# APPENDIX C

**COUNTY OF NAPA**
**PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT**
**1195 THIRD STEET SUITE 210**
**NAPA, CA 94559**
**(707) 253-4416**

## Initial Study Checklist
**(form updated February 2015)**

1. **Project Title: Tench Winery Use Permit #P15-00001 & Viewshed Permit #P15-00283**

2. **Property Owner:** Tench Family Vineyards, LLC

3. **County Contact Person, Phone Number and email:** Jason R. Hade, AICP, Planner III, (707) 259-8757; jason.hade@countyofnapa.org

4. **Project Location and APN:** The project is located on a 60.86-acre parcel on the west side of Silverado Trail, approximately 0.25 miles south of its intersection with Oakville Cross Road, 7631 Silverado Trail, Napa, CA, 94558; APN:031-070-006.

5. **Project sponsor's name and address:** Tench Winery, LLC; 7631 Silverado Trail, Napa, CA 94558; (707) 944-2352

6. **General Plan description:** Agricultural Resource (AR) and Agriculture, Watershed, and Open Space (AWOS) Designations.

7. **Zoning:** Agricultural Preserve (AP) District

8. **Background/Project History:** The Tench family purchased the property in 1965. The site is currently occupied by a single-family residence constructed near the base of a hillside bisected by the northern property line. Approximately 42 acres of vineyards in production since the early 1970's surround the residence and undeveloped hillside.

   The proposed project has been significantly revised from the initial proposal in order to meet the 600-foot winery setback from Silverado Trail eliminating the need for a previously requested Variance application. This proposal also avoids grading on slopes in excess of 30 percent eliminating the need for a Conservation Regulation Exception and minimizing excessive grading. Lastly, the current proposal also preserves more oak trees than previously proposed.

9. **Description of Project.** The Use Permit and Viewshed Permit application proposes the following:

   A. Construction of a new 42,840 gallon per year winery and associated building, totaling 6,779 square feet in area to include: 5,734 square foot production area (fermentation room, crush pad, office/lab, storage, restroom, and locker room); 1,240 square feet of accessory use area (offices, hallways, break room, visitor restroom, and outdoor tasting area); with a maximum building height of approximately 25.4 feet; a 96 square foot mechanical shed and 303 square foot outdoor tasting area;
   B. Two cut and cover caves totaling 6,245 square feet;
   C. Hosted daily tours and tastings for wine trade personnel the public by appointment only for a maximum of 14 persons per day from November 1 to August 31 and a maximum of 10 persons per day from September 1 to October 31;
   D. A Marketing Program as follows:
      i. Three (3) events per year with a maximum of 50 guests; and
      ii. All food to be catered.
   E. Hours of operation: 7:00 AM to 5:00 PM (production hours, except during harvest) and 10:00 AM to 4:00 PM (visitation hours), 7-days a week;
   F. Employment of: 7 employees (6 full time; 1 part time) non harvest; 3 additional employees (6 full time and four part time) during harvest, for a total maximum of 10 employees;
   G. Employee hours: 8:00 AM to 10:00 PM, 1 shift.
   H. Construction of fifteen (15) parking spaces (14 standard spaces and one ADA space);
   I. Installation of landscaping, entry gate, and a winery sign;

J. On-premise consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as AB 2004 (Evans 2008 or the Picnic Bill) within the break room (216 square feet) and outdoor tasting area (303 square feet);
K. Widening of the existing driveway from proposed winery to Silverado Trail to 20-feet;
L. Installation of a left-turn lane on Silverado Trail;
M. Installation of an in-ground wastewater treatment system;
N. Construction of three 12,000 gallon water tanks and associated piping; and
O. Construction of berms surrounding the existing ponds with cave spoils.

10. **Describe the environmental setting and surrounding land uses.**
The majority of the 60.86-acre project site contains slopes which do not exceed 15 percent with the exception of the hillside along the northern property line. Site elevations range from approximately 200 feet to 240 feet above sea level. The site is located within the Napa River watershed and outside of the 100 and 500 year flood hazard zones. The geology of the property is Holocene and Pleistocene aged alluvial fan deposits. These sediments are described as consisting of moderately sorted fine sand and silt. Bedrock of the Sonoma Volcanics is mapped as underlying these alluvial deposits and forming a series of hills rising above the alluvial plan. Sonoma Volcanic lithologies exposed at the site include andeisitic to basaltic lava flow and pyroclastic rocks. The site is underlain by Perkins gravelly loam, Aiken loam, Bale clay loam, and Clear Lake clay. Based upon the Napa County Environmental Sensitivity Maps (Liquefaction layer) the area of the project site proposed for development has a low susceptibility for liquefaction.

Native vegetation of the general area consists of oak woodland and open grassland. No sensitive plant or animal species were identified during biological surveys of the subject site (Rare Plant and Supplemental Biological Survey, Proposed Winery Development Project 7631 Silverado Trail, Oakville, California, 2015 and Proposed Tench Vineyards Winery Site, Portion of APN 031-070-006, Late Season Biological Survey Results, 2015).

Existing improvements at the project site include a single-family residence, storage pond, driveway, and approximately 42-acres of vineyards. Surrounding land uses consist of large lot residential development and agricultural vineyards. The closest residence to the proposed winery structure would be approximately 715 feet. No existing vineyards would be removed as part of the proposal.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).
The project would also require several ministerial permits by the County, including but not limited to an encroachment permit, building permits, grading permits, and waste disposal permits.

**Responsible (R) and Trustee (T) Agencies**
California Department of Fish and Wildlife.

**Other Agencies Contacted**
Federal Trade and Taxation Bureau
California Department of Alcoholic Beverage Control.

**ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:**

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jason R. Hade
Signature

10/27/15
Date

Name: Jason R. Hade, AICP, Planner III

Napa County Planning, Building and Environmental Services Department

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

**Discussion:**

a. The project site is not located within a scenic vista. As such, no impacts would occur.

b. The project site is subject to *Napa County Zoning Ordinance*, Chapter 18.106 (*Viewshed Protection Ordinance)* because Silverado Trail is identified as a designated public road in the *Napa County General Plan*. As proposed, the project has been designed in substantial conformance with the County's viewshed protection manual because it would avoid grading on slopes in excess of 30 percent and would be located more than 25-feet below the minor ridgeline. As shown in the submitted viewshed analysis, the proposed winery would be partially visible to southbound travelers along Silverado Trail and visible to northbound travelers. However, the majority of the facility would be screened by retaining the existing vegetation which consists of 492 trees over six inches at diameter breast height on the hillside where the winery is proposed. Approximately 86 to 90 percent of these trees are slated for preservation. As shown on the preliminary landscape plan, oak tree replanting would occur over the proposed cave and to the west of the existing single-family residence. No rock outcroppings or historic buildings are located at the subject site. Impacts would be less than significant based upon the project's conformance with the County's viewshed protection manual.

c. The proposed project includes a new winery structure which would be embedded into the hillside. Proposed architectural design of the winery structure would utilize an embossed stucco-like finish in a redwood color with a non-reflective standing seam metal roof. Wood trellises and landscaping would serve to soften the building façade. The proposed parking spaces would be located between the existing single-family residence and proposed winery structure effectively screening this area from view from Silverado Trail. Landscaping is proposed along the perimeter of the parking area and driveway as well. As such, the project would not degrade the existing character of the site and its surroundings and impacts would be less than significant.

d. The proposed winery building and marketing events may result in a minor increase in night-time lighting. In accordance with County standards, all exterior lighting would be the minimum necessary for the operational and security needs. Light fixtures would be kept as low to the ground as possible and include shields to deflect the light downward and kept on-site so that surrounding properties are not reflected. Avoidance of highly reflective surfaces would be required, as well as standard County conditions to prevent light from being cast skyward. As designed, and as subject to standard conditions of approval, the project would not have a less than significant impact from light or glare.

> *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.*
>
> *Prior to issuance of any building permit pursuant to this approval, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.*

**Mitigation Measure(s):** None.

| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| II. | **AGRICULTURE AND FOREST RESOURCES.**[1] Would the project: | | | | |
| | a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☒ | ☐ |
| | b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☒ | ☐ |
| | c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)? | ☐ | ☐ | ☐ | ☒ |
| | d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits? | ☐ | ☐ | ☐ | ☒ |
| | e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | ☐ | ☐ | ☒ | ☐ |

**Discussion:**

a/b/e. The proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agriculture use because the area proposed for winery development is designated "other lands" as shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The proposed project would continue with agricultural uses and would not conflict with any agriculture use. The winery would use the grapes from the 42 acre vineyard in its production of wine. The project site is zoned as Agricultural Preserve (AP). The proposed project would not conflict with existing zoning for agricultural uses. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. The property has a County Agricultural Contract but no aspect of this proposal would conflict with the adopted contract. Impacts would be less than significant.

c/d. The project site is zoned Agricultural Preserve (AP) which allows wineries upon grant of a use permit. According to the Napa County Environmental resource maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest and Coniferous Forest) the project site does not contain Coniferous Forest- Ponderosa Pine and Douglas Fir species. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.

**Mitigation Measure(s):** None.

[1] "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

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

**Discussion:**

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

On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the Air District had failed to comply with CEQA when it adopted the thresholds. However, on August 31, 2013, the Court of Appeal reinstated the Air District's thresholds of significance provided in Table 3-1 (Criteria Air Pollutants & Precursors Screening Levels Sizes) which are applicable for evaluating projects in Napa County.

Over the long term, emission sources for the proposed project will consist primarily of mobile sources including vehicles visiting the site. The Air District's threshold of significance provided in Table 3-1 has determined that similar projects such as a quality restaurant that do not exceed a threshold of 47,000 sq. ft. will not significantly impact air quality and do not require further study (BAAQMD CEQA Guidelines, May 2011 Pages 3-2 & 3-3.). Given the size of the entire project, which is approximately 11,979 square feet of enclosed floor area including approximately 519 square feet of floor area for tasting/hospitality uses compared to the BAAQMD's screening criterion of 47ksf (high quality restaurant) and 541ksf (general light industry) for $NO_x$ (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan. Wineries as proposed here are not producers of air pollution in volumes substantial enough to result in an air quality plan conflict. The project site lies within the Napa Valley, which forms one of the climatologically distinct sub-regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. Over the long term, emissions resulting from the proposed project would consist primarily of mobile sources, including production-related deliveries and visitor and employee vehicles traveling to and from the winery. The resulting busiest day plus marketing total is well below the threshold of significance. The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state Ambient air quality standard.

d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints

and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adhere to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

*During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:*

a. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.*

b. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.*

c. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*

d. *All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*

e. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*

f. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*

g. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.*

h. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.*

Furthermore, while earthmoving and construction on the site will generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

*Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 miles per hour.*

e. While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The closest residence is approximately 715 feet from the winery building site. Construction-phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

**Mitigation Measures:** None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| IV. **BIOLOGICAL RESOURCES.** Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | ☐ | ☐ | ☒ | ☐ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☒ | ☐ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

**Discussion:**

a. Native vegetation of the general area consists of oak woodland and open grassland. No sensitive plant or animal species were identified during biological surveys of the subject site (Rare Plant and Supplemental Biological Survey, Proposed Winery Development Project 7631 Silverado Trail, Oakville, California, 2015 and Proposed Tench Vineyards Winery Site, Portion of APN 031-070-006, Late Season Biological Survey Results, 2015). Although no sensitive plant or animal species were identified during the biological surveys, construction during the bird breeding season of March 1 to August 15 has the potential to impact sensitive animal species. Accordingly, the mitigation measure identified below shall be implemented. The implementation of mitigation measure BIO-1 would reduce potentially significant impacts to a level of less than significant.

b. There are no existing creeks or creek-crossings on the site. No encroachments or construction is proposed as part of this project that would have impacts on designated riparian habitats or other sensitive natural communities. Therefore, less than significant impacts would occur.

c. Napa County Environmental Sensitivity Maps and the Baseline Data Report (Chapter 15. Surface Water Hydrology, Map 15-6, Land Cover) do not indicate the presence of any wetlands or potential wetlands within the project boundary. The project would not result in substantial impacts to federally protected or potentially sensitive wetlands as these resources are not present at the site. No impacts would occur.

d. The proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. As stated within the biological survey prepared for the proposed project, "although numerous game trails were encountered during the surveys, no abundant or vital mammal population use was determined to be occurring" (Rare Plant and Supplemental Biological Survey, Proposed Winery Development Project 7631 Silverado Trail, Oakville, California, 2015 and Proposed Tench Vineyards Winery Site, Portion of APN 031-070-006, Late Season Biological Survey Results, 2015). Impacts would be less than significant.

e. According to the project plans, approximately 0.78 acres of oak woodland would be disturbed as part of the project resulting in the removal of 51 to 69 Coast Live Oak and Blue Oak trees. None of the identified oak species to be removed are currently considered sensitive, of special status or limited distribution. A certified arborist evaluated the health of the existing oak trees on the hillside and found decay, poor trunk structure, and dieback in almost all of the trees (Tree Evaluation Tench Winery Project July, 2015). The arborist report concluded that if left alone without the benefit of replanting, these trees would likely die within 20 years. Approximately 2.24 acres of existing oak woodland on the hillside would not be disturbed by the proposed project. As shown on the project's Oak Replacement and Preservation Plan, the project would include 0.60 acres of new planting area, 0.30 acres of oak preservation area, and a 0.33 acre replanting area over the proposed wine cave consistent with General Plan Policy CON-24(c) which requires the provision of replacement of lost oak woodlands or

preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. The implementation of mitigation measures BIO-2 and BIO-3 would reduce potentially significant impacts to a level of less than significant.

f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

**Mitigation Measures:**

MM BIO-1: If suitable nesting habitat is intended to be removed during the nesting season, from March 1 to August 15, a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If passerine birds are found to be nesting, or if there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot buffer shall be required around the nests. No vegetation or ground disturbance shall occur within the 250-foot buffer. For raptor species – birds of prey such as hawks and owls – this buffer shall be 500 feet. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the buffer area. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

**Monitoring:** The nesting survey shall be submitted to Planning Division staff with recommendations prior to issuance of the grading permit.

MM BIO-2: Prior to issuance of a grading permit, a final tree removal plan shall be prepared by a certified arborist.

**Monitoring:** The final tree removal plan shall be submitted for review and approval to Planning Division staff with recommendations prior to issuance of the grading permit.

MM BIO-3: Prior to final occupancy, the Oak Replacement and Preservation Plan (Sheet A1.4) shall be implemented in consultation with a certified arborist. The Oak Replacement and Preservation Plan is to include the planting of 2 times the number of oak trees removed within an approximately 26,347 square foot area on the western hillside that is currently non-native grassland, on top of the caves and any other appropriate location on the property as determined in consultation with a certified arborist with the replanting schedule to match the oak species to be removed. The oaks are to be gallon sized and planted at approximately 20 feet on center or as otherwise advised by a certified arborist. The oaks will be watered by hand, as necessary, during the first three years to promote survival. Successful planting will be considered an 80 percent survival rate at five years. If less than 80 percent of the trees are surviving, replanting will be necessary.

**Monitoring:** A letter from a certified arborist certifying that the replanting plan has been fully implemented shall be submitted to Planning Division staff prior to issuance of a Final Certificate of Occupancy.

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

**Discussion:**

a-c. According to a cultural resources survey report prepared for the subject site, two cultural resources (TW1 and TW2) were identified during the

survey process (Cultural Resources Survey Report of Tench Winery Property (APN 031-070-006) 7631 Silverado Trail, Napa County, California, 2015). Site TW1 is a 19th century rock wall possibly constructed by Chinese immigrants. The survey determined the site was ineligible for listing on the California Register of Historic Resources (CRHR). Site TW2 consists of a 19th century rock wall, well house, and a prehistoric lithic scatter. Site TW2 is located approximately 75 feet outside of the area proposed for development and would be avoided, as required by mitigation measure CUL-1 below. In the event archaeological artifacts are encountered on the project site a qualified archaeologist would be retained by the applicant to record and evaluate the resources. Impacts would be less than significant with implementation of the following standard condition of approval and mitigation measure CUL-1.

*In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.*

*If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.*

d. No human remains have been found on the property and no information has been submitted that would indicate that this project would encounter human remains. However, if resources are found during project construction, construction of the project would be required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

**Mitigation Measure:**

MM CUL-1: Site TW2, as identified in the Cultural Resources Survey Report of Tench Winery Property (APN 031-070-006) 7631 Silverado Trail, Napa County, California, shall be avoided during project development.

**Monitoring:** The grading plan shall reflect the installation of temporary protective fencing around Site TW2 prior to issuance of the grading permit. The temporary protective fencing shall remain in place throughout the duration of project construction and all construction personnel shall be advised by the project contractor to avoid any disturbance to the area.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| VI. **GEOLOGY AND SOILS.** Would the project: | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☒ | ☐ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| iv) Landslides? | ☐ | ☒ | ☐ | ☐ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☒ | ☐ | ☐ |
| d) Be located on expansive soil creating substantial risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829. | ☐ | ☒ | ☐ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☒ | ☐ |

**Discussion:**

a.

i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.

ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the current California Building Code which would reduce any potential impacts to a less than significant level.

iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the current California Building Code for seismic stability would result in less than significant impacts.

iv.) According to a preliminary geotechnical report prepared for the proposal, the site is suitable to support the proposed project with adherence to the recommendations contained within the report (Geotechnical Exploration Results Planned Tench Winery 7631 Silverado Trail, Napa, California, 2015). Impacts would be less than significant with the implementation of mitigation measure GEO-1 identified below.

b. The project's proposed onsite wastewater system would occur on slopes with less than 15 percent grade. The geology of the property is Holocene and Pleistocene aged alluvial fan deposits. These sediments are described as consisting of moderately sorted fine sand and silt. Bedrock of the Sonoma Volcanics is mapped as underlying these alluvial deposits and forming a series of hills rising above the alluvial plan. Sonoma Volcanic lithologies exposed at the site include andeisitic to basaltic lava flow and pyroclastic rocks. The site is underlain by Perkins gravelly loam, Aiken loam, Bale clay loam, and Clear Lake clay. Perkins gravelly loam and Aiken loam are well while Bale clay loam and Clear Lake clay are somewhat poorly drained. The project would be required to submit a site development plan, including implementation of storm water and erosion control Best Management Practices under the standards developed in the County's National Pollutant Discharge Elimination System, Phase II Stormwater Permit, which is required by County Code and is standard practice on all County development projects. Impacts would be less than significant.

c/d. According to the preliminary geotechnical report, the geology of the property is Holocene and Pleistocene aged alluvial fan deposits (Geotechnical Exploration Results Planned Tench Winery 7631 Silverado Trail, Napa, California, 2015). The site is underlain by Perkins gravelly loam, Aiken loam, Bale clay loam, and Clear Lake clay. Based upon the Napa County Environmental Sensitivity Maps (Liquefaction layer) the area of the project site proposed for development has a low susceptibility for liquefaction. Compliance with the California Building Code and mitigation measure GEO-1 would reduce any potential liquefaction or expansive soils impacts to a less than significant level.

e. A new on-site sewage disposal system would be required to serve the proposed winery. As stated in a *Septic System Feasibility Report for Proposed Tench Winery* prepared by J, Erich Rauber, P.E., G.E. on April 29, 2015, based on the available soil depth encountered in each test pit, the treated domestic and process effluent can be disposed of via a standard or an alternative sewage treatment system. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

**Mitigation Measure:**

MM GEO-1: The recommendations identified in Section 5.0 of the Geotechnical Exploration Results Planned Tench Winery 7631 Silverado

Trail, Napa, California shall be implemented during project construction. These recommendations pertain to the use of engineered fill, fill embankments, cut slopes, surface and subsurface drainage, foundations, retaining walls, concrete slab on grade floors, seismic design, pavement design, and the construction of utility trenches.

**Monitoring:** The grading and building plans shall reflect the implementation of the preliminary geotechnical report recommendations prior to issuance of a grading and building permit.

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

**Discussion:**

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

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents ($CO_2e$)]. This threshold of significance is appropriate for evaluating projects in Napa County.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy **CON-65(e)**. (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.)

The project would: incorporate the following voluntary best management practices: solar panels on the roof of the winery building; oak tree planting, exceed Title 24 energy efficiency standards; priority parking for efficient transportation vehicles; solar hot water heating; installation of a cool or green roof; installation of water efficient fixtures; water efficient landscaping; and minimizing the amount of grading and tree removal by using the natural contours of the site. The project also intends to become a certified Napa Green Winery.

The proposed project has been evaluated against the BAAQMD thresholds and it was determined that the project would not exceed the 1,100 MT/yr of $CO_2e$. Greenhouse Gas Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, vehicle fuel efficiency standards, and the project-specific on-site programs identified above would combine to further reduce emissions below BAAQMD thresholds.

The increase in emissions anticipated as a result of the project would be minor and the project is in compliance with the County's efforts to reduce emissions as described above. Accordingly, projects impacts would be less than significant.

**Mitigation Measures:** None.

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

**Discussion:**

a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. A Business Plan would be filed with the Environmental Health Division should hazardous materials reach reportable levels. Impacts would be less than significant.

b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of a winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.

c. There are no schools located within one-quarter mile from the proposed project site. According to Google Earth, the nearest school to the project site is Yountville Elementary, located approximately 3.3 miles to the southwest. No impacts would occur.

d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

e. Based upon the Napa County Planning General Maps (Angwin Airport and Napa Airport layers), the project site is not located within an airport land use plan or within two miles of a public airport. No impacts would occur.

f. No impact would occur as the project site is not located within the vicinity of any private airports.

g. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards. Therefore, the proposed winery would not obstruct emergency vehicle access. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.

h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

**Mitigation Measure(s):** None.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| IX. **HYDROLOGY AND WATER QUALITY.** Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☒ | ☐ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☒ | ☐ |
| f) Otherwise substantially degrade water quality? | ☐ | ☐ | ☒ | ☐ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☒ | ☐ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☒ | ☐ |

**Discussion:**

On January 14, 2014 Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015 when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. At this time the County of Napa has not adopted or implemented any additional mandatory water use restrictions. The County requires all Use Permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project. On June 28, 2011 the Board of Supervisors approved creation of a Groundwater Resources Advisory Committee (GRAC). The GRAC's purpose was to assist County staff and technical consultants with recommendations regarding groundwater, including data collection, monitoring, and well pump test protocols, management objectives, and community support. The County completed a county-wide assessment of groundwater resources (Napa County Groundwater Conditions and Groundwater Monitoring Recommendations Report (Feb. 2011)) and developed a groundwater monitoring program (Napa County Groundwater Monitoring Plan 2013 (Jan. 2013)). The County also completed a 2013 Updated Hydrogeologic Conceptualization and Characterization of Groundwater Conditions (Jan. 2013).

In general, recent studies have found that groundwater levels in the Napa Valley Floor exhibit stable long-term trends with a shallow depth to water. Historical trends in the Milliken-Sarco-Tulucay (MST) area, however, have shown increasing depths to groundwater, but recent stabilization in many locations. Groundwater availability, recharge, storage and yield is not consistent across the County. More is known about the resource where historical data have been collected. Less is known in areas with limited data or unknown geology. In order to fill existing data gaps and to provide a better understand of groundwater resources in the County, the Napa County Groundwater Monitoring Plan recommended 18 Areas of Interest (AOIs) for additional groundwater level and water quality monitoring. Through the well owner and public outreach efforts of the (GRAC) approximately 40 new wells have been added to the monitoring program within these areas. Groundwater Sustainability Objectives were developed and recommended by the GRAC and adopted by the Board. The recommendations included the goal of developing sustainability objectives, provided a definition, explained the shared responsibility for Groundwater Sustainability and the important role monitoring as a means to achieving groundwater sustainability.

In 2009 Napa County began a comprehensive study of its groundwater resources to meet identified action items in the County's 2008 General Plan update. The study, by Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district". Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Carneros region (mostly salinity). The subject property is located within the Napa Valley floor Saint Helena subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013. The County has no record of problems or complaints of diminished groundwater supplies at the project site or in the general vicinity. The applicant has not experienced any issues with the availability of groundwater.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS) and the studies prepared by LSCE. These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. The project is categorized as being located within the Valley Floor in an area that has an established acceptable water use criteria of 1.0 acre foot per acre per year based upon current County Water Availability Analysis policies. Based upon those criteria, the Allowable Water Allotment for the project site is 60.8 acre-feet

per year (af/yr), determined by multiplying the 60.8 acre Agricultural Preserve zoned site by a one af/yr/acre fair share water use factor.

a-b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. A new wastewater system is proposed as part of the project to serve the winery, visitors, and employees. As stated in a *Septic System Feasibility Report for Proposed Tench Winery* prepared by J, Erich Rauber, P.E., G.E. on April 29, 2015, based on the available soil depth encountered in each test pit, the treated domestic and process effluent can be disposed of via a standard or an alternative sewage treatment system. The Division of Environmental Health reviewed this report and concurred with its findings.

An onsite water well with a capacity of 175 gallons per minute based upon PG & E records and pump data from Oakville Pump, Incorporated currently provides water for vineyard irrigation and would serve as the water source for the proposed winery (Phase 1 Water Availability Analysis, 2014). A second shallow lower yield onsite well is also available and would continue to provide domestic water and landscape water to the existing single-family residence at the project site (Updated Water Availability Analysis Proposed Tench Winery, 2015).

According to the Updated Water Availability Analysis prepared by LACO Associates for the proposed project, the total water demand on the parcel from the existing vineyard and associated improvements is 32.34 af/year, specifically.

| **Existing Tench Vineyards Water Demand** | **Water Use (ac-ft/yr)** |
|---|---|
| Single-Family Residence (Includes Landscaping) | 0.75 |
| Vineyard Irrigation (42 acres includes heat and frost protection) | 31.59 |
| TOTAL | **32.34** |

As a result of the proposed project, there would be an increase in water use from the proposed winery and associated visitation and marketing events. A detailed analysis of the increase to 33.47 af/year is provided below.

| **Proposed Tench Winery Water Demand** | **Water Use (ac-ft/yr)** |
|---|---|
| Winery Processing for 42,840 gallon winery | 0.92 |
| Employees | -- |
| Harvest (6 full time) | 0.017 |
| Harvest (4 part time) | 0.011 |
| Non-harvest (6 full time) | 0.083 |
| Non-harvest (1 part time) | 0.014 |
| Visitors | -- |
| Daily (14, November 1 to August 31) | 0.039 |
| Daily (10, September 1 to October 31) | 0.006 |
| Event (50 people 3/year) | 0.001 |
| Landscape | 0.039 |
| Single-Family Residence | 0.75 |
| Vineyard Irrigation (42 acres includes heat and frost protection) | 31.59 |
| TOTAL | **33.47** |

The estimated water demand of 33.47 af/yr, representing an increase of 1.13 af/yr over the existing condition, is well below the 60.87 af/yr threshold established for the parcel. The project would be subject to the County's standard condition of approval requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

In response to regional drought and the general Statewide need to protect groundwater resources, the Governor enacted new legislation requiring local governments to monitor and management groundwater resources. Napa County's prior work on the Napa Valley Groundwater Management Plan provides a strong foundation for Napa County to comply with this State mandated monitoring and management objective. As a direct result, the project site is now subject to this new legislation requiring local agencies to monitor groundwater use. Assembly Bill -

AB 1739 by Assembly member Roger Dickinson (D-Sacramento) and Senate Bills 1168 and 1319 by Senator Fran Pavley (D-Agoura Hills) establish a framework for sustainable, local groundwater management for the first time in California history. The legislation requires local agencies to tailor sustainable groundwater plans to their regional economic and environmental needs. The legislation prioritizes groundwater basin management Statewide, which includes the Napa Valley/Napa River Drainage Basin, and sets a timeline for implementation of the following:

By 2017, local groundwater management agencies must be identified;
By 2020, overdrafted groundwater basins must have sustainability plans;
By 2022, other high and medium priority basins not currently in overdraft must have sustainability plans; and
By 2040, all high and medium priority groundwater basins must achieve sustainability.

The State has classified the Napa River Drainage Basin as a medium priority resource. Additionally, the legislation provides measurable objectives and milestones to reach sustainability and a State role of limited intervention when local agencies are unable or unwilling to adopt sustainable management plans. Napa County supports this legislation and has begun the process of developing a local groundwater management agency which is anticipated to be in place and functioning within the timeline prescribed by the State.

The proposed project would not result in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage Areas*), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area. The applicant has owned the property for 50 years and has not experienced any groundwater deficiency issues. Impacts would be less than significant.

c-d. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the cultivated agricultural vineyard site. Impacts would be less than significant.

e. The preliminary grading and drainage plan and stormwater control plan have been reviewed by the Engineering Division. As conditioned, impacts would be less than significant.

f. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

g- h. No portion of the project site is located within the FEMA-designated 100-year floodplain. No impact would occur.

i-j. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

**Mitigation Measure(s):** None.

| X. **LAND USE AND PLANNING.** Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |

**Discussion:**

a. The project would not occur within an established community, nor would it result in the division of an established community. No impact would occur.

b. The project complies with the Napa County Code and all other applicable regulations including General Plan Policy CON-24(c) which requires the provision of replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. The subject parcel is located in the AP (Agricultural Preserve) zoning district, which allow wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the WDO to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

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

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

The General Plan includes a policy, General Plan Agricultural Preservation and Land Use Policy AG/LU-10, requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. Impacts would be less than significant.

c. No impact would occur as there are no applicable habitat conservation plans or natural community conservation plans applicable to the site.

**Mitigation Measure(s):** None.

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

**Discussion:**

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

**Mitigation Measure(s):** None.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| XII. **NOISE.** Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

**Discussion:**

a-b. The project would result in a temporary increase in noise levels during grading and construction activities. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise impacts or operational impacts. Because the nearest residence to the project site is approximately 715 feet away, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

c-d. Wineries are the predominant non-residential land uses within the County. Noise from winery operations is generally limited and intermittent, meaning the sound level can vary over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries include refrigeration equipment, bottling equipment, barrel washing, de-stemmer and press activities occurring during the harvest crush season, and delivery and delivery trucks and other vehicles. Community noise is commonly described in terms of the "ambient" noise level which is defined as the all-encompassing noise level associated with a given noise environment. The Napa County General Plan EIR indicates the average, or equivalent, sound level ($L_{eq}$) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes.

The standard conditions of approval require that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. The applicant has indicated that the winery equipment such as a crusher or de-stemmer (60-67 dBA average at 70 feet), will be located within the indoor crush pad area of the winery building. With the

location of the equipment within the building and the distance between the equipment and the receptors, the potential noise impacts will not reach a level of significance. The proposed marketing activities could create additional noise impacts, with the submitted marketing plan including three events of up to 50 visitors on an annual basis. The Napa County Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a residence in a rural area as 45 dBA between the hours of 10 p.m. and 7 a.m. While the 45 dBA limitation is strict (45 dBA is roughly equivalent to the sound generated by a quiet conversation), the area surrounding the subject property is developed, with large lot residential uses and vineyards with the nearest residences located approximately 715 feet from winery building site. The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery itself. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music are required to finish by 10:00 p.m. every evening. The proposed project would not result in long-term significant permanent noise impacts.

e-f. The project site is not located within an airport land use plan or near a private airstrip. No impacts would occur.

**Mitigation Measure(s):** None.

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

**Discussion:**

a. The proposed staffing for the winery would be 10 employees maximum. The water and waste disposal analysis reports prepared its analysis based on 10 employees at the facility. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase approximately 23 percent by the year 2030 (*Napa County Baseline Data Report,* November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15 percent. The employee positions proposed would result in minor population growth in Napa County, but would not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

b/c. The existing single-family residence at the project site would remain and no persons would be displaced. Therefore, no impacts would occur.

**Mitigation Measure(s):** None.

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

**Discussion:**

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to Napa County Fire Marshall conditions and there would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. The proposed project would have minimal impact on public parks as no residences are proposed. Impacts to public services would be less than significant.

**Mitigation Measure(s):** None.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| XV. **RECREATION.** Would the project: | | | | |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |

**Discussion:**

a. The project would not significantly increase use of existing park or recreational facilities based on its limited scope. Impacts would be less than significant.

b. No recreational facilities are proposed as part of the project. No impact would occur.

**Mitigation Measure(s):** None.

| XVI. **TRANSPORTATION/TRAFFIC.** Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | ☐ | ☐ | ☒ | ☐ |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☒ | ☐ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ |
| f) Result in inadequate parking capacity? | ☐ | ☐ | ☒ | ☐ |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ☐ | ☐ | ☐ | ☒ |

**Discussion:**

a-b. The project site is located on a 60.86-acre parcel on the west side of Silverado Trail, approximately 0.25 miles south of its intersection with Oakville Cross Road. Silverado Trail is a regional route that runs parallel to State Route 29/128 on the east side of the Napa Valley and becomes State Route 128 near Rutherford. It serves as a connector between Calistoga and the cities of Saint Helena, Yountville, and Napa. Silverado Trail in the project vicinity has two paved 12-foot wide travel lanes and wide paved shoulders that are used as Class II bicycle lanes. Oakville Cross Road is a rural collector route (two lanes) and runs east-west connecting State Route 29 to Silverado Trail. It also serves as a Class III bicycle route.

The project includes the construction of a new 42,840 gallon per year winery including a 6,779 square foot winery building, 303 square foot outdoor tasting area, 6,245 square foot underground barrel storage cave, and 15 parking spaces, widening of the existing driveway to 20-feet and the installation of a left-turn lane on Silverado Trail, up to 10 employees, and a marketing program to permit up to 14 daily visitors from November 1 to August 31, up to 10 daily visitors from September 1 to October 31, authorization for sale of glasses and/or bottles of wine for onsite consumption (AB2004), and three events per year for up to 50 guests.

Transpedia Consulting Engineers (TCE) prepared a *Focused Traffic Analysis for Tench Winery Project* on May 8, 2015. Daily and weekend two-way traffic counts were conducted along Silverado Trail adjacent to the project access driveway on Saturday, December 6, 2014, and Tuesday, December 9, 2014. Turning movement counts were also collected at the intersection of Silverado Trail and Oakville Cross Road and the intersection of Silverado Trail and the project site's driveway during weekday evening and weekend peak hours on March 10, 2015 and March 7, 2015, respectively.

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

**LOS A-** Free-flowing travel with an excellent level of comfort and convenience and freedom to maneuver.
**LOS B-** Stable operating conditions, but the presence of other road users causes a noticeable, though slight, reduction in comfort, convenience, and maneuvering freedom.
**LOS C-** Stable operating conditions, but the operation of individual users is substantially affected by the interaction with others in the traffic stream.
**LOS D-** High-density, but stable flow. Users experience severe restrictions in speed and freedom to maneuver, with poor levels of comfort and convenience.
**LOS E-** Operating conditions at or near capacity. Speeds are reduced to a low but relatively uniform value. Freedom to maneuver is difficult with users experiencing frustration and poor comfort and convenience. Unstable operation is frequent, and minor disturbances in traffic flow can cause breakdown conditions.
**LOS F-** Forced or breakdown conditions. This condition exists wherever the volume of traffic exceeds the capacity of the roadway. Long queues can form behind these bottleneck points with queued traffic traveling in a stop-and-go fashion. (2000 Highway Capacity Manual, Transportation Research Board)

With the exception of the eastbound approach of the intersection of Silverado Trail and Oakville Cross Road which was found to operate at LOS F, all intersections operated at LOS A during the PM peak hour. During the weekend peak hour, the eastbound approach of the intersection of Silverado Trail and Oakville Cross Road operated at LOS C and the eastbound approach of the Silverado Trail and project site driveway operated at LOS B. The one-way stop component of these same intersections operated at LOS A during the weekend PM peak hour.

The study found that the proposed project would generate an average of 32 new daily trips, 10 during the weekday PM peak hour and 9 during the weekend peak hour. Pending and approved projects within the project vicinity would generate an average of 1,177 trips during the weekday including 291 trips during the PM peak hour. These projects are expected to generate 1,227 trips on a Saturday or Sunday, including 430 trips during the weekend peak hour.

Cumulative operating conditions were determined with trips generated by other eight approved projects within the vicinity of the project site added to existing volumes. A list of the approved projects is included within the TCE study and incorporated here by reference.

According to the TCE, study, project trips would represent a less than 0.30 increase in the daily traffic volumes on Silverado Trail. The two study intersections are anticipated to operate at an acceptable level of service of LOS A during weekday PM and weekend peak hours under all study scenarios. Therefore, the project would have a less than significant impact on the study intersections and Silverado Trail. Additionally, a project specific condition would ensure that all additional marketing events be scheduled outside peak weekend (3:45 PM to 4:45 PM) and weekday (3:30 PM to 4:30 PM) traffic hours. Peak hours were identified within the TCE study. Impacts would be less than significant.

c. No air traffic is proposed and there are no new structures proposed for this project that would interfere with or require alteration of air traffic patterns. No impact would occur.

d -f. After implementation of the proposed project, the site would continue to be accessed via an existing driveway on Silverado Trail. The study reviewed the collision rate at Silverado Trail within the project vicinity as well as the intersection of Silverado Trail and Oakville Cross Road. Both collision rates were lower than the statewide average for similar facilities with two accidents reported on Silverado Trail and no accidents reported at the study intersection. The site distance currently provided at the project's driveway is greater than 1,650 feet looking to the north and greater than 950 feet looking south. As stated in the study, these site distances exceed Caltrans minimum site distance standards of 500 feet. Proposed site access was reviewed and approved by the Napa County Fire Department and Engineering Services Division, as conditioned.

The need for a left turn lane on Silverado Trail at the project driveway was evaluated as part of the project's traffic study based on the criteria contained in the *Napa County Road and Street Standards, 2011*. Based on the proposal's traffic levels, a left turn lane would be warranted at the driveway serving the project site. As such, the Engineering Services Division has conditioned the project to require the installation of a left-turn lane on Silverado Trail consistent with County street standards.

The onsite circulation pattern was also reviewed as part of the traffic study and found to be adequate for the proposed use.

Fifteen onsite parking spaces (14 standard spaces and one ADA space) are proposed. Based upon the County standard of 2.8 persons per

vehicle and 1.05 persons per vehicle for employees the minimum parking required for the largest proposed event (50 visitors and 4 employees) would be 24 spaces. During peak use periods such as harvest season and marketing events, overflow parking would be provided in a graveled area behind the existing residence. Valet parking would also be utilized during the special events by parking vehicles by the residence and along the vineyard roads. Sufficient parking would be available for the proposed project and impacts would be less than significant.

g. As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation. The project would implement bicycle parking in front of the winery building and encourage employees to bicycle or carpool to work to provide enhanced alternative transportation options for visitors and employees. No impact would occur.

**Mitigation Measure(s):** None.

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

**Discussion:**

a/b. The project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal would be accommodated on-site and in compliance with State and County regulations. A new wastewater system is proposed as part of the project to serve the winery, visitors, and employees. As stated in a *Septic System Feasibility Report for Proposed Tench Winery* prepared by J, Erich Rauber, P.E., G.E. on April 29, 2015, based on the available soil depth encountered in each test pit, the treated domestic and process effluent can be disposed of via a standard or an alternative sewage treatment system. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

An onsite agricultural well currently provides water for vineyard irrigation and would serve as the water source for the proposed winery. A second shallow lower yield onsite well is also available and would continue to provide domestic water and landscape water to the existing

single-family residence at the project site (Updated Water Availability Analysis Proposed Tench Winery, 2015). The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project. Water system implementation would include the installation of three 12,000 gallon water tanks to serve the winery. Impacts would be less than significant.

c. The preliminary grading and drainage plan and storm water control plan have been reviewed by the Engineering Division. As conditioned, impacts would be less than significant.

d. As discussed in **Section IX** above, the total County allowable water allotment for the Tench Winery property (APN: 031-070-006) is 60.8 af/yr. According to the Water Availability Analysis prepared for the project, an onsite agricultural well currently provides water for vineyard irrigation and would serve as the water source for the proposed winery (Updated Water Availability Analysis Proposed Tench Winery, 2015). A second shallow lower yield onsite well is also available and would continue to provide domestic water and landscape water to the existing single-family residence at the project site. The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project. According to the Water Availability Analysis, a total future demand of 33.47 af/yr would be required to serve the site which is well below the parcel's water allotment noted above. In summary, the existing yield would be sufficient to serve all uses on the property. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. Impacts would be less than significant as there is sufficient water supply available to serve the proposed project.

e. Wastewater would be treated on-site and would not require a wastewater treatment provider. As such, no impact would occur.

f. The project would be served by Keller Canyon Landfill which has a capacity which exceeds current demand. As of January 2004, the Keller Canyon Landfill had 64.8 million cubic yards of remaining capacity and has enough permitted capacity to receive solid waste though 2030. Impacts would be less than significant.

g. The project would comply with federal, state, and local statutes and regulations related to solid waste. Upper Valley Disposal Service completed an initial review of the site plan and confirmed that the turning radii and proposed waste enclosure location would meet their needs for providing service to the project site. Therefore, impacts would be less than significant.

**Mitigation Measure(s):** None.

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

**Discussion:**

a. As discussed in **Section IV** above, the project site contains vegetation suitable for nesting birds and oak woodlands protected by County regulations. Mitigation is proposed for those biological topics that would reduce potentially significant impacts to a level of less than significant.

The project site contains cultural resources associated with a 19th century rock wall, well house, and a prehistoric lithic scatter. As identified in **Section V** above, mitigation is proposed that would preserve this area and ensure that impacts are less than significant. In the event archaeological artifacts are found, a standard condition of approval would be incorporated into the project. In summary, all potentially significant effects on biological and cultural resources can be mitigated to a level of less than significant.

b. All cumulative impacts related to air quality, greenhouse gas emissions, noise, and traffic are less than significant and do not require mitigation. Therefore, the project would not result in cumulatively considerable impacts on these areas. Impacts would be less than significant.

c. All impacts identified in this MND are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

**Mitigation Measures:** None.

**PROJECT REVISION STATEMENT**
**Tench Winery and Viewshed Permit #P15-00001-UP & #P15-00283-VIEW**

I hereby revise Tench Winery Use Permit #P15-00001-UP and Viewshed Permit #P15-00283-VIEW for the construction of a 42,840 gallon winery on a 60.86-acre parcel (Assessor's Parcel No. 031-070-006) located at 7631 Silverado Trail, Napa CA, to include the five (5) measures specified below:

**MM BIO-1:** If suitable nesting habitat is intended to be removed during the nesting season, from March 1 to August 15, a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If passerine birds are found to be nesting, or if there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot buffer shall be required around the nests. No vegetation or ground disturbance shall occur within the 250-foot buffer. For raptor species – birds of prey such as hawks and owls – this buffer shall be 500 feet. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the buffer area. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

**MM BIO-2:** Prior to issuance of a grading permit, a final tree removal plan shall be prepared by a certified arborist.

**MM BIO-3:** Prior to final occupancy, the Oak Replacement and Preservation Plan (Sheet A1.4) shall be implemented in consultation with a certified arborist. The Oak Replacement and Preservation Plan is to include the planting of 2 times the number of oak trees removed within an approximately 26,347 square foot area on the western hillside that is currently non-native grassland, on top of the caves and any other appropriate location on the property as determined in consultation with a certified arborist with the replanting schedule to match the oak species to be removed. The oaks are to be gallon sized and planted at approximately 20 feet on center or as otherwise advised by a certified arborist. The oaks will be watered by hand, as necessary, during the first three years to promote survival. Successful planting will be considered an 80 percent survival rate at five years. If less than 80 percent of the trees are surviving, replanting will be necessary.

**MM CUL-1:** Site TW2, as identified in the Cultural Resources Survey Report of Tench Winery Property (APN 031-070-006) 7631 Silverado Trail, Napa County, California, shall be avoided during project development.

**MM GEO-1:** The recommendations identified in Section 5.0 of the Geotechnical Exploration Results Planned Tench Winery 7631 Silverado Trail, Napa, California shall be implemented during project construction. These recommendations pertain to the use of engineered fill, fill embankments, cut slopes, surface and subsurface drainage, foundations, retaining walls, concrete slab on grade floors, seismic design, pavement design, and the construction of utility trenches.

**Tench Family Vineyards, LLC** further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

**Tench Family Vineyards, LLC** understands and explicitly agrees that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.

Brian Tench — Oct 22, 2015

Brian Tench (Owner) — Date