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Initial Study/  
Mitigated Negative Declaration

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

**Initial Study Checklist**  
(form updated October 2016)

1. **Project Title:** Flynnville Wine Company, Use Permit #P12-00222 & Variance # P12-00223
2. **Property Owner:** PD Properties LLC, 995 Vintage Avenue, St. Helena, CA 94574; (707) 967-4805
3. **Project Sponsor's Name and Address:** Dan Pina; 995 Vintage Avenue, St. Helena, CA 94574; (707) 967-4805
4. **Representative:** Tom Faherty, 1560 Railroad Avenue, St. Helena, CA 94574; (707) 963-1466
5. **County Contact Person, Phone Number and email:** Jason R. Hade, AICP, Planner III; (707) 259-8757; jason.hade@countyofnapa.org
6. **Project Location and APN:** The proposal would include merging six (6) parcels of various sizes into one (1) 10.09 acre project site. The site is located on the east side of State Highway 29, bordered on the south by Maple Lane and on the north by Drew Lane, approximately 0.88 miles north of the Larkmead Lane / State Highway 29 intersection. APNs: 020-320-003 (0.99 acres), 020-320-006 (0.95 acres), 020-320-009 (2.67 acres), 020-320-015 (2.15 acres), 020-320-016 (1.19 acres), and 020-170-012 (2.14 acres). 1184 Maple Lane, Calistoga.
7. **General Plan Description:** Agricultural Resource (AR) and AWOS (Agriculture, Watershed, and Open Space) Designations
8. **Zoning:** Agricultural Preserve (AP) & Agricultural Watershed (AW) Districts
9. **Background/Project History:** A variety of industrial uses have been operating on the parcels since the early 1960s. In 1968, the original Zoning, M (Manufacturing), which allowed for industrial uses, was changed to PD (Planned Development). Use Permit No. 347576 was approved in 1976 which recognized three buildings on the various parcels in the General Development Plan to be used for office, sales, and storage. In 1977, Industrial uses were excluded from PD zoning and in 1985 the zoning was changed to AW (Agricultural Watershed) and AP (Agricultural Preserve). At that point, the majority of the uses (commercial and light industrial) on the site were legal non-conforming. Existing businesses at the site (APNs 020-320-004 and 020-320-005 and not included as part of this project) include Jim's Supply Company which is a vineyard and winery support related uses.  
  
**1986-1991:** The owners of the site were denied two separate requests to the Planning Commission for amendments to change the General Plan designation from AR (Agricultural Resources) to Commercial and/or Industrial. Each decision was appealed to the Board of Supervisors and each appeal was denied by the Board of Supervisors.  
  
**August 1997:** Use Permit application 96629-UP was approved by the Planning Commission to establish a PG&E public utility service yard on APN: 020-320-012.  
  
**October 2013:** The subject application initially consisted of the construction of an 82,236 square foot winery with multiple buildings featuring 100 parking spaces, production at 300,000 gallons with 500 daily visitors and 24 marketing events of various sizes. That request was considered by the Planning Commission in October 2013 and referred back to the applicant to address the Commission's and neighborhood concerns regarding the scope and intensity of the proposal. The current proposal described below was re-submitted for further consideration in July 2015.
10. **Project Description:** The Use Permit application proposes the following:
  - a) Construction of a new phased 60,000 gallon per year winery and two winery buildings, totaling 24,210 square feet in area to include: an 18,545 winery building (Phase 1) with a 14,805 square foot production area (storage, mechanical equipment room, fermentation room, barrel storage, and lab); 3,740 square feet of accessory use area (offices, tasting room, conference room, and restrooms, hallways); with a maximum building height of approximately 30 feet; and 3,576 square feet of covered outdoor work area. Phase 2 would include the construction of a 5,665 square foot production building with 4,181 square feet of production area (barrel storage), 1,484 square foot of accessory use area (offices, hall, and restrooms), as well as a 1,990 square foot covered outdoor work area.
  - b) Demolition of five existing buildings;
  - c) Hosted daily tours and tastings by appointment only for a maximum of 25 persons per day and 175 persons per week;
  - d) A Marketing Program as follows:

- a. Six (6) events per year with a maximum of 25 guests;
  - b. Six (6) events per year with a maximum of 50 guests;
  - c. Three (3) events per year with a maximum of 100 guests;
  - d. All food to be catered; and
  - e. Time of day: 11:00 AM to 10:00 PM.
- e) Hours of operation: 8:00 AM to 8:00 PM (production hours, except during harvest) and 10:00 AM to 6:30 PM (visitation hours), 7-days a week;
  - f) Employment of: 15 full-time employees non harvest; 5 additional employees (five part time) during harvest, for a total maximum of 20 employees;
  - g) Employee hours: 8:30 AM to 8:00 PM, 1 shift.
  - h) 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 tasting room (600 square feet) and outdoor courtyard area;
  - i) Construction of 17 parking spaces (16 standard spaces and one ADA space);
  - j) Installation of landscaping and entry gates;
  - k) Installation of a west-bound right-turn taper from State Highway 29 onto Maple Lane;
  - l) Improvement of Maple Lane from State Highway 29 to Ida Lane to County standards;
  - m) Construction of one new driveway to access Maple Lane and the improvement of two existing driveways to County standards;
  - n) Installation of a wastewater treatment system; and
  - o) Construction of three 20,000 gallon water storage tanks and associated piping.

Also requested is a parcel merger of APNs: 020-320-003, 020-320-006; 020-320-009; 020-320-015, 020-320-016, and 020-170-012.

A Variance application (P12-00223) is also requested to allow construction of the winery buildings 150 feet within the 600 foot winery setback from State Highway 29; 78 feet within the 300 foot setback from Maple Lane and 84 feet within the 300 foot setback from Ida Lane.

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

The proposed 10.09 acre project site is located on the east side of State Highway 29 approximately one mile northwest of the Larkmead Lane / State Highway 29 intersection. The project site is an irregularly shaped grouping of six parcels to be merged upon project approval. Approximately seven acres is currently developed with a carport and ten commercial/light industrial structures. Five of these structures would be demolished and replaced with the proposed winery structures while three existing buildings located northeast of the proposed winery would remain. A total of approximately three acres of the site are undeveloped with some tree coverage. A 2.14 acre parcel borders the Napa River. These parcels would be utilized for the wastewater system and a 3.2 acre vineyard on slopes of less than 5 percent. The four parcels nearest to State Highway 29 are zoned Agricultural Watershed (AW) and the remaining parcels are zoned Agricultural Preservation (AP).

Surrounding land uses consists of rural residential, oak and Napa River riparian woodlands, wineries, and vineyards within the Agricultural Watershed (AW) and Agricultural Preserve (AP) Zoning Districts. Parcels located adjacent to the project site generally vary in size from 1.22 acres to 12.16 acres and consist of rural residential and vineyards all located within the AP and AW Zoning District. Producing wineries within the vicinity of the project site include Villa Amarosa and to the south, Sterling Vineyards and Paolet Estate Winery to the northwest, Larkmead and Frank Family Wineries are to the east. Azalea Springs Winery, located to the southwest was recently approved, but not yet producing wine. The nearest residence is approximately 185 feet northeast of the proposed Phase 1 winery building. The project site borders the Napa River and lies partially within the boundaries of the 100 and 500 year flood hazard zones. Native vegetation of the site includes grassland; however much of the site is disturbed and developed with structures.

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

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

**Responsible (R) and Trustee (T) Agencies**

California Department of Transportation (CALTRANS)

**Other Agencies Contacted**

Federal Trade and Taxation Bureau  
Department of Alcoholic Beverage Control

**13. Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? Invitation for tribal consultation was completed pursuant to AB 52 and one response was received from the Yocha Dehe Wintun Nation. A site visit was**

conducted with tribal representatives on September 8, 2016 and a letter was received from Yocha Dehe Wintun Nation dated October 18, 2016 noting that the tribe is not aware of any known cultural resources near this project site and that a cultural monitor is not needed.

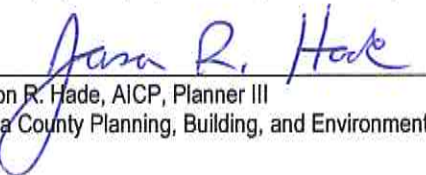
Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

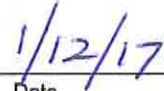
**ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:**

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.

  
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Jason R. Hade, AICP, Planner III  
Napa County Planning, Building, and Environmental Services

  
\_\_\_\_\_  
Date

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

Discussion:

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by a mix of vineyard, winery, residential uses and the Napa River situated along the floor of the Napa Valley. The project would not result in a substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently developed with ten existing commercial/light industrial structures on six separate parcels which would be merged if Use Permit approval is granted. The proposal includes demolition of five of the existing structures. New structures would be constructed for a winery, hospitality functions and office uses. These structures would include a building form to create an agricultural theme consistent with the context of the surrounding project area and would not exceed a height of 30 feet. Shallow roofs are proposed to minimize the building heights. Materials would include a standing seam metal roof and cement plaster and stone siding. As identified in the requested variance application, the structures propose to be set back 150 feet from the centerline of State Highway 29, 78 feet from the centerline of Maple Lane, and 84 feet from the centerline of Ida Lane. However, parking would be located within this setback. Although a variance for a reduced setback is requested, parking and structures are proposed to be screened by existing trees and shrubs. There are no rock outcroppings visible from the road or other designated scenic resources on the property. Although State Highway 29 is considered a Viewshed Road, the site does not contain slopes in excess of 15 percent. Therefore, the County's Viewshed Protection Program is not applicable to the subject site. Because there is minimal visual impact from the road, there is a less than significant impact to a scenic vista.

d. The construction of the winery buildings and associated infrastructure improvements may result in the installation of additional lighting that may have the potential to impact nighttime views. Although the project is in an area that has existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As designed, and as subject to the standard condition of approval, below, the project would not have a significant impact resulting from new sources of outside lighting.

*"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 spot lighting. 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 Measures:** None required.

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

Discussion:

a/b/e. The project site is designated Prime Farmland and Urban and Built-Up Land and would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important 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 not conflict with existing zoning for agricultural uses. There is no existing Agricultural contract on the property. The proposed winery buildings would be constructed on "Urban and Built Up Land" while the area of the site designated as "Prime Farmland" would be utilized for vineyard development and the wastewater treatment system. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application would not result in the conversion of special status farmland to a non-agricultural use.

c/d. The project site is zoned Agricultural Watershed (AW) and Agricultural Preserve (AP), which allow 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 woodland or forested areas. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.

**Mitigation Measures:** None required.

<sup>1</sup> "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. <b>AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-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 sf 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 24,210 square feet of enclosed floor area including approximately 600 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<sub>x</sub> (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 trips is 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. 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 185 feet from the proposed winery building. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

**Mitigation Measures:** None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV.	<b>BIOLOGICAL RESOURCES.</b> Would the project:				
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. According to a Biological Resources Survey prepared for the project by Kjeldsend Biological Consulting in January 2013, no known candidate, sensitive, or special status plant species have been identified as occurring within the project boundaries. However, activity for three types of special status bats have been identified as occurring within the project boundaries and a Bat Habitat Assessment was prepared by Wildlife Research Associates in November 2012. The assessment concluded that bats are roosting in six of the ten buildings onsite and includes roosting activities by Townsend's big-eared bat, a California Special Concern species. Accordingly, the mitigation measure identified below shall be implemented. The implementation of mitigation measure BIO-1 would reduce potentially significant impacts on special status bats to a level of less than significant.
- c/d. According to the Napa County Environmental Resource Maps (based on the following layers – water bodies, vernal pools & vernal pool species) there are no wetlands on the property that would be affected by this project. The Napa River borders the northern end of the subject proposal but adherence to 45-foot County setback requirements would ensure effects to any migratory fish and riparian habitat and corridors would be less than significant. Moreover, no development is proposed in this portion of the project site. The riparian area along the Napa River would be considered a corridor. Protection of this corridor would be provided with a proposed 100 foot setback which would continue to function as a longitudinal corridor. There are no other identifiable wildlife corridors through the property (Biological Resources Survey, 2013). A Biological Resources Survey was conducted for the site in January 2013 by Kjeldsend Biological Consulting and recommended that if any widening or replacement to the existing culvert, located on Site Plan UP2, crossing the drainage near the proposed waste water treatment area, consultation and permitting must be obtained from the California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards prior to and during the construction. The implementation of mitigation measure BIO-2 would reduce potentially significant impacts to a level of less than significant.
- e. According to the project plans, approximately eight trees would be removed as part of the project, including four oak trees. Therefore, eight oak trees would be required to be replanted on-site consistent with General Plan Policy CON-24(c) which requires 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. Retention of the four oak trees identified for removal is infeasible as they are located in the center of the limited development area for the proposed Phase I winery building. The implementation of mitigation measures BIO-3, BIO-4, and BIO-5 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: Prior to the issuance of demolition permits or grading permits for any work associated with this project, a qualified biologist shall implement the recommendations identified on pages 3-6 applicable to the parcels subject to this application in the November 19, 2012 Bat Habitat Assessment prepared by Wildlife Research Associates. Methods include encouraging bats to voluntarily leave the roosts over a two day period of time by creating an environment unconducive to bat habitat by creating noises and vibrations. A qualified biologist shall monitor the roosts closely until it is determined that the roosts are no longer active, at which time construction activities may commence.

**Monitoring:** Prior to the issuance of a demolition or grading permit, the permittee shall submit plans which reflect the incorporation of the bat removal recommendations to be implemented by a qualified biologist for the review and approval of Planning Division staff.

MM BIO-2: If any widening or replacement to the existing culvert, crossing the drainage near the proposed waste water treatment area is proposed, consultation and permitting must be obtained from the California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards prior to and during the construction.

**Monitoring:** Proof of the required permits and consultation for any widening or replacement of the existing culvert identified on Site Plan page UP2, and located near the proposed waste water treatment area, from California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards shall be submitted to Planning Division staff prior to the issuance of a grading permit.

MM BIO-3: 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 for tree removal prior to issuance of the grading permit.

MM BIO-4: Prior to issuance of a building permit, the applicant shall prepare a final landscape plan which shall reflect the replanting of eight oak trees on site.

**Monitoring:** The final landscape plan shall be prepared by a qualified professional and shall be submitted for review and approval to Planning Division staff prior to issuance of the building permit.

MM BIO-5: Prior to the issuance of final certificate of occupancy, the final landscape plan shall be implemented in consultation with a certified arborist. The final landscape plan shall include the planting of two times the number of oak trees removed 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. A certified arborist shall also submit a letter at five years confirming the trees have met the success criteria of 80 percent survival.

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

Discussion:

a-c. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites have been identified on the property. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval:

*"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 encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. All construction activities would occur on previously disturbed portions of the site. However, if resources are found during project grading, construction of the project is 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 Measures:** None required.

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

Discussion:

- a.
- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed 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 will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
  - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest editions of the California Building Code for seismic stability would result in less than significant impacts.
  - iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no landslide deposits in the proposed development area.

- b. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is composed of Bale loam soil which is found on land with 0-2 percent slopes. Soils in the Bale series are characterized by slow runoff with a slight hazard of erosion. Bale soil is nearly level and is generally found on old alluvial fans and flood plains. 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 Napa County Environmental Resource Maps (Surficial Deposits layer) the majority of the site is underlain by undifferentiated Holocene alluvium. Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has high susceptibility for liquefaction. Development would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
- e. According to the Wastewater Feasibility Study prepared by Summit Engineering on April 21, 2016, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

**Mitigation Measures:** None required.

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

**Discussion:**

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential greenhouse gas (GHG) emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The Board also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016 the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or <http://www.countyofnapa.org/CAP/>.

- 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<sub>2</sub>e)]. 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.)

For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explain human effects on the atmosphere). Carbon Dioxide (CO<sub>2</sub>) gas, the principal greenhouse gas (GHG) being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions ([http://www.climatechange.ca.gov/glossary/letter\\_c.html](http://www.climatechange.ca.gov/glossary/letter_c.html)). Equivalent Carbon Dioxide (CO<sub>2</sub>e) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG (BAAMD CEQA Air Quality Guidelines, May 2012). In this case, carbon dioxide (CO<sub>2</sub>) is used as the reference atom/compound to obtain atmospheric carbon CO<sub>2</sub> effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO<sub>2</sub>e) by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (<http://www.nciasi2.org/COLE/index.html>).

One time "Construction Emissions" associated with the winery development project includes: i) the carbon stocks that are lost (or released) when existing vegetation is removed and soil is ripped in preparation for the new winery structures and associated infrastructure; and ii) emissions associated with the energy used to develop and prepare the project area and construct the winery, including construction equipment and worker vehicle trips (hereinafter referred to as Equipment Emissions). These emissions also include underground carbon stocks (or Soil carbon) associated with the existing vegetation that is proposed to be removed.

In addition to the one time Construction Emissions, "Operational Emissions" of the winery are also considered and include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions). See Section XVI, Transportation/Traffic, for anticipated number of operational trips. Operational Emissions from the proposed winery would be the primary source of emissions over the long-term when compared to one time construction emissions.

The proposed project has been evaluated against the BAAQMD thresholds Table 3-1 (Operational GHG Screening Level Sizes). Because 24,210 square feet of floor area including a 600 square foot tasting room is proposed when compared to the BAAQMD's GHG screening criteria of 121,000 sf for general industrial, and compared to the BAAQMD's screening criterion of 9,000 sf. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO<sub>2</sub>e/yr GHG threshold of significance.

Furthermore, the applicant proposes to incorporate additional GHG reduction methods including: generation of on-site renewable energy via the installation of a solar photovoltaic array on the production building roof; providing charging stations for electric vehicles at no charge; utilizing the proposed solar photovoltaic system to heat water; installation of LED and fluorescent lights; use of a cool roof with a high solar reflectance index; installation of bicycle parking facilities; access to the proposed Class bicycle lane along State Highway 29; composting of landscape trimmings and food waste; provision of informational handouts regarding transit facilities located within 500 feet of the project site; minimization of grading and tree removal; planned certification as a Napa Green Winery; use of recycled water to irrigate proposed vineyard planting; use of water sense certified fixtures; water efficient landscape; recycling of 75 percent of all waste; education to staff and visitors on sustainable practices; and the installation of owl houses and bat houses.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO<sub>2</sub>e. GHG Emission reductions from local programs and project level actions, such as application of the Cal Green Building

Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions below BAAQMD thresholds.

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.

As indicated above the County is currently preparing a CAP and as the part of the first phase of development and preparation of the CAP has released Final Technical Memorandum #1 (2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016). Table 1 of the Technical Memorandum indicates that 2% of the County's GHG emissions in 2014 were a result of land use change.

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

**Mitigation Measures:** None required.

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

Discussion:

- a. 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 the construction of a winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable 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 Calistoga Elementary School, located approximately 2.7 miles to the northwest. 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. No impact would occur as the project site is not located within an airport land use plan.
- f. No impact would occur as the project site is not located within the vicinity of any private airports.
- g. The proposed improvements to Maple Lane as well as the project's access driveways would meet 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 project would continue to comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

**Mitigation Measures:** None required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 are 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 Luthorff 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 Calistoga subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013. The Napa County Comprehensive Groundwater Monitoring Program 2015 Annual Report and CASGEM Update prepared by LSCE in March 2016 concluded that this subarea of Napa County has stable groundwater conditions. 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). 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 10.09 acre-feet per year (af/yr), determined by multiplying the 10.09 acre Valley floor site by a one AF/YR/acre fair share water use factor.

a/b. According to the Wastewater Feasibility Study prepared by Summit Engineering on April 21, 2016, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.



The project is not expected to violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The facility's domestic water system is classified as transient, non-community and will be managed by employees of the winery. According to the Water Availability Analysis (WAA) prepared by Summit Engineering, Incorporated on October 23, 2015, five existing wells on APNs 020-320-006; 020-320-015; and 020-320-016 near the proposed winery facility would remain in service and provide for the domestic, winery process, and irrigation needs of the property. An existing well located on APN 020-170-012 would be abandoned. Three 20,000 gallon water storage tanks are also proposed (*Flynnville Wine Company Use Permit Assistance - Water Availability Analysis, 2015*). As stated in the WAA, total project water demand would be 4.49 AF/YR. Existing water use for the site includes the existing businesses identified above, employees, and landscape irrigation and is 1.01 AF/YR. The total number of employees is being reduced from 50 (existing) to 20 (proposed) for a proposed annual employee water demand of 0.34 AF/YR. The proposed landscaping and vineyard would be irrigated via reclaimed and treated wastewater, not potable water. The analysis concluded that anticipated total water demand for the project site would be 4.49 AF/YR representing a 3.48 AF/YR increase of the existing water demand. The anticipated peak daily potable water demand for the parcel would be met with five existing potable water supply wells and the three proposed 20,000 gallon storage tanks (*Flynnville Wine Company Use Permit Assistance - Water Availability Analysis, 2015*). Therefore, the impacts from the project would be less than significant and no further analysis is needed. Below is a table that details each source of existing and proposed water use:

Usage Type	Existing Usage	Proposed Usage
Vineyard Irrigation (To be planted)	0	1.60
Domestic		
Employees	0.84	0.34
Visitors	0	0.08
Events	0	0.01
Wine Production	0	1.10
Landscape Irrigation	0.17	1.36
Net Use (Acre-ft per Year)	1.01	4.49

The estimated groundwater demand of 4.49 AF/YR, represents an increase of 3.48 AF/YR over the existing condition. The winery, as part of its entitlement would include 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 result in a modest increase on the demand of ground water supplies and therefore would not 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.

c-d. According to a Hydrology Analysis prepared for the proposed project by Summit Engineering, Inc. on August 27, 2015, the proposed improvements at the Flynnville Wine Company site would result in a reduction in total impervious area and increase in pervious area. This would reduce the total flow rate and volume of runoff produced by the site compared to existing conditions. All runoff would continue to be routed towards the existing swale to the north. The decreases in runoff from the site would result in a total decrease in flow rate and volume routed through the existing swale. The quantity of runoff being routed from the SR 29 roadside swale through the existing underground culvert under the Flynnville properties would not be increased or adversely impacted by the proposed improvements (Flynnville Wine Company Hydrology Analysis, 2015).

A Stormwater Drainage Assessment prepared by Daniel Drew, P.E. on July 28, 2016 concluded that: detailed grading and drainage plans are required, the hydrology analysis prepared by Summit Engineering, Inc. is incomplete, a detailed and comprehensive hydraulic analysis (model) is required; storm drain system profiles are required; and the County may be compelled to determine that Flynnville Wine Company project causes significant impacts.

A subsequent letter prepared by Summit Engineering, Inc. on December 12, 2016 prepared in response to their review of Mr. Drew's Stormwater Drainage Assessment concluded that "using the County's accepted methodology of evaluating post-project drainage impacts, we stand behind the conclusions in our August 2015 analysis that runoff rates and volumes will actually decrease following project implementation. This conclusion will be confirmed by improvement and construction plans that will be reviewed and approved by the County Engineering staff prior to issuance of a building permit" (Flynnville Wine Company, 1184 Maple Lane, Calistoga, 2016). The subsequent letter also noted that the proposed project would result in a reduction in existing paved and impervious surface from 189,992 square feet (4.36 acres) to 159,429 square feet (3.66 acres) which represents a 16 percent reduction in impervious area. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation.

Patrick Ryan, P.E., Supervising Engineer, of the County's Engineering Division, reviewed all drainage studies referenced above and concluded that the project would not substantially alter the existing drainage pattern on site or cause a significant increase in erosion or siltation on or off the site. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. 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. A review of all parcels within 500-feet of the subject site's property line was conducted to identify any potential hazardous spills and none were identified. Impacts from the project to water quality would be less than significant.

g/h. The northeast portion of the project site (APN 020-170-012) is located within the FEMA-designated 100-year floodplain. However, no structures are proposed within this area of the project site, including housing. Impacts would be less than significant.

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 Measures:** None.

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

Discussion:

- a. The 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 with the exception of a Variance application (P12-00223) requested to allow construction of the winery buildings 150 feet within the 600 foot winery setback from State Highway 29; 78 feet within the 300 foot setback from Maple Lane and 84 feet within the 300 foot setback from Ida Lane. As shown on the "Variance Plan" exhibit (Sheet UP4) prepared by Summit Engineering, Incorporated on October 22, 2015, strict application of the required setbacks would result in a potential development area of approximately 11,475 square feet for the project site. The subject site is located in the AP (Agricultural Preserve) and AW (Agricultural Watershed) zoning districts, 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 AWOS (Agriculture, Watershed, and Open Space) 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.	<b>MINERAL RESOURCES.</b> Would the project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

**Mitigation Measures:** None required.

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

Discussion:

a/b. The 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 185 feet to the northeast of the proposed winery structures and operations, there is a low potential for impacts related to construction noise to result in a significant impact. The next nearest residence to the project site is located approximately 625 feet northeast of the proposed winery structures. 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. 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 including 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. These activities could occur within the proposed covered work areas of the Phase I and II winery buildings. However, mechanical equipment would be fully enclosed within the proposed mechanical equipment room in the Phase I winery building. 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<sub>eq</sub>) 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 proposed marketing activities could create additional noise impacts, with the submitted marketing plan including 15 events on an annual basis with the largest events permitting up to 100 guests. 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. and 50 dBA between the hours of 7 a.m. to 10 p.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 residential uses and vineyards with the nearest residence located approximately 185 feet from the proposed Phase 1 winery building site. With the location of the closest receptor residence ±185 feet away, potential noise impacts from periodic bottling activities would have a less than significant impact on local residences with the implementation of mitigation measures NOI-1 and NOI-2. Recent noise studies of bottling activities measured 50 feet from the activity itself found the noise levels to be 65 dBA. (Draft Environmental Noise Impact Report For: Bell Wine Cellars Use Permit Modification, RGD Acoustics, November 16, 2015). The noise studies further state that such point

source sound levels are reduced with distance in accordance with the "inverse square law", which yields a six (6) dB sound reduction for each doubling of the distance from the source. Based upon the measurements and calculation stated in that study, the receptor residence located ±185 feet away, the noise level for the bottling activity at the adjacent residence would be approximately 11.4 decibels lower than the measured 65 dBA noise level 50 feet from the bottling line, or 53.6 dBA. Additionally, the proposed 15 marketing events with the largest events permitting up to 100 people would generate vocal noise (amplified music would be prohibited). But, by using the noise measurements taken at a winery event with an attendance of 85 people (plus music) in the previously mentioned report, 60 dBA at 123 feet, it can be calculated that at a 185 foot distance, the noise level for an event would be 3.5. dB lower, or 56.5 dBA which would exceed the daytime noise standards discussed above. The potential for the creation of significant noise from visitation is significantly reduced since the tasting area would be located within the winery building and semi-enclosed outdoor courtyard area. 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, would further ensure that marketing events and other winery activities do not create a significant noise impact. Based upon the analysis above, the proposed project would not result in long-term significant permanent noise impacts with the implementation of mitigation measures NOI-1 and NOI-2 identified below.

e/f. The project site is not located within an airport land use plan nor is it within two miles of a public airport or private airstrip. No impacts would occur.

**Mitigation Measures:**

MM NOI-1: Prior to the issuance of any building permits to implement this use permit, the permittee shall submit an operation plan for the bottling and outdoor work area which shall require the bottling truck to be oriented such that open trailer doors, bottling lines, glass and container staging areas are located in the west and south sides of the truck. A sound curtain shall be utilized on the northern and eastern portions of the work area and all work shall occur on the approved outdoor work area and crush pad. The operations plan shall be prepared under the direction of a qualified acoustics professional, and shall be subject to review and approval of the Planning Division.

**Monitoring:** County Planning Division Staff shall review and approve the operations plan prior to issuance of building permit plans for the project. Planning Division staff will inspect the facility prior to final occupancy. County Code Enforcement Staff conduct winery use permit compliance audits, such that future use of the operations plan will be monitored. Code Enforcement staff will respond to any noise complaints.

MM NOI-2: Prior to the issuance of any building permits to implement this use permit, the permittee shall submit plans for a temporary sound curtain to be placed in the vicinity of the outdoor work area/crush pad which shall be used when outdoor events of 100 guests occur. The sound curtain shall be designed by a qualified acoustics professional, shall be in substantial conformance with the recommendations put forth in the RGD Acoustics study incorporated herein, and shall result in noise levels meeting the current standards of the County for exterior and interior noise exposure. Final design of the sound curtain is subject to review and approval by the Planning Division.

**Monitoring:** County Planning Division Staff shall review and approve the sound curtain design prior to issuance of building permit plans for the project. Planning Division staff will inspect the facility prior to final occupancy. County Code Enforcement Staff conduct winery use permit compliance audits, such that future use of the sound curtain for outdoor events will be monitored. Code Enforcement staff will respond to any noise complaints.

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

Discussion:

- a. Staffing for the winery would include up to a maximum of 15 full-time and five (5) part-time employees. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The 15 full-time and five (5) part-time employees which are part of this project could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not raise 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. This application would not displace a substantial volume of existing housing or a substantial number of people and would not necessitate the construction of replacement housing elsewhere. No impacts would occur.

**Mitigation Measures:** None required.

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

Discussion:

- a. Public services are currently provided to the project area and 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 Measures:** None required.

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

Discussion:

- a. 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.

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

Discussion:

- a/b. The project site is located on the east side of State Highway 29 between Drew Drive (to the north) and Maple Lane (to the south). State Highway 29 is a State road that extends in a north-south direction between St. Helena and Calistoga in the project study area. Drew Drive is a County road that extends in an easterly direction from SR-29 and would form the northern border of the site. Maple Lane is a County road that extends in an easterly direction from SR-29 approximately 680 feet south of Drew Drive. Ida Lane is a private roadway that extends in a north-south direction along the eastern edge of the project site. Heitz Way is County road located directly opposite Drew Drive

at SR-29 and forms the eastbound leg of the four-way intersection. Heitz Way is County road located directly opposite Drew Drive at SR-29 and forms the eastbound leg of the four-way intersection. A two-lane street, Heitz Way extends northwest from the intersection paralleling SR-29 providing access to agricultural and residential areas before re-connecting with SR-29 approximately 1,200 feet north of Drew Drive.

Omni Means prepared a *Focused Traffic Analysis for the Proposed Flynnville Winery Project* on December 15, 2013. That analysis was subsequently updated to reflect the current project description with the preparation of an *Updated Trip Generation Analysis for the Proposed Flynnville Winery Project* by Omni Means on September 10, 2015. Based on the updated traffic analysis, the proposed project would be expected to generate 93 weekday daily trips with 32 weekday PM peak hour trips (4 in, 28 out). During a typical weekend (Saturday), the project would be expected to generate 91 daily trips with 29 mid-day (afternoon) peak hour trips (14 in, 15 out). Based on standard auto occupancy rates used by the County, the largest marketing event for the project with an attendance of 100 persons would generate 91 (46 in, 45 out) event trips. These events are typically of sufficient duration in length that the inbound and outbound trips occur in separate hours, thus the number for trips on the street network at one time are half of the total volume. These events would be held outside of typical peak traffic periods (during the middle of the day or later than 6:00 p.m.).

Cumulative operating conditions were determined by the calculating the project's percentage contribution to the total growth in traffic from existing conditions.

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)

State Highway 29 is currently operating at LOS C with the project study area. According to the study, the project would be expected to add approximately 65 daily trips south of the site and 28 daily trips north of the site on SR-29. This would represent an increase of less than one percent (0.0049% or 0.5%) of the daily volumes on SR-29 adjacent to the site. The combined existing plus project volume of 13,265 daily trips would remain within the carrying capacity of a two lane rural highway with conditions equivalent to LOS 'C' (*Updated Trip Generation Analysis for the Proposed Flynnville Winery Project, 2015*). As indicated in the updated traffic analysis, "the proposed Flynnville Winery project's reduced 2015 activity levels for wine production, employment, and visitation would be significantly lower than levels proposed in the Year 2013. As a result, daily trip generation from the proposed project would represent less than one (1) percent of overall ADT on SR-29/128 in the project vicinity under existing, near-term, and/or year 2030 cumulative conditions" (*Updated Trip Generation Analysis for the Proposed Flynnville Winery Project, 2015*). Additionally, a project specific condition would ensure that all additional marketing events be scheduled outside peak weekend (3:30 PM to 4:30 PM) and weekday (3:00 PM to 4:00 PM) traffic hours. 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. Access to the proposed winery would be via a new driveway to access Maple Lane and the improvement of two existing driveways to County standards. The submitted traffic study indicated that sight distances at the project driveway would exceed the recommended distances and a westbound right-turn taper from SR 29 to Maple Lane should be installed. An eastbound left-turn lane currently exists. As further analyzed the width at State Highway 29 would accommodate inbound and outbound truck turn paths with the right-turn taper lane installation. Proposed site access was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned. The implementation of mitigation measure MM TRANS-1 below would reduce potential intersection design/right-turn approach impacts to a less than significant level.



The project would include construction of seventeen (17) parking spaces (16 standard spaces and one ADA space). Based upon the County standard of 2.6 persons per vehicle during weekdays and 2.8 persons per vehicle during weekends and 1.05 persons per vehicle for employees the minimum parking required for daily activities would be 24 parking spaces. However, it is unlikely that the winery would host 25 visitors or be staffed by 15 full-time employees at one time. No parking will be permitted within the right-of-way of SR 29 or on the adjacent Heitz and Maple Lanes. A requirement for preparation of a parking plan and/or shuttle service for larger events (100 guests), as needed by the applicant, would be added as a project-specific condition.

- g. As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation. The project site lies along the planned route of the Napa Valley Vine Trail which is included in the Napa Countywide Bicycle Plan. Access would be provided to this bicycle pathway as part of the project. As conditioned by the Public Works Department, the applicant shall provide a minimum 14-foot wide easement along the frontage of SR 29/128 and ensure that this easement area remains clear on the final site plan. No impact would occur.

**Mitigation Measure:**

MM TRANS-1: The permittee is required to construct a westbound right-turn taper from SR 29 to Maple Lane prior to issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P12-00222. Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P12-00222. The applicant shall obtain an encroachment permit from the California Department of Transportation (Caltrans) prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any building permits until required improvements have been installed and certified by the Director of Public Works as complete.

**Monitoring:** Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P12-00222. Prior to the issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P12-00222, installation of a westbound right-turn taper from SR 29 to Maple Lane shall be installed by the applicant to the satisfaction of the Director of Public Works.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. <b>TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a/b. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites or tribal resources have been identified on the property. Invitation for tribal consultation was completed pursuant to AB 52 and one response was received from the Yocha Dehe Wintun Nation. A site visit was conducted with tribal representatives on September 8, 2016 and a letter was received from Yocha Dehe Wintun Nation dated October 18, 2016 noting that the tribe is not aware of any known cultural resources near this project site and that a cultural monitor is not needed. No impact would occur.

**Mitigation Measures:** None required.

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

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. According to the Wastewater Feasibility Study prepared by Summit Engineering on April 21, 2016, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

According to the Water Availability Analysis (WAA) prepared by Summit Engineering, Incorporated on October 23, 2015, five existing wells near the proposed winery facility would remain in service and provide for the domestic, winery process, and irrigation needs of the property. An existing well located on APN 020-170-012 would be abandoned. Three 20,000 gallon water storage tanks are also proposed (*Flynnville Wine Company Use Permit Assistance - Water Availability Analysis, 2015*). The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project. Impacts would be less than significant.

c. Patrick Ryan, P.E., Supervising Engineer, of the County's Engineering Division, reviewed all drainage studies referenced above and concluded that the project would not substantially alter the existing drainage pattern on site or cause a significant increase in erosion or siltation on or off the site. The preliminary grading and drainage plan and storm water control plan have also been reviewed by the Engineering Division. As conditioned, impacts would be less than significant.

d. As discussed in **Section IX** above, 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 10.09 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. 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 4.49 AF/YR would be required to serve the site which is below the parcel's allowable 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. Impacts would be less than significant.

- 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 through 2030. Impacts would be less than significant.
- g. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

**Mitigation Measures:** None required.

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

**Discussion:**

- a. As discussed in **Section IV** above, all potential biological related impacts would be less than significant with implementation of the biological resources mitigation measures. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In the event archaeological artifacts are found, a standard condition of approval would be incorporated into the project. Impacts would be less than significant with the incorporation of the biological resources mitigation measures and standard condition of approval related to cultural resources.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The project would also increase the demands for public services to a limited extent, increase traffic and air pollutions, all of which contribute to cumulative effects when future development in Napa Valley is considered. Cumulative impacts of these issues are discussed in previous sections of this Initial Study, wherein the impact from an increase in air pollution is being addressed as discussed in the project's Greenhouse Gas Voluntary Best Management Practices including but not limited to: generation of on-site renewable energy via the installation of a solar photovoltaic array on the production building roof; providing charging stations for electric vehicles at no charge; utilizing the proposed solar photovoltaic system to heat water; installation of LED and fluorescent lights; use of a cool roof with a high solar reflectance index; installation of bicycle parking facilities; access to the proposed Class bicycle lane along State Highway 29; composting of landscape trimmings and food waste; provision of informational handouts regarding transit facilities located within 500 feet of the project site; minimization of grading and tree removal; planned certification as a Napa Green Winery; use of recycled water to irrigate proposed vineyard planting; use of water sense certified fixtures; water efficient landscape; recycling of 75 percent of all waste; education to staff and visitors on sustainable practices; and the installation of owl houses and bat houses.

Potential impacts are discussed in the respective sections above. The project trip generation was calculated from winery operations, where the calculated trips reflect total visitation, on-site employees and wine production trips generated by the winery. Under the Napa County General Plan, traffic volumes are projected to increase and will be caused by a combination of locally generated traffic as well as general regional growth. The General Plan EIR indicates that much of the forecasted increase in traffic on the arterial roadway network will result from traffic generated outside of the county, however the project would contribute a small amount toward the general overall increase.

General Plan Policy CIR-16 states that "The County will seek to maintain an arterial Level of Service D or better on all County roadways, except where the level of Service already exceeds this standard and where increased intersection capacity is not feasible without substantial additional right of way." State Route 29/128 is listed as two-lane Rural Throughways on the General Plan Circulation Map and currently operates at a LOS C in the project study area. As discussed above under Section XVI Transportation, the project's additional traffic at the peak hours would avoid a deterioration of the level of service on State Route 29/128 by adding less than one percent to the existing volume, reducing potential cumulative impact to a less than significant level.

- c. All impacts identified in this MND are either less than significant after mitigation (biological resources, noise, and traffic/transportation) 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 Required.

PROJECT REVISION STATEMENT  
Flynnville Wine Company Use Permit No. P12-00222 & Variance No. P12-00223

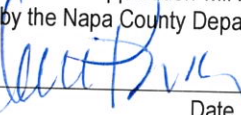
I hereby revise Flynnville Wine Company Use Permit No. P12-00222 & Variance No. P12-00223 for the construction of a new phased 60,000 gallon per year winery and two winery buildings, totaling 24,210 square feet on a 10.09-acre parcel (Assessor's Parcel No.: 020-320-003; 020-320-006; 020-320-009; 020-320-015, 020-320-016, and 020-170-012 located at 1184 Maple Lane, Calistoga, CA, to include the eight (8) measures specified below:

- MM BIO-1:** Prior to the issuance of demolition permits or grading permits for any work associated with this project, a qualified biologist shall implement the recommendations identified on pages 3-6 applicable to the parcels subject to this application in the November 19, 2012 Bat Habitat Assessment prepared by Wildlife Research Associates. Methods include encouraging bats to voluntarily leave the roosts over a two day period of time by creating an environment uncondusive to bat habitat by creating noises and vibrations. A qualified biologist shall monitor the roosts closely until it is determined that the roosts are no longer active, at which time construction activities may commence.
- MM BIO-2:** If any widening or replacement to the existing culvert, crossing the drainage near the proposed waste water treatment area is proposed, consultation and permitting must be obtained from the California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards prior to and during the construction.
- MM BIO-3:** Prior to issuance of a grading permit, a final tree removal plan shall be prepared by a certified arborist.
- MM BIO-4:** Prior to issuance of a building permit, the applicant shall prepare a final landscape plan which shall reflect the replanting of eight oak trees on site.
- MM BIO-5:** Prior to the issuance of final certificate of occupancy, the final landscape plan shall be implemented in consultation with a certified arborist. The final landscape plan is to include the planting of two times the number of oak trees removed 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 NOI-1:** Prior to the issuance of any building permits to implement this use permit, the permittee shall submit an operation plan for the bottling and outdoor work area which shall require the bottling truck to be oriented such that open trailer doors, bottling lines, glass and container staging areas are located in the west and south sides of the truck. A sound curtain shall be utilized on the northern and eastern portions of the work area and all work shall occur on the approved outdoor work area and crush pad. The operations plan shall be prepared under the direction of a qualified acoustics professional, and shall be subject to review and approval of the Planning Division.
- MM NOI-2:** Prior to the issuance of any building permits to implement this use permit, the permittee shall submit plans for a temporary sound curtain to be placed in the vicinity of the outdoor work area/crush pad which shall be used when outdoor events of 100 guests occur. The sound curtain shall be designed by a qualified acoustics professional, shall be in substantial conformance with the recommendations put forth in the RGD Acoustics study incorporated herein, and shall result in noise levels meeting the current standards of the County for exterior and interior noise exposure. Final design of the sound curtain is subject to review and approval by the Planning Division.
- MM TRANS-1:** The permittee is required to construct a westbound right-turn taper from SR 29 to Maple Lane prior to issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P12-00222. Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P12-00222. The applicant shall obtain an encroachment permit from the California Department of Transportation (Caltrans) prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any building permits until required improvements have been installed and certified by the Director of Public Works as complete.

PD Properties, 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.

PD Properties, 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.

\_\_\_\_\_  
Dan Pina  
(Owner)



Date

1-11-2017

**Flynnville Wine Company Use Permit No. P12-00222 & Variance No. P12-00223  
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<b>Impact BIO-1: Biological Resources.</b> The proposed project has the potential to directly impact suitable habitat for the Townsend's big-eared bat.	<b>MM BIO-1:</b> Prior to the issuance of demolition permits or grading permits for any work associated with this project, a qualified biologist shall implement the recommendations identified on pages 3-6 applicable to the parcels subject to this application in the November 19, 2012 Bat Habitat Assessment prepared by Wildlife Research Associates. Methods include encouraging bats to voluntarily leave the roosts over a two day period of time by creating an environment uncondusive to bat habitat by creating noises and vibrations. A qualified biologist shall monitor the roosts closely until it is determined that the roosts are no longer active, at which time construction activities may commence.	Prior to the issuance of a demolition or grading permit, the permittee shall submit plans which reflect the incorporation of the bat removal recommendations to be implemented by a qualified biologist for the review and approval of Planning Division staff.	P	PD	PC _/_/_
<b>Impact BIO-3: Biological Resources.</b> The proposed project has the potential to directly impact the drainage area near the proposed wastewater treatment area if the existing culvert is widened.	<b>MM BIO-2:</b> If any widening or replacement to the existing culvert, crossing the drainage near the proposed waste water treatment area is proposed, consultation and permitting must be obtained from the California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards prior to and during the construction.	Proof of the required permits and consultation for any widening or replacement of the existing culvert identified on Site Plan page UP2, and located near the proposed waste water treatment area, from California Fish and Wildlife, U.S Army Corps of Engineers, and Regional Water Quality Control Boards shall be submitted to Planning Division staff prior to the issuance of a grading permit.	P	PD	PC _/_/_
<b>Impact BIO-5: Biological Resources.</b> The proposed project has the potential to directly impact oak woodlands in conflict with the County's General Plan policies.	<b>MM BIO-3:</b> Prior to issuance of a grading permit, a final tree removal plan shall be prepared by a certified arborist.	The final tree removal plan shall be submitted for review and approval to Planning Division staff with recommendations for tree removal prior to issuance of the grading permit.	P	PD	PC _/_/_

Notes: P = Permittee, PD = Planning Division, BD = Building Division, AC = Agricultural Commissioner, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist  
PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
	<b>MM BIO-4:</b> Prior to issuance of a building permit, the applicant shall prepare a final landscape plan which shall reflect the replanting of eight oak trees on site.	The final landscape plan shall be prepared by a qualified professional and shall be submitted for review and approval to Planning Division staff prior to issuance of the building permit.	P	PD	PC _/_/_
	<b>MM BIO-5:</b> Prior to the issuance of final certificate of occupancy, the final landscape plan shall be implemented in consultation with a certified arborist. The final landscape plan is to include the planting of two times the number of oak trees removed 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.	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. A certified arborist shall also submit a letter at five years confirming the trees have met the success criteria of 80 percent survival.	P	PD	FI _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<b>Impact NOI-3: Noise.</b> The proposed project has the potential to create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	<b>MM NOI-1:</b> Prior to the issuance of any building permits to implement this use permit, the permittee shall submit an operation plan for the bottling and outdoor work area which shall require the bottling truck to be oriented such that open trailer doors, bottling lines, glass and container staging areas are located in the west and south sides of the truck. A sound curtain shall be utilized on the northern and eastern portions of the work area and all work shall occur on the approved outdoor work area and crush pad. The operations plan shall be prepared under the direction of a qualified acoustics professional, and shall be subject to review and approval of the Planning Division.	County Planning Division Staff shall review and approve the operations plan prior to issuance of building permit plans for the project. Planning Division staff will inspect the facility prior to final occupancy. County Code Enforcement Staff conduct winery use permit compliance audits, such that future use of the operations plan will be monitored. Code Enforcement staff will respond to any noise complaints.	P	PD	PC __/__/__ FI __/__/__ OG __/__/__
	<b>MM NOI-2:</b> Prior to the issuance of any building permits to implement this use permit, the permittee shall submit plans for a temporary sound curtain to be placed in the vicinity of the outdoor work area/crush pad which shall be used when outdoor events of 100 guests occur. The sound curtain shall be designed by a qualified acoustics professional, shall be in substantial conformance with the recommendations put forth in the RGD Acoustics study incorporated herein, and shall result in noise levels meeting the current standards of the County for exterior and interior noise exposure. Final design of the sound curtain is subject to review and approval by the Planning Division.	County Planning Division Staff shall review and approve the sound curtain design prior to issuance of building permit plans for the project. Planning Division staff will inspect the facility prior to final occupancy. County Code Enforcement Staff conduct winery use permit compliance audits, such that future use of the sound curtain for outdoor events will be monitored. Code Enforcement staff will respond to any noise complaints.	P	PD	PC __/__/__ FI __/__/__ OG __/__/__

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 PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p><b>Impact TRANS-4: Transportation/Traffic.</b> The proposed project has the potential to substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</p>	<p><b>MM TRANS-1:</b> The permittee is required to construct a westbound right-turn taper from SR 29 to Maple Lane prior to issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P12-00222. Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P12-00222. The applicant shall obtain an encroachment permit from the California Department of Transportation (Caltrans) prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any building permits until required improvements have been installed and certified by the Director of Public Works as complete.</p>	<p>Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P12-00222. Prior to the issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P12-00222, installation of a westbound right-turn taper from SR 29 to Maple Lane shall be installed by the applicant to the satisfaction of the Director of Public Works.</p>	<p>P</p>	<p>PW/CT</p>	<p>PC _/_/_/ FI _/_/_/</p>

Notes: P = Permittee, PD = Planning Division, BD = Building Division, AC = Agricultural Commissioner, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist  
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