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CEQA Exemption Memo



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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Planning Commission From: Kyra Engelberg, Planner II

Date: October 24, 2017 Re: Schramsberg Winery Entry Gate CEQA Determination
Use Permit Exception to Conservation Regulations, P17-00288
3999 St. Helena Highway, Calistoga
Assessor's Parcel No. 020-230-001

Pursuant to Section 303 of Napa County's Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed Schramsberg Winery Entry Gate Use Permit Exception to Conservation Regulations (File No. P17-00288).

The project is located on a 69-acre parcel at 3999 St. Helena Highway in Calistoga (Assessor's Parcel Number 020-230-001). The property is within the AW (Agricultural Watershed) Zoning District. The proposed project is a request for an exception to the Napa County Conservation Regulations (County Code Chapter 18.108), in the form of a Use Permit, in order to allow a new entry gate across a private access road (Schramsberg Road) to encroach into the minimum required 45-foot stream setback from the top of bank of an unnamed county definitional stream (Napa County Code Section 18.108.025). Schramsberg Winery is located at 1400 Schramsberg Road (Assessor's Parcel No. 020-300-014), south of the project site. This winery is owned by the project proponent Schramsberg Vineyard Company and is the location to which the gate would provide security. The winery and vineyards on the parcel were originally established in 1973, and have been modified and expanded over the ensuing years under various County permits. The proposed gate would not alter the winery in any way.

The current private access road width and alignment of Schramsberg Road was approved in 2004 and improved under permit #02643-MOD. The alignment was allowed within the stream setback due to the physical limitations of the site. The applicant has an existing 30-foot-wide access easement for this private road's alignment through the parcel on which the gate is proposed. Note that the private road passes through two other parcels (Assessor's Parcel No's 020-390-011 and 020-300-015), but these are both owned by Schramsberg Vineyard Company and therefore did not require easements. In December, 2015, the applicant entered into an agreement with Villa Amorosa Inc., the owner of the parcel on which the gate is proposed, to allow Schramsberg Vineyards Company to install and operate the proposed gate within the existing 30-foot-wide access easement at the location specified in the gate agreement. The Amorosa Property consists of vineyard and woodland, abutting St. Helena Highway.

The proposed new gate would provide security during non-work hours (before 8:00 a.m. and after 5:00 p.m.) for Schramsberg Winery. Installation of the gate includes construction of two gate pillars consisting of 6-inch square posts with 1/4-inch thick walls which would be set in 18-inch diameter concrete footings 48 inches in depth. Each pillar would have a corresponding concrete pad (2-feet by 2-feet by 1-foot) on which the gate operators would be placed. In addition, a narrow/shallow trench (6 to 12 inches wide and 24 inches deep) would be excavated in order to provide power to the operator motors at each pillar from the existing power pole. The combined area of disturbance for the construction is approximately 30-35 square feet, all within the stream setback. The pillar closest

to the stream would be located approximately 4 feet from the top of bank. The gate would be open during business hours (8:00 a.m. to 5:00 p.m.) and opened by security code or transmitter during non-work hours. The gate would open automatically for vehicles leaving during non-work hours.

The new gate would cross the existing paved private access road that provides sole access for Schramsberg Winery. Gate pillars would be installed within the un-vegetated gravel shoulder of the existing private access road, and would not require any tree removal. No other exceptions to County standards are requested or are necessary for the proposed project.

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA, including Guidelines Section 15303 (Categorical Exemption Class 3 New Construction or Conversion of Small Structures), which exempts the construction of new structures, including single family residences, a second dwelling unit, appurtenant structures, and road improvements; and CEQA Guidelines Section 15304 (Categorical Exemption Class 4 Minor Alterations to Land), which exempts minor alterations to land including minor trenching where the surface is restored.

Under CEQA Guidelines Section 15300.2, a Categorical Exemption cannot be used if environmental sensitivities exist at the site. An unnamed county definitional stream is located on the project site. In order to evaluate potential impacts on the stream, the stream setback was calculated pursuant to County Code Section 18.108.025. The proposed entry gate is located within the 45-foot stream setback. Installation of the gate would require disturbance of approximately 30-35 square feet within the stream setback. The area of disturbance would be entirely within the gravel shoulder and would require minimal vegetation removal, limited to incidental ruderal vegetation within the shoulder. While mature trees bound the location of the proposed gate, no trees would be removed. Thus, no riparian or woodland habitat that would be disturbed by the project. There are no wetlands in the project area. Earthwork involved would be limited to excavation for 18-inch diameter concrete footings 48 inches in depth, and a narrow/shallow trench (6 to 12 inches wide and 24 inches deep) to supply power to the gate. Slopes in the vicinity of the project area are relatively shallow, not exceeding 15 percent. The project will not have an impact on the stream.

The proposed project would not result in any changes to the winery or access road alignment, and would not require removal of any trees. There are no designated historic structures on or adjacent to the property, and the site of the proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Based on the proposed project as described above, the Schramsberg Winery Entry Gate Use Permit Exception to Conservation Regulations request meets the criteria for eligibility as a Class 3 and Class 4 Categorical Exemption from CEQA.

Should you have any questions, please contact Kyra Engelberg at (707) 299-1788 or via email at kyra.engelberg@countyofnapa.org.