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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:** Dry Creek/Mount Veeder Winery, Use Permit #P17-00343-UP and Variance #P17-00345-VAR
2. **Property Owner:** Oakville Winery, LLC; P.O. Box 222, Oakville, CA 94562
3. **Project Sponsor's Name and Address:** Steven Christopherson, Oakville Winery, LLC; P.O. Box 222, Oakville, CA 94562
4. **Representative:** Thomas F. Carey; P.O. Box 5662, Napa, CA 94581; (707) 479-2856
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 project is located on an approximately 55.5 acre site within the AW (Agricultural Watershed) zoning district at the intersection of Dry Creek Road and Mount Veeder Road; APN: 027-310-039.
7. **General Plan Description:** AWOS (Agriculture, Watershed, and Open Space) Designation
8. **Zoning:** Agricultural Watershed (AW) District
9. **Background/Project History:** The site is undeveloped. Existing improvements consist of a water storage tank and two wells. Access to the parcel is via Mount Veeder Road.
10. **Project Description:** Approval of a Use Permit for a new 30,000 gallon per year winery to allow the following:
 - a) Construction of a 2,400 square foot winery building (includes a 150 square foot tasting room); a 17,220 square foot cave (includes 15,890 square feet of barrel storage, 1,176 square feet for equipment/utility space, and 154 square feet of accessory space); 800 square foot covered crush pad; 2,942 square foot covered outdoor work area; and a 619 square foot owner/winemaker residence with 519 square foot covered patio;
 - b) Hosted daily tours and tastings by appointment only for a maximum of 10 persons per day and 70 persons per week Monday through Sunday;
 - c) A Marketing Program as follows:
 - a. Ten (10) events per year with a maximum of 30 guests;
 - b. One (1) event per year with a maximum of 100 guests;
 - c. All food to be catered; and
 - d. Time of day: 11:00 AM to 10:00 PM.
 - d) On-premises consumption of wines produced on site in the 519 square foot covered patio area in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
 - e) Hours of operation: 8:00 AM to 6:00 PM (production hours, except during harvest) and 10:00 AM to 4:00 PM (visitation hours), 7-days a week;
 - f) Employment of: maximum of four (4) full-time employees;
 - g) Employee hours: 8:00 AM to 6:00 PM, 2 shifts.
 - h) Construction of eight parking spaces (seven standard spaces and one ADA space);
 - i) Construction of one new driveway to access Mount Veeder Road;
 - j) Installation of landscaping;
 - k) Installation of a wastewater treatment system; and
 - l) Construction of one 20,000 gallon water storage tank (12,000 gallons for fire protection and 8,000 gallons for domestic use), use of one existing well, and demolition of one existing well.

A Variance application (P17-00345) is also requested to allow construction of the proposed covered crush pad 84 feet from the centerline of Mount Veeder Road and the proposed winery building 104 feet from the centerline of Mount Veeder Road. Both would be located within the minimum 300-foot winery setback from Mount Veeder Road.

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

The 55.5 acre project site is located within the AW zoning district at the intersection of Dry Creek Road and Mount Veeder Road. The parcel is comprised of mixed hardwood forest with varied terrain, with areas of relatively steep slopes interspersed with very steep slopes equal to or exceeding 30 percent. There are two small existing clearings on the parcel: (1) a small, fairly flat clearing southwest of the intersection of Dry Creek Road and Mount Veeder Road at the confluence of Dry Creek and Montgomery Creek (the Lower Flat); and (2) a small clearing located approximately 1,000 horizontal feet and 300 feet vertical upslope from the Lower Flat (the clearing with brush). The proposed winery is located on the southern tip of the Lower Flat as shown on the project plans. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones and is in an area designated as Very High Fire Hazard Severity. The property partially burned during the Nuns Fire in October 2017. The following soil types are present at the subject site: (1) Felton gravelly loam, 30 to 50 percent slopes, Felton gravelly loam, 50 to 75 percent slopes, Sobrante loam, 5 to 30 percent slopes, and Lodo-Maymen-Felton association, 30 to 75 percent slopes.

The property is surrounded by rural residential uses. The proposed winery building is located approximately 208 feet to the west of the nearest neighboring residence which lies on the east side of Mount Veeder Road.

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

U.S. Army Corps of Engineers
 California Department of Fish and Wildlife (DFW)
 Regional Water Quality Control Board

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 Assembly Bill 52 (AB 52) Public Resources Code section 21080.3.1? If so, has consultation begun?** On January 19, 2018, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No requests for consultation were received from the other Native American tribe traditionally and culturally affiliated with the project area during the 30-day consultation request period or afterward.

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.



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. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by rural residential uses. 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 undeveloped. New structures would be constructed for a winery and residence. 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 35 feet. Materials would include standing seam metal roofing and wood board and batten siding. The winery would be located approximately 104 feet from the centerline of Mount Veeder Road and 208 feet from the nearest residence. Minimal tree removal is proposed and there are no rock outcroppings visible from the road or other designated scenic resources on the property. The proposed winery would be partially screened by the existing trees at the project site. No winery structures are proposed on slopes of 15 percent or greater. 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 building 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 conditions of approval, below, the project would not have a significant impact resulting from new sources of outside lighting.

6.3 **LIGHTING – PLAN SUBMITTAL**

- a. *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 CBC.*
- b. *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; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.*

4.16 **GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS**

- a. *All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.*

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES. ¹ Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide 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 checked="" type="checkbox"/>	<input 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 "Other Land." Accordingly, implementation of the project 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. There are no other changes included in this proposal that would result in the conversion of Farmland. 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 AW, 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 contains areas of sensitive biotic oak woodland. However, no development is proposed within these areas. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.

Mitigation Measures: None required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<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:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAQMD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a-c. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the

Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Other criteria pollutants, such as lead and sulfur dioxide (SO₂), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Because 20,239 square feet of floor area including a 150 square foot tasting room is proposed when compared to the BAAQMD's operational criteria pollutant screening size of 541,000 square feet for general light industrial, and compared to the BAAQMD's screening criterion of 47,000 square feet for a high quality restaurant, the project would not significantly impact air quality and does not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.). Given the size of the entire project, which is approximately 20,239 square feet of enclosed floor area including approximately 150 square feet of floor area for tasting/hospitality uses compared to the BAAQMD's screening criterion of 47ksf (high quality restaurant) and 541ksf (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- 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:

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *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.*

7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *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. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Furthermore, while earthmoving and construction on the site would 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:

7.1 **SITE IMPROVEMENTS**

b. **DUST CONTROL**

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 mph.

- 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 208 feet to the west of 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.	BIOLOGICAL RESOURCES. Would the project:				
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* prepared by Northwest Biosurvey, a total of fourteen sensitive wildlife species were assessed for potential occurrence at the site because of inclusion in the California Natural Diversity Database (CNDDDB) for the quadrangle or the Napa County BDR. Possible habitat occurs for the following species: Pacific giant salamander; Foothill yellow-legged frog; Western pond turtle; Northern spotted owl; Lewis' woodpecker; and pallid bat. Surveys were conducted for bat habitat within the proposed development area and no suitable bat habitat trees were found. Northern California black walnut is widespread throughout the Dry Creek corridor and is listed as a CNPS List 1B species. Establishing the wildlife and riparian buffer identified in mitigation measure BIO-1 as well as implementation of mitigation measures BIO-2, BIO-3, and BIO-4, would reduce potentially significant impacts to a level of less than significant. A follow-up response by Northwest Biosurvey dated January 10, 2018 confirmed that "as shown in the plan, the project is limited to the ruderal (disturbed) area cleared by Cal Fire during the Nuns Fire. Consequently, I agree that the project will not significantly impact woodland or other biological resources provided that the mitigation measures recommended in our report are implemented" (Northwest Biosurvey, 2018).
- c/d. According to the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* the site contains 0.71 acres of possible waters of the U.S. If filled or otherwise modified, a potential impact would occur subject to regulation by the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife. Implementation of mitigation measure BIO-1 would avoid impacts to the main channel of Dry Creek. However, placement of fill within the tributary marked as channel "B" in Figure 3 of the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* would require implementation of mitigation measure BIO-5 below to reduce potentially significant impacts to a level of less than significant. Implementation of mitigation measure BIO-1 would also avoid the disruption of wildlife movement along the Dry Creek riparian corridor and minimize the potential isolation and fragmentation of remaining habitat on the property.
- e. As illustrated on the submitted plans, the proposal is limited to the ruderal (disturbed) area cleared by Cal Fire during the Nuns Fire. Moreover, implementation of the conservation buffer detailed in mitigation measure BIO-1 would preserve all coast live oak woodland at the site. Impacts would be 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: In order to avoid disruption of wildlife movement along the Dry Creek riparian corridor, a wildlife movement and riparian corridor buffer shown as a red polygon in Figure 2 in the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* prepared by Northwest Biosurvey shall be implemented. The westward edge of this buffer shall be defined by a low, deer-passable fence or wall to prevent vehicle movement or storage within the buffer and to establish a sense of usable space for wildlife. Deer fencing shall be restricted to the development areas and shall not extend along linear features such as roadways or property lines.

Monitoring: The wildlife movement and riparian corridor buffer shall be shown on the site plan prior to the issuance of a grading permit or building permit.

MM BIO-2: If vegetation clearing or other land disturbance within 100 feet of Douglas Fir or California black oak forest is proposed during the bird breeding season (February 15 through August 31), the work shall be preceded by a survey for Lewis' woodpecker and other migratory passerines (perching birds) by a qualified biologist within 14 days prior to the beginning of work. In the event that nesting birds are found during the survey, construction buffers shall be established by the biologist in cooperation with the California Department of Fish and Wildlife. These buffers shall remain in place until offspring have fledged or after August 31.

Monitoring: If vegetation clearing or other land disturbance within 100 feet of Douglas Fir or California black oak forest is proposed during the bird breeding season (February 15 through August 31), the Lewis' woodpecker and other migratory passerines (perching birds) survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-3: Prior to commencement of vegetation removal and earth-disturbing activities during nesting season from February 1 to July 9, a qualified wildlife biologist shall conduct preconstruction surveys for Northern Spotted Owls within 500-feet of earthmoving activities. The preconstruction survey shall be conducted no more than 14 days prior to vegetation removal and ground disturbing activities are to commence. A copy of the survey shall be provided to the County Planning Division and the

Department of Fish and Wildlife (DFW) prior to commencement of work. If Northern Spotted Owls are found during preconstruction survey, a 500-foot no-disturbance buffer shall be created around active owl sites. These buffer zones may be modified in coordination with DFW based on existing conditions at the project site. Buffer zones shall be incorporated into the project plans and maintained for the duration of the project. If a 15 day or greater lapse of project-related work occurs, another pre-construction survey and consultation with DFW shall be required before project work can be reinitiated.

No surveys shall be required if construction activity occurs outside of the nesting season from February 1 to July 9.

Monitoring: If construction activity is to occur during the nesting season from February 1 to July 9, the pre-construction survey prepared by a qualified wildlife biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-4: If trees are to be removed outside of the dates listed below, any tree to be removed that is suitable for use by bats shall be surveyed for signs of bats. This survey shall occur no earlier than 14 days prior to tree removal. Suitable trees include those with hollows and/or shedding bark. If pallid bats, or other bats with sensitive regulatory status, are discovered during the surveys, a buffer of 50 feet shall be established depending on the recommendations of the surveying biologist. Removal of these roost trees shall be restricted to between September 15 and October 15, when young of the year are capable of flying, or between February 15 and April 1 to avoid hibernating bats and prior to formation of maternity sites.

Monitoring: If trees are to be removed outside of the dates listed above, the pre-construction bat survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-5: If any placement of fill within the tributary marked as channel "B" in the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* is proposed, consultation and permitting must be obtained from the U.S Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife prior to and during the construction.

Monitoring: Proof of the required permits (404 permit by the U.S. Corps of Engineers, 401 Water Quality Certification from the Regional Water Quality Control Board, and 1604 Stream Alteration Agreement from the California Department of Fish and Wildlife) and consultation for any placement of fill within the tributary marked as channel "B" in the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* from the agencies identified above shall be submitted to Planning Division staff prior to the issuance of a grading permit.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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:

7.2 ARCHEOLOGICAL FINDING

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 project development, all work in the vicinity must be 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 permittee shall comply with the requirements of 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. Most 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 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.
 - 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 edition of the California Building Code for seismic stability would result in less than significant impacts.

- iv.) According to the *Preliminary Geologic Hazards Evaluation Proposed Winery and Wine Cave –Dry Creek-Mt. Veeder Project Oakville Winery LLC, Napa County, California APN 027-310-039* prepared by Condor Earth, “it appears that the parcel is most likely not underlain by a massive landslide deposit.” (Condor Earth, 2017) The proposed winery and wine cave development area is located at the low end of the spur ridge, where the slopes are relatively low and not too steep, where the natural ground appears stronger, and where no old landslide features (scarps or hummocky ground) were observed. (Condor Earth, 2017). Implementation of mitigation measure GEO-1 would reduce potentially significant impacts to a level of less than significant.
- b. The proposed improvements would occur on slopes of five percent to 15 percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. The following soil types are present at the subject site: (1) Felton gravelly loam, 30 to 50 percent slopes, Felton gravelly loam, 50 to 75 percent slopes, Sobrante loam, 5 to 30 percent slopes, and Lodo-Maymen-Felton association, 30 to 75 percent slopes. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the improvements are proposed for an area which has a very high or medium susceptibility for liquefaction. According to the *Preliminary Geologic Hazards Evaluation Proposed Winery and Wine Cave –Dry Creek-Mt. Veeder Project Oakville Winery LLC, Napa County, California APN 027-310-039*, “We suggest that, from a geologic hazards point of view, the area near the toe of slope and Well #1, and the adjacent area where the powerlines cross the nose of the ridge, are feasible areas for a winery and cave development. Therefore, the project team selected this area for the proposed winery and cave development.” (Condor Earth, 2017) Implementation of mitigation measure GEO-1 and compliance with the latest building standards and codes, including the California Building Code, would reduce potentially significant impacts to a level of less than significant.
- e. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering on September 13, 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded “it is our opinion that the proposed winery and residential disposal needs can be accommodated onsite as previously described.” (Applied Civil Engineering, 2017) The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

Mitigation Measure

MM GEO-1: Prior to building permit submittal, a subsurface geological exploration of the proposed winery building and cave site shall be conducted by a qualified geologist and shall include a geologic hazard report containing the information and technical recommendations required under Napa County Code section 15.08.050.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<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_{2e})]. This threshold of significance is appropriate for evaluating projects in Napa County.

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

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 (CO₂) 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). Equivalent Carbon Dioxide (CO_{2e}) 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 2017). In this case, carbon dioxide (CO₂) is used as the reference atom/compound to obtain atmospheric carbon CO₂ effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO_{2e}) 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 a winery development project include: i) the carbon stocks that are lost (or released) when existing vegetation is removed and soil is ripped in preparation for a new winery structure and associated infrastructure; and ii) emissions associated with the energy used to develop and prepare the project area and construct a 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 any existing vegetation that is proposed to be removed. As previously stated, this project includes the construction of a wine cave, winery building, and residence totaling 20,239 square feet.

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.

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. Because 20,239 square feet of floor area including a 150 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 CO₂e/yr GHG threshold of significance.

Furthermore, the applicant proposes to incorporate the following GHG reduction methods including: installation of rooftop solar panels; exceeding Title 24 energy efficiency standards: Build to CALGREEN Tier 2 (cave); solar hot water heating; energy conserving lighting; energy star roof/living roof/cool roof; installation of water efficient fixtures; application of low impact development; installation of water efficient landscape; site design which minimizes tree removal and grading.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO₂e. 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
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 a new 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 winery buildings. According to Google Earth, the nearest school to the project site is Yountville Elementary School, located approximately 4.3 miles to the east. 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 project's access driveway 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 site is located less than one half mile from a Dry Creek –Lokoya Volunteer Fire Department station and was utilized as a Cal Fire staging area during the Nuns Fire of October 2017. The project would 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. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 town across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The County of Napa had 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 and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

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 Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district". Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Carneros region (mostly salinity). The subject property is located within the Western Mountains subarea of Napa County according to the Napa

County Groundwater Monitoring Plan 2013. The County has no record of problems or complaints of diminished groundwater supplies at the project site or in the general vicinity. The applicant has not experienced any issues with the availability of groundwater.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). 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 "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 analysis was completed by Condor Earth on September 8, 2017 which included a parcel specific recharge evaluation. According to the recharge evaluation, the property yields "7.8 AF in normal years and 3.2 AF in the dry year." (Condor Earth, 2017)

a/b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering on September 13, 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded "it is our opinion that the proposed winery and residential disposal needs can be accommodated onsite as previously described." (Applied Civil Engineering, 2017) 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. Fire protection system water as well as domestic water would be provided a 20,000 gallon (12,000 gallons for fire protection and 8,000 gallons for domestic use) water storage tank. Well #1 was drilled in November 2014 to a total depth of 300 feet. This well is slated for destruction as it is within the footprint of the proposed winery development. Project water would be provided from Well #2. According to the WAA, this well was drilled in May 2017 and has an estimated yield of 4 gpm after four hours of air lift pumping. (Condor Earth, 2017) The applicant submitted a Tier 2 WAA completed by Condor Earth on September 8, 2017 showing the projected water use for the project is 2.51 AF/YR. The parcel water demand can be met with the existing on site well. 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 proposed water use:

Usage Type	Proposed Usage
Residential	0.750
Winery	
Wine Production	0.645
Employees	0.069
Tastings and Marketing Events	0.042
Landscape Irrigation	1.000
Total (Acre-ft per Year)	2.51

The estimated groundwater demand of 2.51 AF/YR, represents an increase of 2.51 AF/YR over the existing condition. Compared to the proposed water use, the parcel would recharge approximately 3.1 times more groundwater than would be used in a normal year (7.8 AF/YR) and 1.3 times more water than would be used in the driest year (3.2 AF/YR). (Condor Earth, 2017). 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 slight increase on the demand of ground water supplies. Septic system records indicate that a well (Well #3 on Figure 2 of the WAA) is within the 500-foot setback criteria on APN 027-310-016 (Neighbor A), approximately 470 feet north of the project well. A review of County documents indicates this well has not been used as a water source since April 2005 and that the current water source for this parcel is a spring. However, Condor Earth concluded that the potential connectivity between the part of the aquifer system from which the groundwater is planned to be produced and the well and/or spring serving Neighbors A and B is so remote as to be insignificant, and the proposed use would have no impact on surface water or neighboring groundwater users. Impacts would be less than significant.

- c-d. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Impacts would be less than significant.
- e. The preliminary grading and drainage plan has 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 project site is located outside the boundaries of the 100 and 500 year flood hazard zones. Accordingly, no impact would occur.
- i/j. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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-c. The project would not occur within an established community, nor would it result in the division of an established community.

The project complies with the Napa County Code and all other applicable regulations with the exception of a Variance application (P17-00345) requested to allow construction of the proposed covered crush pad 84 feet from the centerline of Mount Veeder Road and the proposed winery building 104 feet from the centerline of Mount Veeder Road. Both would be located within the minimum 300-foot winery setback from Mount Veeder Road. As shown on the "Opportunities and Constraints Site Plan for Variance Request" exhibit prepared by Applied Civil Engineering, Inc. on November 3, 2017, strict application of the required setbacks would require expansion of the previously disturbed area resulting in grading on slopes in excess of 30 percent and the removal of oak woodland. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows 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 Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

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

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

The General Plan includes two policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. No impacts would occur.

Mitigation Measures: None required.

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

Discussion:

a/b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (*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 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
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 208 feet to the east 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 830 feet northwest of the proposed winery structure. 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. Condition of approval 7.3 below 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.

7.3. CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.

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 winery building. However, mechanical equipment would be fully enclosed within the proposed utility room in the winery cave. Community noise is commonly described in terms of the "ambient" noise level which is defined as the all-encompassing noise level associated with a given noise environment. The Napa County General Plan EIR indicates the average, or equivalent, sound level (L_{eq}) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes.

The standard conditions of approval require that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. The proposed marketing activities could create additional noise impacts, with the submitted marketing plan including 11 events on an annual basis with the largest event 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 rural residential uses with the nearest residence located approximately 208 feet from the proposed winery building site. With the location of the closest receptor residence ±208 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 ±208 feet away, the noise level for the bottling activity at the adjacent residence would be approximately 12.4 decibels lower than the measured 65 dBA noise level 50 feet from the bottling line, or 52.6 dBA. Additionally, the proposed 11 marketing events with the largest event 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 208 foot distance, the noise level for an event would be 4.6. dB lower, or 55.4 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. Potential noise impacts from on-premises consumption of wines produced on site in the 519 square foot covered patio area would be minimal as well based upon the limited number of visitors anticipated to use this area and because this area would be covered. 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. Amplified music or sound systems would not be permitted for outdoor events as identified in standard Condition of Approval 4.10 below. 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.

4.10 **AMPLIFIED MUSIC**

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

e/f. The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impact 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 east 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 through 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 through 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 four full-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 four full-time employees which are part of this project could lead to minor population growth in Napa County. However, the project includes a winemaker's residence which would provide housing to at least one of the proposed full-time employees. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

b/c. 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
XIV. PUBLIC SERVICES. Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 only one residence is 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. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. The project study area consists of the intersection of Dry Creek Road and Mount Veeder Road. The project site would be accessed via a private driveway connecting to Mount Veeder Road.

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)

Public Works Department staff reviewed the proposal and concluded that a traffic study was not required due to the expected trip generation, trip distribution, and location of the project. The project is anticipated to generate up to eight weekday daily vehicle trips and up to 11 weekend daily vehicle trips. Up to 63 daily trips would occur on Saturday during crush. As proposed, the use would not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, the project would result in a nominal increase in trips on the study area transportation network. Additionally, a project specific condition would ensure that marketing events of more than 30 guests be scheduled to avoid beginning or ending during the hours to 3:00 PM to 6:00 PM. Impacts would be less than significant.

- c. No air traffic is proposed and there are no new structures proposed for this project that would interfere with or require alteration of air traffic patterns. No impact would occur.
- d-f. After implementation of the proposed project, the site would be accessed via a driveway on Mount Veeder Road. Sight distance along Mount Veeder Road at the project driveway was evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The proposed project driveway sightlines would meet standards provided landscaping is maintained in a manner which does not interfere with these sightlines as provided in mitigation measure TRANS-1. Proposed site access was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned.

The proposal includes the construction of eight parking spaces (seven standard and one ADA accessible) near the winemaker's residence. 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 eight parking spaces. Two parking spaces are also required for the proposed winemaker's residence and would be required to be shown on the site plan prior to building permit issuance via a project specific condition. However, it is unlikely that the winery would host 10 visitors at one time and have four full-time employees at the site at one time.

- g. As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation. The project proposes the installation of bicycling parking facilities. No impact would occur.

Mitigation Measures:

- MM TRANS-1: Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic devices. Street trees should be deciduous and have branches lower than four feet in height removed once the tree is established.

Monitoring: The final landscape plan shall reflect the implementation of these standards prior to issuance of a building permit.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. On January 19, 2018, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. Yocha Dehe Wintun Nation responded in a letter dated January 25, 2018 that they were not aware of any known cultural resources near this project site and a cultural monitor is not needed. However, they recommended cultural sensitivity training for any project personnel prior to the start of project construction as required in mitigation measure TRI-1. Impacts would be less than significant with the implementation of mitigation measure TRI-1.

Mitigation Measure:

MM TRI-1: Prior to commencement of construction of project improvements at the project site, the permittee shall coordinate with a representative of Yocha Dehe Wintun Nation. Pre-construction coordination shall include a training of construction field crews, by a tribal representative of the potential for presence of Native American resources on the property, the potential types of resources that could be found on-site, and the procedures to follow in the event of discovery of such resources.

Monitoring: Concurrently with submittal of the grading application for project improvements to Engineering and Building staff of PBES, the permittee shall submit confirmation of submittal of the grading plans to the tribal representative previously identified. If the permittee neglects to submit such confirmation to PBES, then Planning staff of PBES will convey a copy of the plans to the tribal representative upon receipt of the grading permit application.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 Onsite Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering on September 13, 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded "it is our opinion that the proposed winery and residential disposal needs can be accommodated onsite as previously described." (Applied Civil Engineering, 2017) The Division of Environmental Health reviewed this report and concurred with its findings.

The subject parcel currently sources water from two wells. Fire protection system water as well as domestic water would be provided a 20,000 gallon (12,000 gallons for fire protection and 8,000 gallons for domestic use) water storage tank. Well #1 was drilled in November 2014 to a total depth of 300 feet. This well is slated for destruction as it is within the footprint of the proposed winery development. Project water would be provided from Well #2. According to the WAA, this well was drilled in May 2017 and has an estimated yield of 4 gpm after four hours of air lift pumping. (Condor Earth, 2017) The estimated groundwater demand of 2.51 AF/YR, represents an increase of 2.51 AF/YR over the existing condition. Compared to the proposed water use, the parcel would recharge approximately 3.1 times more groundwater than would be used in a normal year (7.8 AF/YR) and 1.3 times more water than would be used in the driest year (3.2 AF/YR). (Condor Earth, 2017). The parcel water demand can be met with the existing project well. The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project. Impacts would be less than significant.

c. The preliminary grading and drainage plan has 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 "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 analysis was completed by Condor Earth on September 8, 2017 which included a parcel specific recharge evaluation. According to the recharge evaluation, the property yields "7.8 AF in normal years and 3.2 AF in the dry year." (Condor Earth, 2017) The applicant submitted a Tier 2 WAA completed by Condor Earth on September 8, 2017 showing the projected water use for the project is 2.51 AF/YR. The parcel water demand can be met with the existing on site well. 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
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: installation of rooftop solar panels; exceeding Title 24 energy efficiency standards: Build to CALGREEN Tier 2 (cave); solar hot water heating; energy conserving lighting; energy star roof/living roof/cool roof; installation of water efficient fixtures; application of low impact development; installation of water efficient landscape; site design which minimizes tree removal and grading.

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

Mitigation Measures: None Required.

**Dry Creek/Mount Veeder Winery Use Permit No. P17-00343 & Variance No. P17-00345
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact BIO-1: Biological Resources. The proposed project has the potential to directly impact suitable habitat for the Pacific giant salamander, Foothill yellow-legged frog, Western pond turtle, Northern spotted owl, Lewis' woodpecker, and pallid bat.</p>	<p>MM BIO-1: In order to avoid disruption of wildlife movement along the Dry Creek riparian corridor, a wildlife movement and riparian corridor buffer shown as a red polygon in Figure 2 in the <i>Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA</i> prepared by Northwest Biosurvey shall be implemented. The westward edge of this buffer shall be defined by a low, deer-passable fence or wall to prevent vehicle movement or storage within the buffer and to establish a sense of usable space for wildlife. Deer fencing shall be restricted to the development areas and shall not extend along linear features such as roadways or property lines.</p>	<p>The wildlife movement and riparian corridor buffer shall be shown on the site plan prior to the issuance of a grading permit or building permit.</p>	P	PD	PC _/_/_
	<p>MM BIO-2: If vegetation clearing or other land disturbance within 100 feet of Douglas Fir or California black oak forest is proposed during the bird breeding season (February 15 through August 31), the work shall be preceded by a survey for Lewis' woodpecker and other migratory passerines (perching birds) by a qualified biologist within 14 days prior to the beginning of work. In the event that nesting birds are found during the survey, construction buffers shall be established by the biologist in cooperation with the California Department of Fish and Wildlife. These buffers shall remain in place until offspring have fledged or after August 31.</p>	<p>If vegetation clearing or other land disturbance within 100 feet of Douglas Fir or California black oak forest is proposed during the bird breeding season (February 15 through August 31), the Lewis' woodpecker and other migratory passerines (perching birds) survey shall be submitted to Planning Division staff prior to issuance of the grading permit.</p>	P	PD	PC _/_/_
	<p>MM BIO-3: Prior to commencement of vegetation removal and earth-disturbing activities during nesting season from February 1 to July 9, a qualified wildlife biologist shall conduct preconstruction surveys for Northern Spotted Owls within 500-feet of earthmoving activities. The preconstruction survey shall be conducted no more than 14 days prior to vegetation removal and ground disturbing activities are to commence. A copy of the survey shall be provided to the County Planning Division and the California Department of Fish and Wildlife (DFW) prior to commencement of work. If Northern Spotted Owls are found during preconstruction survey, a 500-foot no-disturbance buffer shall be created around active owl sites. These buffer zones may be modified in coordination with DFW based on existing conditions at the project site. Buffer zones shall be incorporated into the project plans and maintained for the duration of the project. If a 15 day or greater lapse of project-related work occurs, another pre-construction survey and consultation with DFW shall be required before project</p>	<p>If construction activity is to occur during the nesting season from February 1 to July 9, the pre-construction survey prepared by a qualified wildlife biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.</p>	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
	work can be reinitiated. No surveys shall be required if construction activity occurs outside of the nesting season from February 1 to July 9.				
	MM BIO-4: If trees are to be removed outside of the dates listed below, any tree to be removed that is suitable for use by bats shall be surveyed for signs of bats. This survey shall occur no earlier than 14 days prior to tree removal. Suitable trees include those with hollows and/or shedding bark. If pallid bats, or other bats with sensitive regulatory status, are discovered during the surveys, a buffer of 50 feet shall be established depending on the recommendations of the surveying biologist. Removal of these roost trees shall be restricted to between September 15 and October 15, when young of the year are capable of flying, or between February 15 and April 1 to avoid hibernating bats and prior to formation of maternity sites.	If trees are to be removed outside of the dates listed above, the pre-construction bat survey shall be submitted to Planning Division staff prior to issuance of the grading permit.	P	PD	PC _/_/_
Impact BIO-5: Biological Resources. The proposed project has the potential to directly impact waters of the U.S. if filled or otherwise modified.	MM BIO-5: If any placement of fill within the tributary marked as channel "B" in the <i>Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA</i> is proposed, consultation and permitting must be obtained from the U.S Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife prior to and during the construction.	Proof of the required permits (404 permit by the U.S. Corps of Engineers, 401 Water Quality Certification from the Regional Water Quality Control Board, and 1604 Stream Alteration Agreement from the California Department of Fish and Wildlife) and consultation for any placement of fill within the tributary marked as channel "B" in the <i>Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA</i> from the agencies identified above shall be submitted to Planning Division staff prior to the issuance of a grading permit.	P	PD	PC _/_/_ CPI _/_/_

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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
Impact GEO-1: Geology and Soils. The proposed project has the potential to be impacted by landslides.	MM GEO-1: Prior to building permit submittal, a subsurface geological exploration of the proposed winery building and cave site shall be conducted by a qualified geologist and shall include a geologic hazard report containing the information and technical recommendations required under Napa County Code section 15.08.050.	The grading and building plans shall reflect the implementation of the preliminary geotechnical report recommendations prior to issuance of a grading and building permit.	P	PD/BD	PC _/_/_
Impact NOI-3: Noise. 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.	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 east 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 through 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 _/_/_
	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.	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 through winery use permit compliance audits, such that future use of the sound curtain for outdoor events will be monitored. Code Enforcement	P	PD	PC _/_/_ FI _/_/_ OG

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
		staff will respond to any noise complaints.			__/__/__
Impact TRANS-4: Transportation/Traffic. 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).	MM TRANS-1: Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic devices. Street trees should be deciduous and have branches lower than four feet in height removed once the tree is established.	The final landscape plan shall reflect the implementation of these standards prior to issuance of a building permit.	P	PD	PC __/__/__ FI __/__/__ OG __/__/__
Impact TRI-1: Tribal Cultural Resources. The proposed project has the potential to impact resources of significance to a California Native American tribe.	MM TRI-1: Prior to commencement of construction of project improvements at the project site, the permittee shall coordinate with a representative of Yocha Dehe Wintun Nation. Pre-construction coordination shall include a training of construction field crews, by a tribal representative of the potential for presence of Native American resources on the property, the potential types of resources that could be found on-site, and the procedures to follow in the event of discovery of such resources.	Concurrently with submittal of the grading application for project improvements to Engineering and Building staff of PBES, the permittee shall submit confirmation of submittal of the grading plans to the tribal representative previously identified. If the permittee neglects to submit such confirmation to PBES, then Planning staff of PBES will convey a copy of the plans to the tribal representative upon receipt of the grading permit application.	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
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PROJECT REVISION STATEMENT

Dry Creek/Mount Veeder Winery Use Permit No. P17-00343 & Variance No. P17-00345

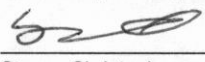
I hereby revise Dry Creek/Mount Veeder Winery Use Permit No. P17-00343 & Variance No. P17-00345 for the construction of a new 30,000 gallon per year winery, a 2,400 square foot winery building, a 619 square foot winemaker's residence, and 17,220 square foot cave on a 55.5-acre parcel (Assessor's Parcel No.: 027-310-039) located at the intersection of Dry Creek Road and Mount Veeder Road to include the ten (10) measures specified below:

- MM BIO-1:** In order to avoid disruption of wildlife movement along the Dry Creek riparian corridor, a wildlife movement and riparian corridor buffer shown as a red polygon in Figure 2 in the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* prepared by Northwest Biosurvey shall be implemented. The westward edge of this buffer shall be defined by a low, deer-passable fence or wall to prevent vehicle movement or storage within the buffer and to establish a sense of usable space for wildlife. Deer fencing shall be restricted to the development areas and shall not extend along linear features such as roadways or property lines.
- MM BIO-2:** If vegetation clearing or other land disturbance within 100 feet of Douglas Fir or California black oak forest is proposed during the bird breeding season (February 15 through August 31), the work shall be preceded by a survey for Lewis' woodpecker and other migratory passerines (perching birds) by a qualified biologist within 14 days prior to the beginning of work. In the event that nesting birds are found during the survey, construction buffers shall be established by the biologist in cooperation with the California Department of Fish and Wildlife. These buffers shall remain in place until offspring have fledged or after August 31.
- MM BIO-3:** Prior to commencement of vegetation removal and earth-disturbing activities during nesting season from February 1 to July 9, a qualified wildlife biologist shall conduct preconstruction surveys for Northern Spotted Owls within 500-feet of earthmoving activities. The preconstruction survey shall be conducted no more than 14 days prior to vegetation removal and ground disturbing activities are to commence. A copy of the survey shall be provided to the County Planning Division and the California Department of Fish and Wildlife (DFW) prior to commencement of work. If Northern Spotted Owls are found during preconstruction survey, a 500-foot no-disturbance buffer shall be created around active owl sites. These buffer zones may be modified in coordination with DFW based on existing conditions at the project site. Buffer zones shall be incorporated into the project plans and maintained for the duration of the project. If a 15 day or greater lapse of project-related work occurs, another pre-construction survey and consultation with DFW shall be required before project work can be reinitiated.
- No surveys shall be required if construction activity occurs outside of the nesting season from February 1 to July 9.
- MM BIO-4:** If trees are to be removed outside of the dates listed below, any tree to be removed that is suitable for use by bats shall be surveyed for signs of bats. This survey shall occur no earlier than 14 days prior to tree removal. Suitable trees include those with hollows and/or shedding bark. If pallid bats, or other bats with sensitive regulatory status, are discovered during the surveys, a buffer of 50 feet shall be established depending on the recommendations of the surveying biologist. Removal of these roost trees shall be restricted to between September 15 and October 15, when young of the year are capable of flying, or between February 15 and April 1 to avoid hibernating bats and prior to formation of maternity sites.
- MM BIO-5:** If any placement of fill within the tributary marked as channel "B" in the *Biological Resource Assessment with Botanical and Bat Habitat Surveys, Woodland Assessment, and Delineation of Waters of the U.S. for the Dry Creek-Mt. Veeder Project APN 027-310-039 Napa County, CA* is proposed, consultation and permitting must be obtained from the U.S Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife prior to and during the construction.
- MM GEO-1:** Prior to building permit submittal, a subsurface geological exploration of the proposed winery building and cave site shall be conducted by a qualified geologist and shall include a geologic hazard report containing the information and technical recommendations required under Napa County Code section 15.08.050.

- 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 east 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:** Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic devices. Street trees should be deciduous and have branches lower than four feet in height removed once the tree is established.
- MM TRI-1:** Prior to commencement of construction of project improvements at the project site, the permittee shall coordinate with a representative of Yocha Dehe Wintun Nation. Pre-construction coordination shall include a training of construction field crews, by a tribal representative of the potential for presence of Native American resources on the property, the potential types of resources that could be found on-site, and the procedures to follow in the event of discovery of such resources.

Oakville Winery, 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.

Oakville Winery, 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.



 Steven Christopherson
 (LLC Manager)

3/7/18

 Date