodiment of distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Criterion D: Likelihood of yielding information significant in history or prehistory.

Applicable State Regulations. Protection and preservation of cultural and historic resources in California are regulated by the following:

California Environmental Quality Act. CEQA applies to all discretionary projects undertaken or subject to approval by the state's public agencies. CEQA states that it is the policy of the State of California to "take all action necessary to provide the people of this state with...

historic environmental qualities...and preserve for future generations examples of the major periods of California history." Under the provisions of CEQA, "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment."

CEQA Section 15064.5(a) defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register;
- Listed in a local register of historical resources (as defined at Public Resources Code Section 5020.1(k));
- Identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code; or
- Determined to be a historical resource by a project's lead agency (CCR Title 14(3) Section 15064.5(a)).

A historical resource consists of "Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California... Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources."

If an impact to a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact. Mitigation must avoid or substantially lessen the physical impact that the project will have on the resource. Generally, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historical resource. However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate impacts to a less than significant level.

California Register of Historical Resources. The California Register of Historical Resources (California Register) is an authoritative guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify and evaluate California's historical resources, and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change. Any resource listed in, or eligible for listing in, the California Register is to be taken into consideration during the CEQA process.

The California Register was modeled after the National Register, and its significance criteria and integrity requirements are consistent with those of the National Register. A resource eligible for the National Register is eligible for the California Register. The National Register

criteria, however, have been modified for state use by the California Office of Historic Preservation to include a range of historical resources that better reflect the history of California. There are three instances in which a resource not eligible for the National Register may be eligible for the California Register: moved resources; resources achieving significance in the past fifty (50) years; and reconstructed resources.

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource may be significant under one or more of the following criteria:

- Is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

The California Register also requires a resource to possess integrity, which is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association." Resources that are significant, meet the age guidelines, and possess integrity will generally be considered eligible for listing in the California Register.

California Health and Safety Code. Health and Safety Code Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

California Public Resources Code. Public Resources Code Section 5097.5 provides for the protection of cultural and paleontological resources. This section prohibits the removal, destruction, injury, or defacement of archaeological and paleontological features on any public lands under the jurisdiction of State or local authorities

Cumulative Analysis. CEQA Guidelines Section 15130 (a) states that “an EIR shall discuss cumulative impacts of a project when the project’s incremental effects is cumulatively considerable, as defined in CEQA Guidelines Section 15065 (c).”

The Distillery Building is the only proposed historically significant building within the Hall Winery complex that is proposed for demolition at the present time. Other historic structures and features on the site include the Peterson-Bergfeld Building and the future rehabilitation of the Forni-Williamson Building. The Peterson-Bergfeld Building has been restored and rehabilitated in a manner approved by Napa County in a manner consistent with local, state and federal standards. The architecturally significant materials of the Forni-Williamson Building have been dismantled and are being stored by the Applicant for future reuse. A number of other structures on the site were determined not to qualify as significant historic resources and have been previously demolished in a manner pursuant to recommendations contained in the Lail Report².

The 2005 Lail Report found that the restoration and reuse of the three historic buildings eligible for listing on the National Register of Historic Places, namely the Distillery Building, the Forni-Williamson Production Building, and the Peterson-Bergfeld Winery, formed an historic district. A peer review of the Lail report by the Architectural Resources Group (authored by Bruce Judd), dated May 10, 2005, stated that, “*although we are not prepared to reach that conclusion based on the information available to us, the fact that the project is preserving and rehabilitating all three structures poses no adverse effect on any historic resources.*” However, Judd (2013) states more directly that there was not an historic district in 2005 nor is there one now.

The National Park District definition of a National register Historic District is “a unified geographic entity that possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.”

Judd (2013) indicates that since 2005, non-historic elements have been removed from the Distillery Building and based on what remains, the Distillery Building no longer has historic integrity.

According to Bruce Judd, in a letter dated May 8, 2014, “*because the physical characteristics that made the Distillery building eligible for inclusion in the National Register, or as a contributor to an Historic District, no longer exist, even if the Forni-Williams building were to be reconstructed, there would be no historic district since only two resources would contribute to the district, the Peterson-Bergfeld Building and the Forni-Williams Building and the Distillery Building would not be a contributor to any potential district.*”

² Other resources in the Hall Winery complex found to have no historic significance: Fermentation Tanks (1900); Gier Aging Additions (1910); Forni-Mt. Helena & Calistoga Wine Co./Napa Valley Wine Co-op (MHCCWC) Addition (1933); and, Williamson Wine Cooler Addition (1935).

2.6 Effects Found to be Less-Than Significant

Pursuant to CEQA, the discussion of potential effects on the physical environment is focused on those impacts that may be significant or potentially significant. CEQA allows a lead agency to limit the detail of discussion of the environmental effects that are not considered potentially significant (PRC Section 21100, CCR Sections 15126.2[a] and 15128). CEQA requires that the discussion of any significant effect on the environment be limited to substantial, or potentially substantial, adverse changes in physical conditions that exist within the affected area, as defined in PRC Section 21060.5 (statutory definition of “environment”). Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the Lead Agency subsequently receives information inconsistent with the finding in the Initial Study (CCR Section 15143).

Based on the following analysis, the following environmental issues are not discussed further in this DEIR.

- *Aesthetics*-the proposed project would involve removing an existing building from the approximate center of the Hall Winery Complex. The removal of the existing, vacant building would have no impacts to existing scenic vistas and would not affect any existing scenic resources on the site, which includes trees, landscaping and other historic buildings. The removal of the Distillery Building would, however, affect a building previously deemed eligible for listing on the National Register of Historic Places. Removal of the Distillery Building is addressed by Mitigation Measure 3.1-1.
- *Agricultural and Forestry Resources*-the Distillery Building is located in the approximate center of the Hall Winery Complex and does not contribute to winemaking or other agricultural production at the facility. No currently farmed land would be taken out of production and no trees removed to accomplish the demolition.
- *Air Quality*-implementation of the project would result in the removal of an existing vacant building. Because of the building’s age, demolition will be subject to compliance with Bay Area Air Quality Management District (BAAQMD) requirements regarding the proper handling of asbestos and lead paint which are also addressed in Mitigation Measure 3.2-1. In addition, the Applicant will be required to comply with BAAQMD Basic Construction Mitigation Measures as provided in Table 8-1, May 2011 Updated CEQA Guidelines. Since no winemaking, storage or other use is occurring within the building, there would be no creation of substantial objectionable odors.
- *Biological Resources*-the Distillery Building is located in the approximate center of the Hall Winery Complex which includes a substantial winery production facility, wine storage, administrative offices and parking areas. No wildlife migration or fish migration areas have been observed on this portion of the site so that no interference with fish or wildlife movement would occur. There is no Habitat Conservation Plan and no impact would occur with respect to this topic.

- *Cultural Resources*-no significant underground trenching or excavation would occur as part of the demolition project. No unidentified archeological or paleontological resources that could be located under the project site would be impacted.
- *Geology and Soils*-removal of the existing Distillery Building would have no impact with respect to seismic shaking, since the building would be removed. The site and surrounding properties are flat so that no landslides would occur. With respect to soil erosion and the potential for pollutant run-off, a standard condition of County approval will require the Applicant to implement an erosion control plan if work occurs during the rainy season. No impacts would occur with respect to liquefaction and other soil hazards since there would be no structure that could be affected by soil hazards.
- *Greenhouse Gas Emissions*-there would be no new long-term traffic associated with the building proposed to be removed or other operations that could contribute to greenhouse gasses.
- *Hazards and Hazardous Materials*-The project would include the removal of an existing that would be subject to the requirements of the BAAQMD regarding the potential release of lead based paints and/or asbestos. Mitigation Measure 3.2-1 would reduce this potential impact to a less than significant level. There are no schools located within one-quarter mile from the proposed project site nor is the site located within two miles of any public airport or within the vicinity of any private airports. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan. Although the Hall Winery Complex could be subject to wildland fires, due to the agricultural nature of the area, removal of the Distillery Building would remove this as a potential fire or fuel source. The site is not listed on the Cortese List of contaminated sites. (<http://www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm>).
- *Hydrology and Water Quality*- demolition of the Distillery Building would not generate any wastewater that would violate any water discharge requirements or water quality requirements. The proposed project would also use minimal and less-than-significant quantities of groundwater for dust suppression and related demolition activities. Implementation of the proposed project would serve to remove existing impervious surfaces, improve local groundwater percolation and reduce the existing amount of stormwater runoff. There would be no structure left at the site that would be subject to flood hazard.
- *Land Use*-the removal of the Distillery Building would not disrupt or divide an existing community. The proposed project would not be in conflict with any County land use regulation or policy that has been enacted for environmental protection.

- *Mineral Resources*-no underground mineral resources in the area would be affected since there would be no use of such minerals and there would be no significant ground excavation that would disturb any locally significant mineral deposits
- *Noise*-the project would involve normal and customary techniques to remove the existing Distillery Building so that there would be no significant impacts related to groundborne vibration. Napa County will impose normal and customary limits on construction noise so there would be no significant impacts on adjacent uses, such as the residential complex to the north. There would be no impact on airports as a result of the project and no increases in airport noise.
- *Population and Housing*- no displacement of existing housing or people would occur since the site is not occupied by housing.
- *Public Services*-there would be no impacts to fire, police, solid waste and other utilities since the current users of these services, the Distillery Building, would be removed as part of the project and services are already provided to the site.
- *Transportation and Traffic*-implementation of the proposed project would not affect the amount of traffic on local roads in the long-term since no increase to the number of visitors or delivery of grapes is proposed. There would be no changes to air traffic patterns since the existing building does not use any air service. Removal of the building would not impact existing site access, emergency access, on-site circulation or parking.
- *Utilities and Service Systems*- there would be no impacts related to drainage and solid waste facilities and systems since the existing building would be demolished and would not require these services.

2.7 Other Uses For This EIR

It is anticipated that a use permit modification and demolition permit would be required to be issued by Napa County in order to implement the proposed project. Other permits may also be required by the Bay Area Air Quality Management District to address the proper handling and disposal of lead paint and/or asbestos.

Exhibit 2.1. Regional Location

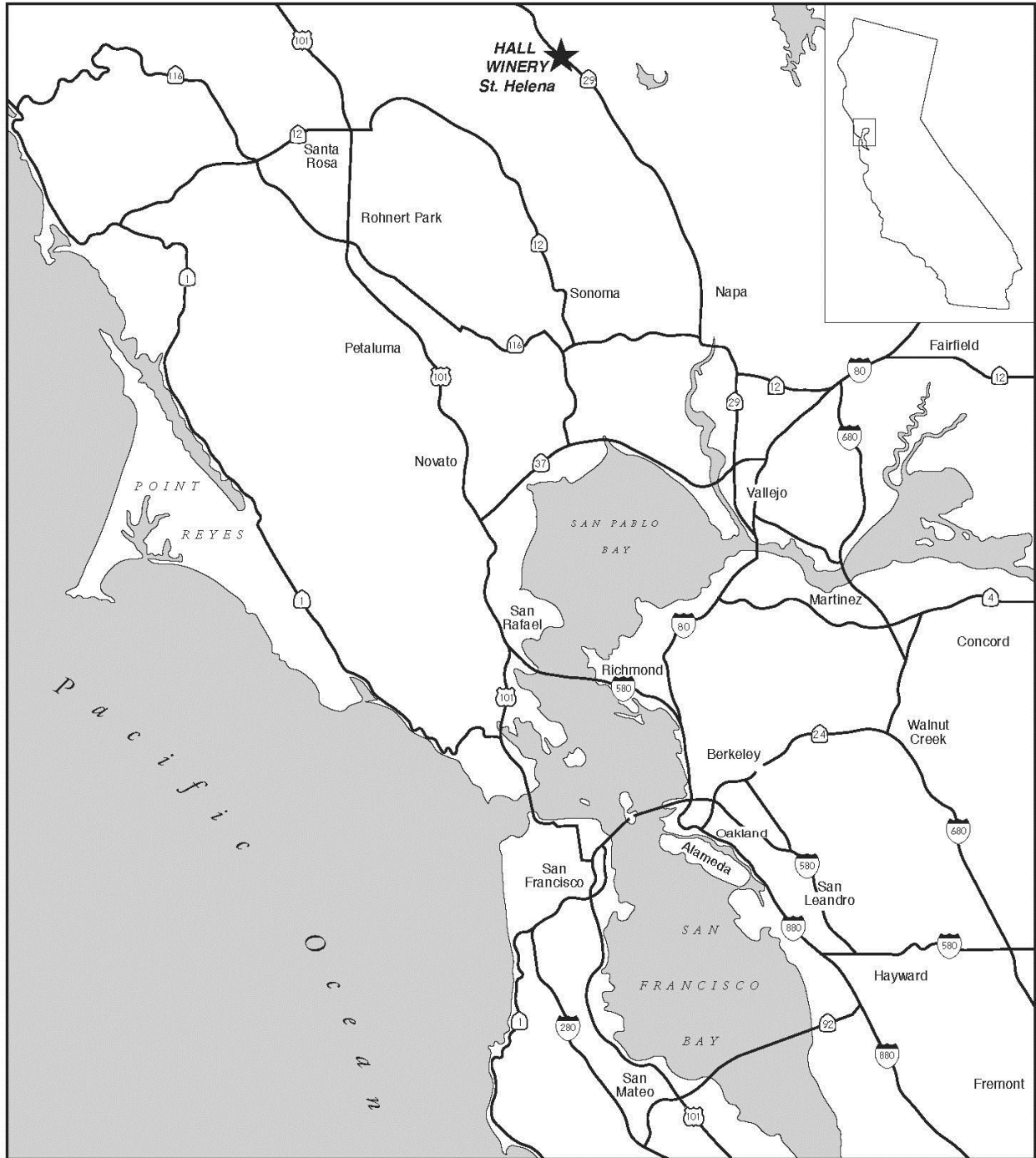


Exhibit 2.2. Site Context

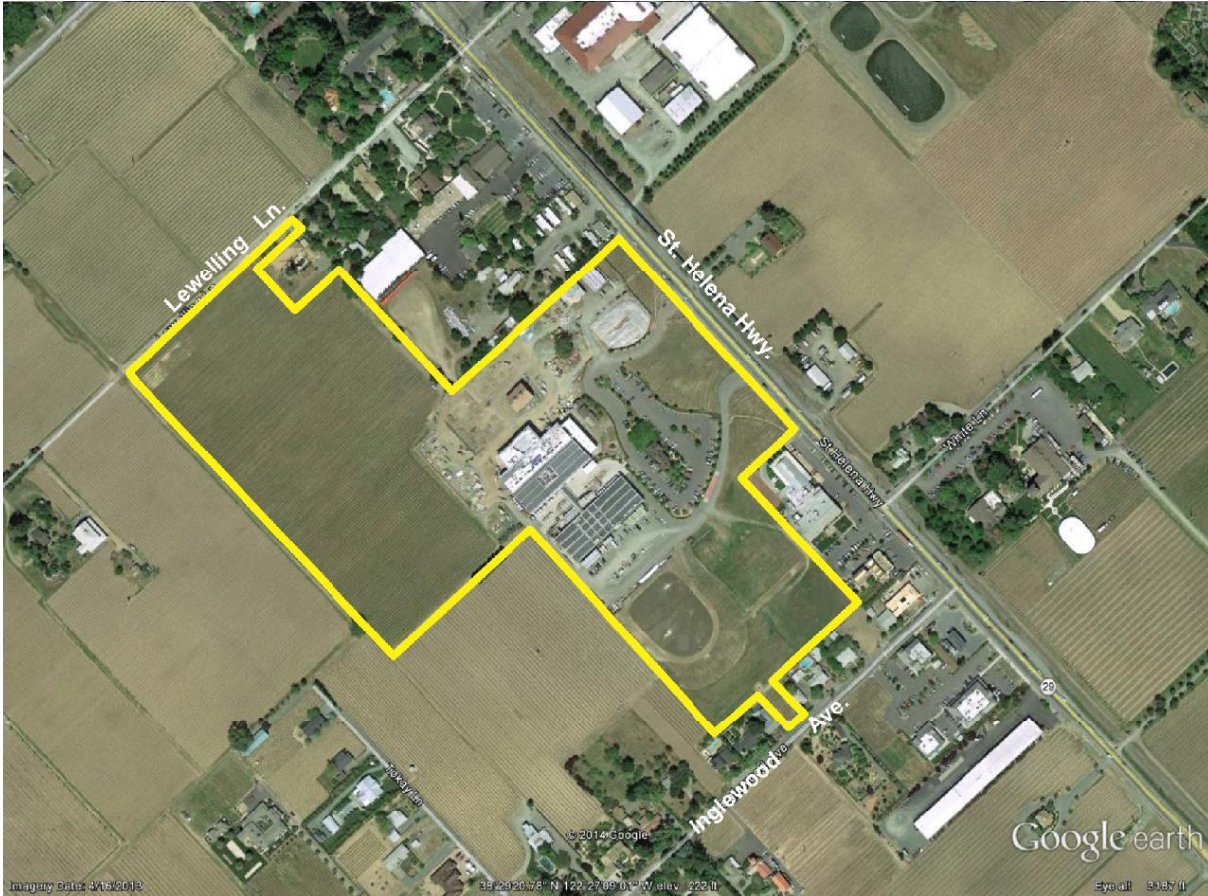


Exhibit 2.3. Distillery Building Location

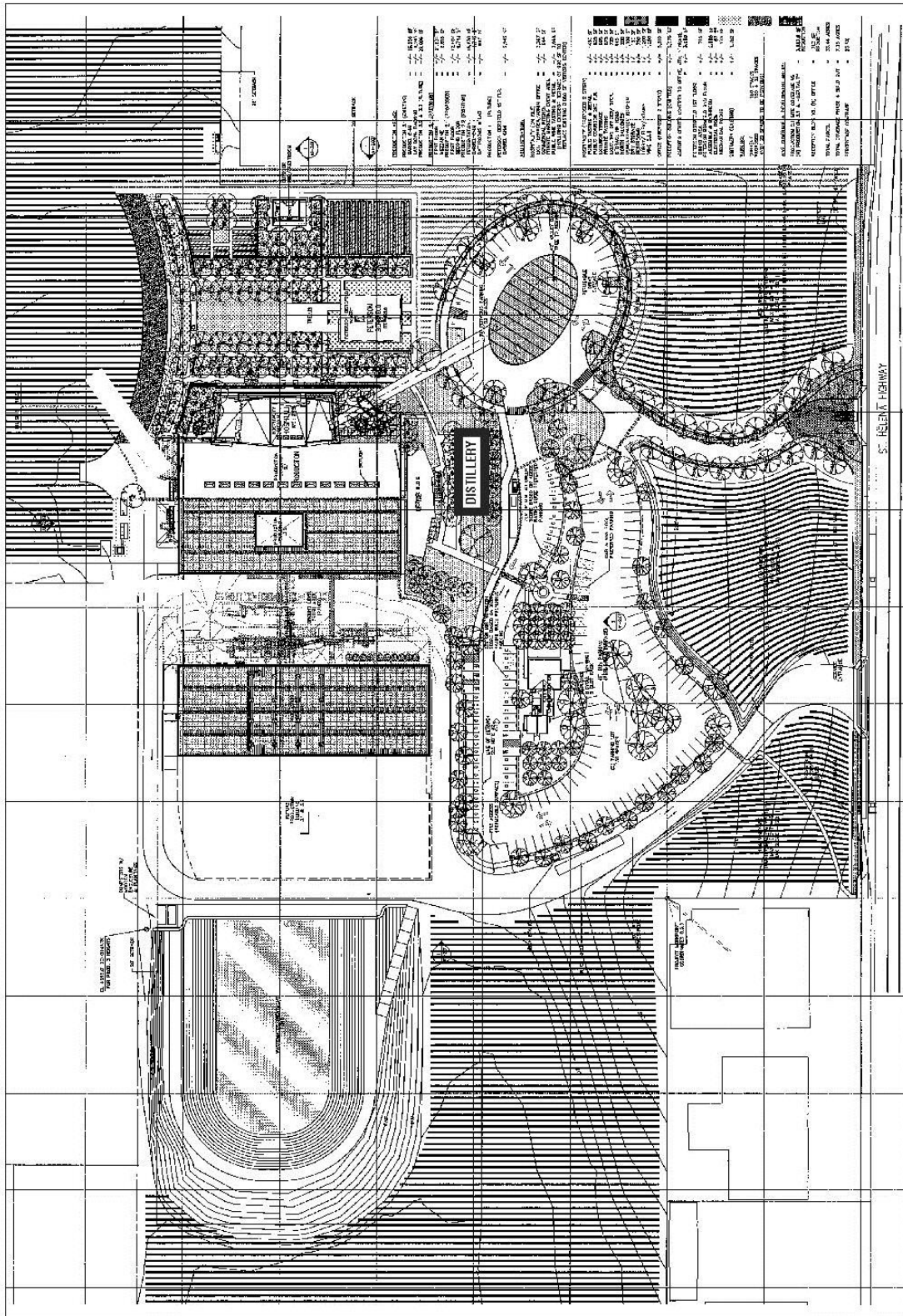


Exhibit 2.4. Existing Distillery Building Photographs



3.0 Environmental Analysis

Topics Addressed in the DEIR

This section of the DEIR identifies specific environmental areas that may be affected as a result of the implementation of the proposed Project. The impact areas are discussed individually in subsections 3.1 through 3.2:

- 3.1 Cultural/Historic Resources
- 3.2 Hazards and Hazardous Materials

Each topic area is covered in the following manner:

- A. Environmental Issues
An overview of issues related to the topic area.
- B. Environmental Setting
A discussion of existing conditions, facilities, services and general environmental conditions on and around the Project Site.
- C. Environmental Impacts
An identification and evaluation of potential impacts on the environment, should the Project be constructed as proposed. Standards of environmental significance will also be listed which set forth the basis on which the identification of environmental impacts will be made. Standards of significance for this DEIR are primarily based on standards listed in the California Environmental Quality Act and implementing Guidelines.

Environmental impacts addressed in this document include the following:

- *Significant or potentially significant impact*, which means that the identified impact would exceed the environmental standards of significance.
- *Less-than-significant impact*, which means that an impact would not exceed the minimum environmental thresholds of significance.
- *No impact*, means that no environmental impact would be expected for a particular environmental topic.
- *Significant and unavoidable impact*, means that no feasible mitigation measures are available that would reduce the significant impacts of the proposed project to a less-than-significant level. Approval of the project would require specific findings by the Napa County Planning Commission that there are overriding considerations that indicate the project may be approved, even if not all impacts can be mitigated.

D. Mitigation Measures and Impacts After Mitigation

An identification of the thresholds of significance used to determine the level of significance of the environmental impact for each resource topic and feasible mitigation measures which can be incorporated into the Project to reduce, avoid, minimize, rectify, or compensate for identified environmental impacts to a level of insignificance.

ENVIRONMENTAL ISSUES

3.1 Cultural/Historic Resources

This section of the EIR addresses potential impacts to historical resources on the site. The following analysis is based on “The Hall Winery Historic Resources Report, by Lail Design Group,” dated December 20, 2004 and revised March 15, 2005 (the 2005 “Lail Report”), prepared to evaluate historic resources found on the project site. The report was researched and written by a historian and historic preservation consultant for the Lail Design Group. A peer review of the report was prepared by the Architectural Resources Group (ARG), dated May 10, 2005. A more recent peer review report entitled “Current Historic Status of the Distillery Building” dated June 27, 2013, “Hall Winery Summary of Approvals and Status Report” dated November 6, 2013, and the “Distillery Building and a Potential Historic District” dated May 8, 2014, were prepared by Bruce Judd Consulting Group (collectively the “Judd Reports”). These documents are hereby incorporated by reference into this EIR and available for review at the Napa County Planning, Building and Environmental Services Department during normal business hours.

ENVIRONMENTAL SETTING

Background. The tradition of viticulture and winemaking on the project site began with the planting of a 30-acre vineyard in 1879 followed by the construction of the Peterson-Bergfeld winery in 1885. The site has remained a winery to the present day.

In 1933, Charles Forni and partners leased the winery buildings on the site to form a local wine cooperative and in 1934, the winery was renamed the Napa Valley Cooperative Winery. By 1935, the facility crushed and marketed approximately 40% of the grape crop in Napa County.

Starting in about 1910 a number of additions to the Peterson-Bergfeld Building were constructed that would eventually envelop the 1885 winery building, including the 1935 Forni-Williamson production building. The 1935 Forni-Williamson Building was the only addition that was deemed an historic resource in the 2005 Lail Report. Since 2005, the building has been dismantled and the key architectural elements saved and stored on site.

The Distillery Building, the subject of this analysis, was built in 1936 for the purpose of distilling brandy and sherry. After being devoted to this use for a number of years, the building was then converted to the main office of the Napa Valley Co-op.

Historic Determination. The 2005 Lail Report, as revised, found that the 1936 Distillery Building is historically significant at the local level, an historical resource and individually eligible for listing in the California and National Registers as an individual resource at the local level under Criteria A and C (Lail Report, page 19).

Criterion A notes that “the building is associated with events that have made a significant contribution to the broad patterns of our history” (CFR Title 25, Part 60). The Lail Report cites another historic analysis, The Hall Winery, Part Two: Prohibition to the Present by Rue Ziegler which notes that historic production of brandy and sherry provided a financial safety net for farmers when demand for white wine declined. Secondly, production of distilled wine products used bumper crops of grapes and lower quality wine and turned it into a profitable product. Based on this information, the 1936 Distillery Building came to be as a result of post Prohibition socio-economic trends that fits the broad category.

Criterion C states that: “a resource [that] embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic values or that represents a significant and distinguishable entity whose components may lack individual distinction.”

Regarding this criteria, the Lail Report concluded that the Distillery Building is an expression of its original intent, function, use, purpose and era of construction. Constructed during the Depression period, its design is typical of the time. Due to prevailing economic conditions present during the Depression, only a minimal amount of detailing would have been applied to a building intended for industrial or agricultural use. The building’s most notable architectural design elements include a stepped parapet at the northern elevation, pre-cast concrete window sills and headers, the use of concrete spandrels which visually delineate the floor levels and roof lines and the concrete pilasters at wall junctures. Another original detail is a pair of wood vents with metal bars located on the second story on the west elevation. While most of the interior space has been substantially altered over the years, a remnant of the original concrete block flooring can be found within the building.

Part of the overall Hall Winery complex redevelopment approved by Use Permit Modification No. P05-0140-MOD included restoration and reuse of the Distillery Building as a viticultural, historical and enological display facility. The Lail Report identified a number of latter renovations that should be replaced with materials more sensitive and characteristic of the 1930’s. A structural survey of the Hall Winery, prepared by MKM & Associates, dated March 15, 2005, indicated that the Distillery Building appeared in good condition structurally for its age and recommended additional documentation to determine thickness of the blocks of the exterior walls and reinforcing steel, if any, and structural upgrades.

Current Building Condition. In 2007 a building permit (BP# 07-00500) was issued by the County to allow the removal of the doors, windows, interior non-load bearing walls, interior wall furring, framing for the second floor, stairs to the second floor, restrooms, and fixtures.

Subsequently, the Applicant applied for a building permit (B07-01505) for interior improvements which expired after a period of inactivity.

A recent analysis of the structural condition of the Distillery Building (“Hall Winery-Distillery Building, Structural Assessment” prepared by Derrick Rooda, California-registered Structural Engineer, dated April 30, 2013) notes that the Distillery Building is constructed of unreinforced masonry material and could sustain substantial damage in the event of a large earthquake, possibly resulting in total building collapse. Although the structural engineer notes that the building could be reinforced to partially resist a seismic event, the necessary reinforcement effort may prove to be cost prohibitive based on a cost per square foot basis.

Judd Consulting Group Report. Subsequent to the completion of the Lail Report and ARG peer review in 2005, the Applicant retained the Bruce Judd Consulting Group to peer review the findings and conclusions of the Lail report, based on updated site and building conditions.

Judd 2013 indicates the Distillery Building had been altered in the 1970’s, prior to Hall Winery ownership, with sliding glass doors and windows and new finishes that hid most of the character from view. The original exterior stucco coating had also been removed prior to Hall Winery ownership. *“All of the openings in the building have been altered, with many of them widened substantially. There are no remaining exterior historic doors or windows.”* Further, many of the interior wall openings have been altered. The Judd Reports further describe the current condition of the Distillery Building as having been stripped of all finishes, light fixtures and electrical outlets; no historic floors remain, only the ground-level structural slab remains intact; and, all of the framing for the second floor has been removed as well as the former staircase.

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

Although the Judd Reports find that the Distillery Building still qualifies as a historic resource pursuant to National Register Criterion A, the building has lost its integrity for historic preservation purposes and would no longer qualify for listing in the National Register under Criterion C.

Hall Winery Historic District. The 2005 Lail Report found that the Distillery Building is one of three individually buildings qualifying for National Register listing as a historic district, which also includes the Peterson-Bergfeld Winery, the Forni-Williamson Building (currently dismantled and stored on the Hall site) and the 1824 Valley Oak tree, which is a contributing feature, under Criterion A, B and C at a local level of significance. The period of significance for the district is 1824, 1885, and 1935-1936.

The National Park Service requirement for a property to be successfully nominated as an historic district states that a district nominee would have to convey a sense of time, place, feeling and association. Also, the property as a whole must also be, defined by the National Park Service, a “unified geographic entity that possess a significant concentration o, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.”

According to the 2005 Lail Report, the contributing buildings of the Hall Winery Historical District are all individually register eligible. These buildings, listed above, also demonstrate the historical evolution of the property. Each building connects the property and the other contributors to particular eras, uses, events and people who significantly impacted the historical development of the property. This commonality unites these individual historical resources into one historic district.

ARG 2005 stated that, *“although we are not prepared to reach that conclusion [that a historic district exists] based on the information available to us, the fact that the project is preserving and rehabilitating all three structures poses no adverse effect on any historic resources.”* Judd 2013 indicates that the ARG report concluded that no historic district was formed in 2005 by the remaining buildings (Distillery Building and the Forni-Williamson Building) and the Valley oak since in 2005 the Peterson-Bergfeld Winery was not eligible for listing in either the State or National Registers because of a lack of integrity.

Further, according to a letter from the Bruce Judd Consulting Group, dated May 8, 2014, regarding the potential for an historic district if the Distillery Building remained on the site and the Forni-Williamson Building trusses were reconstructed and incorporated into a building also on the site, Mr. Judd states, as referenced in his report titled “Hall Winery Summary of Approvals and Status Report”, dated November 6th, 2013, that,

“...demolition of the [Distillery] Building would not adversely impact those physical characteristics of the building that once conveyed its historical significance, and justified eligibility for inclusion in the California Register, because those characteristics either were not found to exist, or no longer exist.”

“...under subsection (B), any physical characteristics that could once account for the Building’s inclusion in a local register, or in a historical resources survey, either were found not to exist or no longer exist; and, a preponderance of the evidence now supports a conclusion that the Building is not historically or culturally significant.”

The letter concludes that, because the physical characteristics that made the Distillery Building eligible for inclusion in the National Register, or as a contributor to an Historic District, no longer exist, even if the Forni-Williams Building were to be reconstructed, there would be no historic district since only two resources would contribute to the district, the Peterson-Bergfeld Building and the Forni-Williamson Building and the Distillery Building would not be a contributor to any potential district.

STANDARDS OF SIGNIFICANCE

A significant environmental impact would result to cultural resources if a proposed project were to:

- Cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines §15064.5.

ENVIRONMENTAL IMPACTS

Impacts to historic resources. Approval of the proposed project would result in demolition and removal of the Distillery Building within the Hall Winery complex. As identified in the Environmental Setting section, above, even though the Distillery Building has lost its integrity for historic preservation purposes and would no longer qualify for listing in the National Register under Criterion C, it remains eligible for listing on the National Register and therefore qualifies as an historic building under National Register Criterion A.

Demolition of the building would result in a significant impact to an identified historic resource. However; as noted above, according to Mr. Judd, because the physical characteristics that made the Distillery Building a contributor to an Historic District, no longer exist, the Distillery Building would not be a contributor to any potential district.

Impact 3.1-1 (impacts to historic resources): Approval of the request to demolish the Distillery Building, eligible for listing in the National Register and therefore qualifies as an historic building under National Register Criterion A, would result in a significant impact and may also reduce the integrity of the surrounding historic district (*potentially significant impact and no suitable mitigation available*).

The following measure is recommended to reduce this impact but not to a less-than-significant level. This impact would remain significant and unavoidable.

Mitigation Measure 3.1-1: Prior to demolition of the Distillery Building, the Applicant shall:

- a) Retain a qualified architectural historian, as approved by the Napa County Planning, Building & Environmental Services Director (Director), to prepare a "Historic Documentation Report" for the Distillery Building. The Report shall include appropriate current and historic photographs of the building, scale drawings and a brief text description of the building. The photo-documentation shall be done in

according to Historic American Building Survey/Historic Engineering Record (HABS/HAER) guidelines. The final Report shall be deposited with the Napa County Planning, Building & Environmental Services Department, the Napa County Historical Society, the Northwest Information Center, the State Office of Historic Preservation, local libraries and other appropriate organizations and agencies as identified by the Director.

- b) Place and maintain a publically accessible space for a memorial plaque on or near the Distillery Building site identifying the former location of the building, its function and historic significance and a bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench.

Even with adherence to the above mitigation measure, the measure would not fully mitigate the loss of the structure and demolition of the Distillery Building, which is eligible for listing in the National Register under Criterion A, would be a significant and unavoidable impact.

ENVIRONMENTAL ISSUES

3.2 Hazards and Hazardous Materials

This section of the EIR addresses hazards associated with the potential release of hazardous materials into the environment through demolition of the Distillery Building.

ENVIRONMENTAL SETTING

The Distillery Building was constructed in 1936 and has been converted to office uses over time. In 2007, a building permit was issued allowing the removal of doors, windows, interior non-load bearing walls, interior wall furring, second floor framing, stairs and fixtures. A subsequent building permit for interior improvements was submitted to the County in 2007, but has since expired. The building has been vacant since 2007.

Lead-based paint was commonly used for residential and commercial buildings until the late 1970's and asbestos was also used as a component in ceiling and floor tiles, water pipes, heating and cooling ducts and other building materials.

It is presently unknown if any hazardous or potentially hazardous materials exist within the building but, in the interest of protecting public health and safety, this EIR assumes that such materials are present.

STANDARDS OF SIGNIFICANCE

A project would be considered to result in a significant impact if it were to:

- create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment;

ENVIRONMENTAL IMPACTS

The Distillery Building was constructed in 1936 and has undergone several remodels and the building has undergone various types of occupancies over the years.

Lead-based paint was commonly used for residential and commercial buildings until the late 1970's and asbestos was also used as a component in ceiling and floor tiles, water pipes, heating and cooling ducts and other building materials. Demolition of the building could release potentially hazardous materials into the environment potentially impacting nearby sensitive receptors.

Impact 3.2-1 (release of hazardous materials): Demolition of the Distillery Building could release potentially hazardous lead based paints and asbestos containing material into the environment (*potentially significant impact and mitigation required*).

The following measure is recommended to reduce this impact to a less-than-significant level.

Mitigation Measure 3.2-1: Prior to demolition of the Distillery Building, the Applicant shall prepare and submit a Phase I Environmental Site Assessment report to the Napa County Planning, Building & Environmental Services Department to determine the presence or absence of hazardous material within the building. If no such materials are found, no further action is required.

If the Phase I report identifies the possible presence of building material contamination, a work plan for remediation shall be prepared by a qualified environmental consulting firm to safely remove and dispose of contaminated material. Necessary permits and approvals shall be obtained from the Napa County Planning, Building & Environmental Services Department or other agency with appropriate jurisdiction. The work plan shall contain a worker health safety component. A demolition permit shall not be issued until necessary clearances are obtained for the site from appropriate environmental regulatory agencies.

This section of the DEIR addresses the potential long-term effects of implementing the proposed Project, as required by CEQA.

4.1 Unavoidable Significant Adverse Effects

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting forth “in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented.” Accordingly, this section provides a summary of significant environmental impacts of the proposed project that cannot be mitigated to a less-than-significant level.

Chapter 3, “Environmental Setting, Impacts, and Mitigation Measures,” provides a description of the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. Chapter 4, “Cumulative Impacts,” determines whether the incremental effects of this project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. After implementation of the recommended mitigation measures, most of the impacts associated with development of the proposed project would be reduced to a less-than-significant level. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project’s impacts to a less-than-significant level.

The significant unavoidable environmental impacts of the proposed project are summarized below.

Approval of the proposed project would result in loss of the historic Distillery Building (see Impact 3.1-1). Since the loss of this building cannot be mitigated to a less-than-significant level, this impact would be significant and unavoidable.

4.2 Significant Adverse Effects That Can Be Mitigated

Demolition of the Distillery Building could release asbestos-containing building materials, lead based paint particles and other contaminants into the environment. This is Impact 3.2-1 and associated Mitigation Measure 3.2-1.

4.3 Significant Irreversible Changes

The State CEQA Guidelines (§15126) require a discussion of the significant irreversible environmental changes which would be involved in a project should it be implemented. This may include current or future uses of non-renewable resources and secondary growth inducing actions that commit future generations to similar uses. CEQA Guidelines list three areas of potential irreversible impacts that need to be considered. These three items are discussed below.

- *Changes in land use that commits future generations.* The proposed change would be to remove an existing historic building from the Hall Winery complex. Once removed, the same building could never be replaced. The Applicant has offered to partially mitigate loss of the Distillery Building by documentation and placement of a commemorative plaque on the site and utilizing the block materials from the building to construct a low wall behind a bench, however, this would not represent full mitigation for loss of the building.
- *Irreversible Damage from Environmental Accidents.* No irreversible damage from environmental accidents is anticipated should the project be approved and implemented. Although the EIR notes the potential for release of lead based paint particles and asbestos materials from demolition of the existing boiling, adherence to Mitigation Measure 3.2-1 will reduce such potential damage to a less-than-significant level.
- *Consumption of Non-Renewable Resources.* Demolition and removal of the existing Distillery Building would ensure that no non-renewable resources would be expended to allow the building to remain in operations. This would include natural gas, energy and other energy sources for heating and cooling.

4.4 Growth Inducing Impacts

All EIRs must consider the potential growth inducement of projects. A project is generally considered to be growth inducing if it will foster economic or population growth or will cause the construction of new housing, either directly or indirectly, within a given geographic area. Projects which remove obstacles to population growth are also deemed to be growth inducing. Increases in population may strain existing community services or utility systems, so consideration must be given to this matter. The characteristics of a project that may encourage or facilitate other growth activities which could significantly affect the environment, either individually or cumulatively, must also be discussed.

The proposed demolition of the existing Distillery Building would not directly or indirectly result in the inducement of growth in the unincorporated portion of Napa County, since an existing structure would be demolished and no new structure constructed in its place.

4.5 Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

Approval of demolition of the Distillery Building would have no impact on long-term local and regional environmental systems, including but not limited to air quality, water supply and quality, traffic, noise or other topics. The proposed action would be a one-time event that, although cannot be fully mitigated, would not impact long-term productivity.

5.0 Alternatives to the Proposed Project

CEQA requires identification and comparative analysis of feasible alternatives to the proposed project that have the potential to feasibly achieve most of project objectives, but would avoid or substantially lessen any significant impacts of the project.

The following discussion considers alternative development scenarios. Through comparison of these alternatives to the proposed Project, the advantages of each can be weighed and considered by the public and by decision-makers. CEQA Guidelines Section 15126.6 requires a range of alternatives "governed by a rule of reason" and requires the EIR to set forth a range of alternatives necessary to permit a reasoned choice.

Alternatives selected for analysis in this document include:

- Alternative 1: No Project
- Alternative 2: Relocate Distillery Building
- Alternative 3: Leave the Distillery Building "As-Is"
- Alternative 4: Minimal or Partial Restoration (Shell, Wall, or other components)

Alternatives are described and evaluated below.

5.1 No Project

CEQA requires an analysis of a "No Project" alternative. Under this alternative, the Distillery Building would be renovated and restored in a manner consistent with the Secretary of Interior Standards, in accordance with Use Permit Modification P05-0140-MOD, which requires rehabilitation and reuse of the Distillery Building.

A letter prepared by a registered structural engineer (Derrick Rooda of Buro Happold, dated April 30, 2013, which is hereby incorporated by reference into this EIR and is available for review at the Napa County Planning, Building and Environmental Services Department during normal business hours) indicates that renovation would consist of adding vertical steel support columns around the perimeter of the building on the interior walls to support the roof structure. This would also partially reinforce existing unreinforced masonry walls. The second step would be to add horizontal steel beams around the perimeter of the structure just below the roof to tie the walls together. A final step would be to add a new foundation which would likely be a slab-on-grade construction.

Anticipated impacts associated with this alternative would include:

- *Cultural Resources*: Historic restoration of the Distillery Building as generally described above would restore the building to be used as a winery museum or similar usable structure as part of the Hall Winery complex. However, the structural engineer also determined that even with restoration, the building could sustain damage in the event of a seismic event. The structural engineer also notes that the cost of such restoration could be prohibitively expensive on a cost-per-square foot basis.
- *Hazard and Hazardous Materials*: Impacts to hazards or hazardous materials would be approximately the same as the proposed project and Alternatives 2 and 4, since extensive interior construction work would be required to relocate or partially restore the building. Adherence to Mitigation 3.2-1 would reduce this impact to a less-than-significant impact.

Conclusion: The No Project Alternative would avoid the significant and unavoidable environmental impact identified for the project, but would not meet the Applicant's objective and would meet the County's objectives.

5.2 Alternative 2: Relocate Distillery Building

Alternative 2 assumes that the existing Distillery Building would be made available to for relocation off-site. A specific site is not identified for purposes of this Alternative.

Anticipated impacts associated with this alternative would include:

- *Cultural Resources*: The Applicant has not identified a suitable location within the Winery complex to relocate the building, nor have other suitable sites been identified. The Buro Happold letter of April 13, 2013 (referenced above) notes that the building is constructed of unreinforced masonry. It is unknown if the building could sustain relocation and remain intact within a feasible cost factor.
- *Hazards and Hazardous Materials*: There would likely be the same impact with release of lead based paint particles, asbestos into the environment as would result with the proposed project, building demolition. This would result due to the need to raise the building from the current foundation and transport the building some distance to its new site. Adherence to Mitigation Measure 3.2-1 will reduce this impact to a less-than-significant impact by requiring a Phase I Environmental Site Assessment prior to relocation and remediation of any potentially hazardous substances prior to relocation.

Conclusion: Relocating the Distillery Building would avoid the significant and unavoidable environmental impact identified for the project, but may be cost prohibitive and the building may not survive the relocation. This alternative may not meet the Project Objectives.

5.3 Alternative 3: Leave the Distillery Building “As-Is”

Alternative 3 assumes that the existing Distillery Building would remain in its current condition. It would not be renovated or restored for reuse.

This alternative would avoid the range of environmental impacts associated with the proposed project described in this document, including:

- *Cultural Resources*: There would be no significant or unavoidable impact with respect to demolition of the Distillery Building since it would remain as it currently exists. Under this Alternative, no restoration would occur, however, it is likely that it would continue to deteriorate and possibly fall down on its own accord.
- *Hazard and Hazardous Materials*: No impacts to hazards or hazardous materials would result under this Alternative, since there would be no demolition of the Distillery Building and no release of lead based paint particles, asbestos or similar materials into the environment except those that may be released if the building deteriorated to the point of collapse.

Conclusion: This Alternative would avoid the significant and unavoidable environmental impact identified for the project, but would not meet the Project Objectives and could result in a potentially unsafe condition on the site.

5.4 Alternative 4: Minimal or Partial Restoration (Shell, Wall, or other components)

This Alternative assumes that part of the existing Distillery Building would be retained. As noted above, the Applicant has proposed to incorporate some of the exterior blocks of the Distillery Building for construction of a low wall, approximately 8' to 10' long and 3' high, as part of a sitting area in the location of the existing building. This would be in addition to documenting and memorializing the building, as described above.

Anticipated impacts associated with this alternative would include:

- *Cultural Resources*: Most of the Distillery Building would be demolished. The blocks used to construct a low wall would need reinforcing but not to the extent of restoring the entire structure.
- *Hazards and Hazardous Materials*: There would likely be the same impact with release of lead based paint particles, asbestos into the environment as would result with the proposed project, building demolition. This would result from dismantling the building in such a way that block could be salvaged and reused. Adherence to Mitigation Measure 3.2-1 will reduce this impact to a less-than-significant impact by requiring a Phase I Environmental Site Assessment prior to relocation and remediation of any potentially hazardous substances prior to relocation.

Conclusion: Reuse of the Distillery Building's block material(s) would not avoid the significant and unavoidable environmental impact identified for the project, but would meet most of the Project Objectives.

5.5 Environmentally Superior Alternative

Section 15126 (d) (4) of the State of California CEQA Guidelines states that if the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The No Project alternative would result in fewer and less intensive environmental impacts than the proposed project and all other alternatives that propose an action, since the Distillery Building would be fully restored. The historic building would not be demolished and there would be no release of potentially hazardous material into the environment.

The No Project alternative would also result in fewer impacts to cultural resources, since the Distillery Building would be reconstructed in an appropriate manner. However, restoring the Distillery Building in a cost effective economically feasible manner, due to the type of building construction (unreinforced masonry), and the costs to reconstruct the building to the Secretary of Interior Standards may be prohibitive and may not meet all the Project Objectives. Therefore, Alternative No. 4 would be the next most Environmentally Superior Alternative since part of the existing Distillery Building would be retained and its historic significance would be documented and memorialized on site.

6.1 Persons and Organizations Consulted

EIR Preparers

Jerry Haag, Urban Planner, project manager & principal author
Jane Maxwell, report graphics

Agencies and Organizations Consulted

The following agencies and organizations were contacted in the course of this DEIR:

Napa County Planning, Building & Environmental Services Department
David Morrison, Director
John McDowell, Deputy Director
Laura Anderson, Deputy County Counsel
Sean Trippi, Principal Planner

Hall Winery
Mike Reynolds

California Department of Toxic Substances Control (DTSC)
Website

EXHIBIT A

HALL WINERY PERMIT HISTORY

Formerly Bergfeld Winery, Napa Valley Cooperative, Golden State Vintners and Edgewood Estate

August 6, 1975 – Use Permit (#U-697475) approved by Planning Commission.

Add 1,200 sq. ft. bay to an existing 2,080 sq. ft. growers supply storage building. Site plan shows ±44,400 existing wine storage and fermentation building, 4,900 sq. ft. crush shed, 1,800 sq. ft. office/lab building, 3-100,000 and 2-50,000 gallon wine storage tanks, scales, cooling towers, California Department of Human Resources trailer, and miscellaneous improvements. There are 5 existing full-time employees (up to 30 during crush).

Production: existing – Not provided; proposed – no change

Floor area: existing – 54,180 sq. ft.; proposed – 1,200 sq. ft. (storage of pesticides, fertilizer, etc.)

Hours: Not provided

Employees: existing - 5; proposed – no change

Parking: total existing – not provided; total proposed – 5

Visitors/Tours and Tastings: no information provided.

July 25, 1984 – Use permit (#U-638384) approved by the Planning Commission.

Increase production capacity from 2,059,000 to 2,805,000 gal/yr with the addition of 60-20,000 gallon tanks, 5-10,000 gallon tanks and 15-5,000 gallon wine storage tanks.

Production: existing – 2,059,000 gal/yr; proposed – 2,805,000 gal/yr

Floor area: existing – not provided; proposed – not provided

Hours: 8:00 am to 5:00 pm – 5 days/wk

Employees: existing - 5 full/ 0 part, proposed – 4 - full/ 20 part

Parking: total existing – 20; total proposed – 20

Visitors/Tours and Tastings: none occurring/allowed per application and project conditions of approval.

February 5, 1986 – Use Permit (#U-118586) approved by Planning Commission

Construct a two-story 3,080 sq. ft. visitor's center with a picnic area for wine and cheese tasting, retail sales, and offices. Permit limited to wine tasting and wine sales only, cheese tasting and picnic area were not allowed. Public tours and tastings were allowed upon completion of the tasting building.

Production: No change requested.

Floor area: existing – 55,380 sq. ft.; proposed – 3,080 sq. ft.

Hours*: 10:00 am to 5:00 pm – 7 days/wk

Employees*: existing – N/A; proposed – 2 full/1 part

Parking: total existing – 5; total proposed - 100

Visitors/Tours and Tastings: 500/day, 3500/week; public tours and tastings were allowed upon finalization of building permits.

* - Tasting room only.

May 23, 1997 – Use permit modification (#96539-MOD) was approved by the Zoning Administrator.

Remodel exterior elevations of the tasting room; reduce number of on-site parking spaces from 100 to 57; expand fire access road; and modify driveways, landscaping and signage.

Production: No change requested.

Floor area: No change requested

Hours: No change requested.

Employees: No change requested.

Parking: total existing – 100; total proposed - 57

Visitors/Tours and Tastings: No change requested.

May 20, 1998 – Use permit modification (#97365-MOD) was approved by the Planning Commission. One-year time extension (#98474-X) approved June 9, 1999 by the Zoning Administrator.

Reconstruct 26,685 sq. ft. of the main winery building (barrel storage and bottling areas); construct a 27,986 sq. ft. addition (case good storage, bottling ,offices, workshop, and employee break room and restroom); remodel tank farm (relocate tanks and construct new canopy); demolish 5,079 sq. ft. of floor area; construct new driveway and truck loading area; reconstruct and expand waste water pond to 4.5 MG; increase number of employees from 29 to a total of 56; add marketing activities; and, allow 40% of total production capacity (or 1,122,000 gal/yr) for custom crush and alternating proprietors.

Production¹: No change requested.

Floor area²: existing – 102,186 sq. ft.; proposed – 64,540 sq. ft. (15,956 demolished)

Hours³: No change requested.

Employees⁴: existing - 24 full/ 5 part, proposed – 51 - full/ 5 part

Parking: total existing – 80; total proposed - 88.

Visitors/Tours and Tastings⁵: No change requested.

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1. - Custom production operations requested (5 custom crush and 5 alternating proprietors) utilizing 40% of the winery approved production capacity or 1,122,000 gallons per year.
 2. – Overall floor area for the facility was listed as 165,690 sq. ft. The winery development was listed as 364,250 sq. ft. which includes buildings and impervious surfaces.

3. – Application indicated hours of operation were between from 4:00 AM to 2:00 AM. Hours for administrative personnel were 8:00 AM to 4:00 PM, Monday through Thursday; for sales and marketing (tours and tastings) were 9:30 AM to 5:30 PM, seven days a week; retail sales were listed separately under marketing as 10:00 Am to 5:00 PM, seven days a week; and, for production/operations were 4:00 AM to 2:00 AM, Monday through Thursday (2 shifts, year round) and 4:00 AM to 2:00 AM, seven days a week (2 shifts, during harvest).
4. – Application indicated 40 existing full-time and 5 part-time/seasonal employees. Negative Declaration indicated 24 full-time with another 4 full-time at the tasting room. Modification approved an increase from 29 to 51 full-time and 5 part-time/seasonal employees. Mitigation measure required that all new employees above 29 avoid traveling to and from the winery during the peak period, 4:30 to 6:00 PM.
5. - Marketing events listed in COA as existing as follows:
 - a) Three (3) private promotional wine tastings and catered meals for the trade and invited consumers per week averaging 30 persons per event
 - b) Three (3) auction related events per year with no more than 500 at each event.

January 18, 2006 – Use permit modification (#P05-0140-MOD) was approved by the Planning Commission.

Restore and reconstruct the two-story 5,228 sq. ft. circa 1885 Peterson-Bergfeld winery building and the 1,752 sq. ft. circa 1933 Distillery Building for use as viticultural, historical, and enological display; demolish subsequent additions to the Peterson-Bergfeld winery building that enclosed it within the existing warehouse structure, subsequent additions to the distillery building, other small structures, and the outdoor tank farm; relocate the circa 1935 Forni-Williamson building and add a partial second floor, for a total of 19,361 sq. ft., for use as bottling and administrative center (production building #1) to another location on-site; construct a new 51,214 sq. ft. fermentation building including a mezzanine level to access the fermentation tanks (production building #2); construct a new 53,531 sq. ft. tank and barrel building (production building #3 – approximately 20,000 sq. ft. during Phase 1); construct a new two-story 10,160 sq. ft. hospitality building, with 3,367 sq. ft. of exterior terraces, that includes administrative offices, a 944 sq. ft. commercial kitchen, private marketing events areas, and 3,068 sq. ft. for public wine tasting and retail sales (including a 990 sq. ft. exterior terrace) to replace the existing 3,080 sq. ft. visitor’s center; convert the existing 3,080 sq. ft. visitor’s center to meeting rooms and storage; construct a new 2,576 sq. ft. reception building with public restrooms and a viticulture control room; construct a new 31,904 sq. ft. underground barrel storage building including a wine library and private marketing area partially below the hospitality building;

Production: existing – 2,805,000 gal/yr; proposed – 1,260,000 gal/yr

Floor area: existing – 102,186 sq. ft.; proposed – 180,973 sq. ft.

Hours: No change requested.

Employees: existing - 51 full/ 5 part, proposed – 33 - full/ 5 part

Parking: total existing – 88; total proposed - 150.

Visitors/Tours and Tastings¹: No change requested.

1. - Marketing events listed in COA as existing as follows:

- a. Twelve (12) new private wine and food events per year (average of one per month) with 100 guests maximum per event;
- b. Condition of approval #8 approved with Use Permit Modification 97365-MOD remains in effect, allowing:
 - Three (3) private promotional wine tastings and meals for the trade and invited consumers per week with an average of 30 guests per event; and,
 - Three (3) Napa Valley wine auction-related events (such as barrel tastings and auctions) per year with no more than 500 guests at each event.

December 2006 – Use permit modification (#P06-01337-MOD) was approved by the Director.

Reconfigure the reflection ponds (the ponds would still be located around the hospitality building and near the former distillery building); reconfigure the parking lot area with no change to the previously approved number of parking spaces; reduce the floor area of the underground barrel storage area beneath production building #2 from approximately 31,904 square feet to approximately 30,398 square feet; reorganize the interior floor plan of the hospitality building with no change to the areas designated for public tasting, private marketing events, and retail sales; and, incorporate the reception area and viticulture control room into production Building #2 and eliminating the 2,576 square foot reception and viticulture control building.

Production: No change requested.

Floor area: existing – 180,973 sq. ft.; proposed – 177,701 sq. ft.

Hours: No change requested.

Employees: No change requested

Parking: No change requested.

Visitors/Tours and Tastings: No change requested.

April 18, 2012 – Use permit modification (#P11-00452-MOD) was approved by the Planning Commission.

Revise the phasing plan allowing the following improvements as part of Phase 3: restore the historic Peterson-Bergfeld building including use of the first floor for barrel storage and previously approved marketing events and use of the second floor for previously approved marketing events instead of the display of viticultural, enological and historic items; reduce the floor area of Production Building 2.2 from 30,249 sq. ft. to 19,347 sq. ft. (a loss of 10,902 sq. ft.); construction of a new 9,965 sq. ft. two-story hospitality building attached to the north side of Production Building 2.2 (a gain of 9965 sq. ft.); construct a new 5,500 sq. ft. two-story office building attached to the east side of Production Buildings 2.1 and 2.2, replacing the previously approved 3,902 sq. ft. reception/viticulture control building (a gain of 1,598 sq. ft.);

construct a new 990 sq. ft. unenclosed outdoor terrace west the Peterson-Bergfeld building; and, construct a new 500 sq. ft. outdoor barbeque/restroom pavilion with approximately 460 sq. ft. of enclosed floor area northwest of the Peterson-Bergfeld building.

And allowing the following improvements as part of Phase 4:
construct the previously approved 10,902 sq. ft. hospitality building west of the Peterson-Bergfeld building; construct/relocate the previously approved 19,361 sq. ft. Production Building 1 (Forni-Williamson) northwest of the Peterson-Bergfeld building; construct the previously approved 29,093 sq. ft. Production Buildings 3.2 and 3.3 between existing Production Building 3.1 and the pond; convert the existing 1,752 sq. ft. Distillery Building to display viticultural, enological and historic items; convert of the existing 3,080 sq. ft. public tasting area to office use; and, remove the 500 sq. ft. outdoor barbeque/restroom building.

Production: No change requested.

Floor area: existing – 177,701 sq. ft.; proposed – 178,362 sq. ft.

Hours: No change requested.

Employees: No change requested

Parking: total existing – 150; total proposed - 175.

Visitors/Tours and Tastings: No change requested.