

“D”

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:** Beaulieu Vineyards, Major Modification Use Permit #P17-00192-MOD
2. **Property Owner:** Realty Income; 11995 El Camino Real, San Diego, CA 92130; (858) 284-5254
3. **Project Sponsor's Name and Address:** Debra Dommen, Treasury Wine Estates; 555 Gateway Drive, Napa, CA 94558; (707) 259-4673
4. **Representative:** Rob Anglin, Holman Teague Roche Anglin, LLP, 1455 First Street, Suite 217, Napa, CA 94559; (707) 927-4280
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 a 13.46 acre site within the AP (Agricultural Preserve) zoning district on the east side of St. Helena Highway (State Route 29) approximately 300 feet south of its intersection with Rutherford Road; 1960 St. Helena Highway, Rutherford, CA; APN: 030-110-019; and 028.
7. **General Plan Description:** Agricultural Resource (AR) Designation
8. **Zoning:** Agricultural Preserve (AP) District
9. **Background/Project History:**
  - Beaulieu Vineyards (BV) was established at the current site on August 31, 1903 with the planting of 127 acres of vineyards.
  - The Fred Ewer winery building, established in 1885, was purchased in 1923 and its four original stone walls remain the core of today's BV winery. This building was subsequently expanded in 1930 and 1941.
  - On September 8, 1981, Use Permit (U-158081) was approved by the Planning Commission for the expansion of the existing winery including a 83,500 square foot fermentation building and the rehabilitation of existing and construction of new wastewater ponds.
  - A modification to the Use Permit (#U-158081) was subsequently approved by the Zoning Administrator on July 12, 1991 which authorized the modification of the site plan to reduce the previously approved building area by 1,310 square feet and deferment of the construction of 21 parking spaces.
  - Use Permit modification (91194-MOD) was approved by the Planning Commission on March 4, 1992 which permitted the production of 1.8 million gallons of wine annually and increased the allowable days and hours of operation.
  - On January 8, 1993 Use Permit modification (92231-MOD) was approved by the Zoning Administrator which permitted the expansion of an office area within the existing winery to 3,300 square feet and the addition of six employees.
  - Use Permit modification (97595-MOD) permitted the expansion of the BV winery reserve tasting room by 570 square feet and was approved by the Zoning Administrator on September 4, 1998.
  - The replacement of a 700 square foot welding shop with a 1,200 square foot structure to house grape sorting equipment was approved by staff via Use Permit modification (P08-00089) on March 3, 2008.
  - On April 21, 2008 Use Permit modification (P08-00509) was approved by staff which authorized the demolition of the existing maintenance shop and its relocation to the winery barrel warehouse.
  - Use Permit modification (P09-00453) was approved by staff on March 1, 2010 and permitted the construction of a 2,000 square foot wine library.
  - The construction of a 10,000 square foot canopy was authorized by staff via Use Permit modification (P11-00192) on July 13, 2011.
  - The most recent Use Permit modification (P15-00052), approved by staff on July 31, 2015, permitted previously approved private tastings to occur within an existing outdoor patio area adjacent to the BV reserve tasting room.

The existing winery parcel (APN 030-110-019) includes three winery buildings, no onsite vineyards, minimal landscaping, 80 parking spaces, and a sanitary sewage leach field. The facility utilizes a winery process wastewater pond on a nearby parcel (APN 030-110-015, not included in this project). Water sources for the project consist of three groundwater wells which include one domestic water supply well on APN 030-110-021 that is to be replaced with a new well on the winery parcel. Irrigation water is provided by two agricultural wells on the adjacent parcel (APN 030-110-028). Other site improvements include two (2) 12,670 gallon water storage tanks. Existing winery access is provided via a driveway to Rutherford Road and a driveway to St. Helena Highway. The winery currently utilizes an existing public tasting

room on an adjacent parcel (APN 030-160-016) which will continue to be utilized during project construction, but will no longer be needed upon completion of the project detailed below. APNs 030-110-021 and 030-110-028 are neighboring parcels owned by Realty Income and leased by Treasury Wine Estates while APN 030-110-016 is owned by Houstons Restaurants Incorporated and leased by BV. Future plans for the existing public tasting room on APN 030-110-016 are not known at this time.

10. **Project Description:** Approval of a Use Permit Major Modification to an existing 1,800,000 gallon per year winery to allow the following:
- a) Remove a portion of the 1941 addition to the winery and 1930 addition to the winery; rebuild and preserve portions of the 1880's stone structures; and remove the roof and non-original floor of the 1885 structure. Relocate the historic public tasting room space (3,060 square feet) to a new structure within the existing walls of the 1885 structure; remodel a portion of the 1887 structure to become a private tasting space (735 square feet) with outdoor terrace (1,550 square feet); and remodel an area of the 1930 addition to become barrel storage and production offices. Construct a single story structure between the 1941 addition and the 1887 structure to house public restrooms and a commercial kitchen (497 square feet). Add two (2) new 30,000 gallon blending tanks to the existing case goods warehouse building and construct a 200 square foot employee break room within this existing structure;
  - b) Construct a new 75 square foot sign inset into a new stone landscape wall with gate;
  - c) Upgrade the existing wastewater system and associated infrastructure consistent with County Code to include one (1) additional 9,000 gallon septic tank or two (2) additional 5,000 gallon concrete tanks) and the construction of one (1) new well;
  - d) Increase daily tours and tastings from 450 persons per day (no appointment required), 3,150 person per week maximum to 550 persons per day (100 visitors by appointment, 450 visitors no appointment required), 3,850 visitors maximum per week;
  - e) A Marketing Program to increase events from 3,200 guests per year to 12,850 guests per year to add the following:
    - a. One-hundred (100) annual private promotional tastings with meals for up to 50 guests;
    - b. Thirty (30) annual private promotional tastings with meals for up to 75 guests;
    - c. Twenty (20) annual private promotional tastings with meals for up to 100 guests;
    - d. Fifty (50) annual private food and wine pairing seminars for up to 40 guests;
    - e. Two (2) annual marketing events for up to 250 guests;
    - f. Two (2) annual open houses for up to 300 guests;
    - g. Two (2) wine auction related events per year for up to 250 guests; and
    - h. Inclusion of food and wine pairings as part of tours and tastings.
  - f) On-premises consumption of wines produced on site in the tasting areas, outdoor terrace area, and outdoor courtyard in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
  - g) Increase parking spaces from 80 spaces to 129 spaces via the paving of an existing gravel parking area;
  - h) Change the winery's tasting room hours of operation from 10:00 AM to 5:00 PM to 10:00 AM to 6:00 PM (Seven days a week);
  - i) Installation of a left-turn lane on St. Helena Highway at the project's new primary access driveway;
  - j) Additional landscaping within the proposed new parking area and throughout the courtyard; and
  - k) A lot line adjustment is proposed with APN 030-110-028 which would increase the size of the existing winery parcel (APN 030-110-019) from 13.46 acres to 47 acres.

No new employees or production increase is requested.

11. **Environmental setting and surrounding land uses:**  
The 13.46 acre project site is located within the AP zoning district on the east side of St. Helena Highway (State Route 29) approximately 300 feet south of its intersection with Rutherford Road. Site topography ranges from 0-5 percent and slopes gradually downward to the east to the Napa River. On site soil is identified as bale clay loam, 0-2 percent slopes. The site is developed with winery buildings, two water storage tanks, a parking area, and landscaping.

The property is surrounded by vineyards and rural residential uses to the north and east and commercial uses, such as Rutherford Grill (APN 030-110-016) and the Rancho Caymus Inn, to the south. The Rutherford Fire Department and vineyards lie to the west of the project site across St. Helena Highway. The proposed new paved parking area is approximately 220 feet to the west of the nearest neighboring residence located on the west side of the St. Helena Highway. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones. The entire site has been previously disturbed and developed with a winery.

12. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).  
The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to CalFire. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

**Responsible (R) and Trustee (T) Agencies**  
California Department of Transportation (Caltrans)

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

13. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Assembly Bill 52 (AB 52) Public Resources Code section 21080.3.1? If so, has consultation begun? On February 2, 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. One response was received from the Yocha Dehe Wintun Nation. A site visit was conducted with tribal representatives on March 21, 2018 and the tribe stated that they are not aware of any known cultural resources near this project site and that a cultural monitor is not needed. However, cultural sensitivity training was requested prior to project commencement and is discussed further under the Tribal Cultural Resources section below.

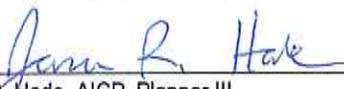
**Note:** Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the 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.

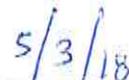
#### ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

Discussion:

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by a mix of vineyard, winery, commercial, and 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 developed with a winery. External changes to the winery are limited to a new paved parking area, façade changes to the existing winery buildings, signage, landscaping, and related infrastructure improvements. Six (6) trees would be removed and there are no rock outcroppings visible from the road or other designated scenic resources on the property. State Route 29 is identified as a Viewshed Road. However, the County's Viewshed Protection Program is not applicable to the proposed project as no construction is proposed on slopes in excess of 15 percent. Because there is minimal visual impact from the road, there is a less than significant impact to a scenic vista.

d. The installation of additional lighting that may have the potential to impact nighttime views is proposed within the new parking area as part of the project. 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 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. <b>AGRICULTURE AND FOREST RESOURCES.</b> <sup>1</sup> Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 winery project site is designated "Urban and Built-Up Land" with the adjacent parcel on which the new parking area is proposed designated "Prime Farmland." Although the new paved parking area would occur on Prime Farmland 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, this area is already utilized as a gravel parking area and no vineyard removal would occur. The proposed project would not conflict with existing zoning for agricultural uses. There is no existing agricultural contract on the property. The winery parcel does not contain any vineyards. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application would not result in the conversion of special status farmland to a non-agricultural use.

c/d. The project site is zoned AP, which allow wineries upon grant of a use permit. According to the Napa County Environmental resource maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest and Coniferous Forest) the project site contains no woodland or forested areas. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.

**Mitigation Measures:** None required.

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

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

Discussion:

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<sub>x</sub> and ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead and sulfur dioxide (SO<sub>2</sub>), 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 no additional square feet of floor area 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 310,117 square feet of existing enclosed floor area including the proposed use of approximately 9,484 square feet of floor area for tasting/hospitality uses compared to the BAAQMD's screening criterion of 47ksf (high quality restaurant) and 541ksf (general light industry) for NO<sub>x</sub> (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

The 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 construction of the 32,000 square foot new paved parking area. 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](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 220 feet to the west of the proposed parking area. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

**Mitigation Measures:** None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV.	<b>BIOLOGICAL RESOURCES.</b> Would the project:				
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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 Napa County Environmental Resource Maps (based on the following layers - plants CNPS points & polygons, plant surveys, red legged frog core area and critical habitat, vernal pools & vernal pool species, Spotted Owl Habitat – 1.5 mile buffer and known fish presence) no known candidate, sensitive, or special status species have been identified as occurring within the project boundaries. The project would not have a substantial adverse effect on any special status species, or species of particular concern, as there are none identified in the project area. Most of the site is disturbed and developed with a winery. Proposed physical improvements (new paved parking area, existing building remodeling and left-turn lane installation) would occur within the previously disturbed areas. Furthermore, there were no species or site conditions which would be considered essential for the support of a species with limited distribution or considered to be a sensitive natural plant community. The site has not been identified in any local/regional or State plans as being a sensitive community. The potential for this project to have an impact on special status species is less than significant.
- c/d. According to the Napa County Environmental Resource Maps (based on the following layers – water bodies, vernal pools & vernal pool species), no blue line streams traverse the site and vernal pools are not present. All proposed improvements would occur within a previously disturbed area that is not a wildlife corridor. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. Impacts would be less than significant.
- e. Six non-native trees are proposed for removal as part of the project to accommodate the new parking area. Existing mature on-site oak trees would be preserved as part of project implementation. 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:** None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V.	<b>CULTURAL RESOURCES.</b> Would the project:				
	a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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. As a historical resource, the Beaulieu Vineyards project is subject to review under CEQA. Under CEQA, a project that follows Standards for Rehabilitation contained with the Secretary of the Interior's Standards for the Treatment of Historic Properties is considered to have mitigated impacts to a historical resource to a less than significant level. The proposed project was analyzed for compliance with the Secretary of the Interior Standards in a *Historic Resource and Impacts Memorandum* prepared by the Architectural Resources Group on September 13, 2017. The review found that the proposed meets the Secretary of the Interior Standards for Rehabilitation. According to the memorandum, "the building/site is significant for association with early winemaking in Napa Valley. It is also significant for association with owner, Georges de Latour, and winemaker, Andre Tchelistcheff, both of whom were important within the Napa Valley wine industry. (*Historic Resource and Impacts Memorandum, 2017*). Proposed building alterations would not significantly affect the property's overall ability to communicate its historical significance. The owner proposes to document the existing complex prior to alteration and to create extensive and publicly-accessible interpretive exhibits that will further highlight the property's history, development, and significance to the history of the Napa Valley. Compliance with the Secretary of the Interior Standards for Rehabilitation as well as implementation of mitigation measures MM CUL-1 and MM CUL-2 below would reduce potential impacts to a less than significant level.
- b-c. The proposed new paved parking area was previously surveyed in 1991 as part of the proposed subdividing of the property, but no sites were identified within the proposed work area (*Archival Literature Review and On-Site Surface Archaeological Reconnaissance of the*

104.7 Acre UCC Vineyards and Laird/Rutherford Property Located Near the Intersection of Highway 29 and Rutherford Cross Road, Napa County, California, 1991). 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:**

MM CUL-1: In order to present a comprehensive account of the property's change over time, the applicant shall document the existing complex prior to alteration.

**Monitoring:** Photo documentation of the existing complex shall be submitted to the Planning Division prior to the issuance of a building permit.

MM CUL-2: Extensive and publicly-accessible interpretive exhibits that highlight the property's history, development, and significance to the history of Napa Valley shall be installed at the subject site prior to the issuance of a Final Certificate of Occupancy.

**Monitoring:** Interpretive exhibits shall be installed on the subject site to the satisfaction of the Planning Division prior to the issuance of a Final Certificate of Occupancy.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI.	<b>GEOLOGY AND SOILS.</b> Would the project:				
	a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Be located on expansive soil creating substantial risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
  - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project 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 Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no known landslide areas within the area of the subject site proposed for modification as part of the project.
- b. The proposed improvements would occur on slopes of less than five 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. On site soil is identified as bale clay loam, 0-2 percent slopes. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the improvements are proposed for an area which has a medium susceptibility for liquefaction. Development would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
- e. According to the Wastewater Feasibility Study prepared by Summit Engineering in September 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded "to accommodate the proposed changes, it is feasible to expand and upgrade the facility's existing sanitary sewage (SS) management system, with no changes required to the process wastewater (PW) management system. The SS management system will be improved to accommodate additional SS flow from visitation and employees" (*Wastewater Feasibility Study, 2017*). The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

**Mitigation Measures:** None required.

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

Discussion:

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

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

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

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO<sub>2e</sub>)]. This threshold of significance is appropriate for evaluating projects in Napa County.

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

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

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explain human effects on the atmosphere). Carbon Dioxide (CO<sub>2</sub>) gas, the principal greenhouse gas (GHG) being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions ([http://www.climatechange.ca.gov/glossary/letter\\_c.html](http://www.climatechange.ca.gov/glossary/letter_c.html)). Equivalent Carbon Dioxide (CO<sub>2e</sub>) 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 (CO<sub>2</sub>) is used as the reference atom/compound to obtain atmospheric carbon CO<sub>2</sub> effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO<sub>2e</sub>) 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 new paved parking area, installation of a left-turn lane, and modifications to existing buildings.

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 increased 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 no additional square feet of floor area is proposed when compared to the BAAQMD's GHG screening criteria of 121,000 sf for general industrial, and compared to the BAAQMD's screening criterion of 9,000 sf. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO<sub>2</sub>e/yr GHG threshold of significance. Given the size of the entire project, which is approximately 310,117 square feet of existing enclosed floor area including the proposed use of approximately 9,484 square feet of floor area for tasting/hospitality uses (note that 3,060 square feet of tasting room space is being re-located from an adjoining parcel (APN 030-110-016) and is not a new use) the screening criterion outlined above would not be exceeded.

Furthermore, the applicant proposes to incorporate the following additional GHG reduction methods: bicycle incentives; location of project adjacent to a proposed Class I multi-use path and a proposed Class II multi-use bicycle lane parallel to State Route 29; installation of water efficient fixtures; project design to limit grading and tree removal; certification as a Napa Green Winery; use of recycled materials; and education to staff and visitors on sustainable practices. The existing winery has already implemented the following GHG reduction practices: installation of energy conserving lighting; recycling 75 percent of all waste; composting 75 percent of food and garden material; implementation of a sustainable purchasing and shipping program, public transit accessibility; Napa Green Land certification; and participation in Treasury Wine Estates Global Volunteering Week which occurs annually each May. Volunteering opportunities in 2017 included oak tree monitoring and maintenance, Napa River clean-up, and trail work and maintenance at several County regional parks.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO<sub>2</sub>e. GHG Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions below BAAQMD thresholds.

Greenhouse Gas Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, vehicle fuel efficiency standards, and the project-specific on-site programs identified above would combine to further reduce emissions below BAAQMD thresholds.

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

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

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. <b>HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. A Business Plan would be filed with the Environmental Health Division should hazardous materials reach reportable levels. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of an existing 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 existing winery buildings. According to Google Earth, the nearest school to the project site is St. Helena High School, located approximately 3.3 miles to the northwest. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. No impact would occur as the project site is not located within the vicinity of any private airports.
- g. The proposed 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 currently complies and would continue to comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Napa Valley floor St. Helena subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013. The Napa County Comprehensive Groundwater Monitoring Program 2015 Annual Report and CASGEM Update prepared by LSCE in March 2016 concluded that this subarea of Napa County has stable groundwater conditions. The County has no record of problems or complaints of diminished groundwater supplies at the project site or in the general vicinity. The applicant has not experienced any issues with the availability of groundwater.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. The project is categorized as being located within the Valley Floor in an area that has an established acceptable water use criteria of 1.0 acre foot per acre per year based upon current County Water Availability Analysis policies. Based upon those criteria, the Allowable Water Allotment for the project site is 141.2 acre-feet per year (af/yr), determined by multiplying the 141.2 acre Valley floor site (includes APN 030-110-015, 030-110-019, 030-110-026, 030-110-027, and 030-110-028 adjacent parcels owned by Treasury Wine Estates shown in the table below including the proposed lot line adjustment), by a one AF/YR/acre fair share water use factor.

APN	Description	Vineyard Acres	Total Acres
030-110-028	Vineyard	17.4	19.5
030-110-026	Vineyard	50.9	54.8
030-110-027	Vineyard	0.0	5.1
030-110-019	Winery	26.7	47
030-110-015	PW Ponds	0.0	14.8
<b>Total</b>		<b>95.0</b>	<b>141.2</b>

a/b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. According to the Wastewater Feasibility Study prepared by Summit Engineering in September 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded "to accommodate the proposed changes, it is feasible to expand and upgrade the facility's existing sanitary sewage (SS) management system, with no changes required to the process wastewater (PW) management system. The SS management system will be improved to accommodate additional SS flow from visitation" (*Wastewater Feasibility Study, 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. The facility's domestic water system is classified as transient, non-community and is managed by employees of the winery. Water sources for the project consist of three groundwater wells which include one domestic water supply well on APN 030-110-021 that is to be replaced with a new well on the winery parcel. Irrigation water is provided by two agricultural wells on the adjacent parcel (APN 030-110-028). According to Summit Engineering, the winery parcel average domestic water demand can be met with the existing domestic well located on APN 030-110-021 operating for 24 hours per day at 23.2 gallons per minute (gpm). The existing domestic well on APN 030-110-028 was rehabilitated in 2015, has a depth of 203 feet with a 60 foot tremie tube installed between the original 12 inch steel casing and a new 8 inch PVC casing, and an estimated yield of 210 gpm. This well is proposed to be replaced with a new well on the winery parcel while vineyard irrigation would continue to be provided by separate agricultural wells. A new domestic well to be drilled on the winery parcel has a proposed depth of 250 feet, with a 50 foot seal, a 6 inch PVC casing, and anticipated yield of 100 gpm. (*Water Availability Analysis Beaulieu Vineyards 1960 St. Helena Highway, Napa, California, APN 030-110-019, 2017*) The applicant submitted a Tier 2 Water Availability Analysis (WAA) completed by Summit Engineering in November 2017 showing the projected water use for the project plus existing demand is 94.1 AF/YR. The anticipated total overall water demand for the project site would be 94.1 AF/YR representing a 1.0 AF/YR increase of the existing water demand of 93.1 AF/YR. The parcel water demand can be met with the existing project wells. Therefore, the impacts from the project would be less than significant and no further analysis is needed. Below is a table that details each source of existing and proposed groundwater use:

Usage Type	Existing Usage	Proposed Usage
Vineyard Irrigation	47.5	47.5
Winery		
Wine Production	33.1	33.1
Domestic	3.5	4.5
Landscape Irrigation	9.0	9.0
<b>Net Use (Acre-ft per Year)</b>	<b>93.1</b>	<b>94.1</b>

The estimated groundwater demand of 94.1 AF/YR represents a net increase of 1.0 AF/YR over the existing condition and is below the water allotment for the parcel. 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. It should be noted that a condition of approval would be applied to the project requiring recordation of a water allotment and transfer agreement and a grant of reservation of future utility easement prior to the issuance of a building permit for use of groundwater from another parcel for this winery proposal.

In response to regional drought and the general Statewide need to protect groundwater resources, the Governor enacted new legislation requiring local governments to monitor and management groundwater resources. Napa County's prior work on the Napa Valley Groundwater Management Plan provides a strong foundation for Napa County to comply with this State mandated monitoring and management objective. As a direct result, the project site is now subject to this new legislation requiring local agencies to monitor groundwater use. Assembly Bill - AB 1739 by Assembly member Roger Dickinson (D-Sacramento) and Senate Bills 1168 and 1319 by Senator Fran Pavley (D-Agoura Hills) establish a framework for sustainable, local groundwater management for the first time in California history. The legislation requires local agencies to tailor sustainable groundwater plans to their regional economic and environmental needs. The legislation prioritizes groundwater basin management Statewide, which includes the Napa Valley/Napa River Drainage Basin, and sets a timeline for implementation of the following:

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

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

The proposed project would result in a modest increase on the demand of ground water supplies and therefore would not interfere with groundwater recharge or lowering of the local groundwater level. A well interference analysis was conducted as part of the Tier II analysis to review the project's potential impacts on neighboring wells within 500 feet from the property wells. The groundwater drawdown from all property wells to the edge of the parcel was determined using the Theis equation as indicated in the WAA guidelines. The assumed closest distance that any neighboring well could be located is the edge of the parcel. The analysis concluded that "based on using very conservative estimates for aquifer thickness, specific storage, and hydraulic conductivity, none of the wells should produce a drawdown greater than 10 feet on any wells that are adjacent to the property" (*Water Availability Analysis Beaulieu Vineyards 1960 St. Helena Highway, Napa, California, APN 030-110-019, 2017*). The WAA guidelines establish a 10-foot drawdown as the criteria to determine significant adverse effects. Because the wells estimated drawdown is less than 10-feet, no significant drawdown impact is anticipated for wells on adjacent parcels. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage Areas*), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area.

- c-d. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the cultivated agricultural vineyard and winery 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. <b>LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AP zoning district, which allow wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the 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 AR 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 continued 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. <b>MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (*Mines and Mineral Deposits*, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on 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. <b>NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The project would result in a temporary increase in noise levels during construction of a left-turn lane on State Route 29 at the project's new primary access driveway, construction of the new parking area adjacent to the existing winery building, and alteration of the existing building. 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 220 feet to the west of the existing winery structures and proposed parking area, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified 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. The proposed project involves increased visitation from a maximum of 3,150 persons a week to a maximum of 3,850 persons a week and a marketing program increase from 10 events per year to a total of 206 events on an annual basis. The largest events permit up to 300 guests all of which have the potential to generate higher noise levels, compared to existing conditions, as a result of the proposed

occurrence of marketing events outdoors in the semi-enclosed courtyard as well as on-premise consumption and tasting in the outdoor terrace area.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed project parcel are predominantly agricultural (vineyard) and commercial, but include low density residential; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code Section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.) within which the applicant proposes to conduct events. Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

The nearest off-site residence to the proposed winery is approximately 220 feet to the west of the existing winery structures, proposed courtyard and new parking area. Under the proposed project, the largest outdoor event that would occur on the parcel would have an attendance of no more than 300 people, and all events would end by 10:00 p.m., with clean-up conducted afterwards. Potential noise from visitation and car doors opening and closing within the new parking area was also evaluated. Winery operations would continue to occur between 7:00 a.m. and 7:00 p.m. (excluding harvest). 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 ±530 feet away from the bottling area, the noise level for the bottling activity at the adjacent residence would be approximately 20.5 decibels lower than the measured 65 dBA noise level 50 feet from the bottling line, or 44.5 dBA. Based on this analysis, County noise standards would not be exceeded for bottling activity. The proposed 206 marketing events with the largest events permitting up to 300 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 220 foot distance, the noise level for an event would be 5.1. dB lower, or 54.9 dBA which would exceed the daytime noise standards discussed above. The potential for the creation of significant noise from visitation and marketing is significantly reduced, since the tasting and marketing areas are predominantly within the winery (hospitality building) itself and semi-enclosed outdoor courtyard area. Further, the requested maximum of 550 visitors per day would be dispersed throughout the day based on the winery's scheduling needs and would not occur at one time. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including cleanup are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events.

4.10 *AMPLIFIED MUSIC*

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

Based upon the analysis above, the proposed project would not result in long-term significant permanent noise impacts with the implementation of mitigation measure NOI-1 identified below.

ef. The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impact would occur.

MM NOI-1: 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 courtyard which shall be used when outdoor events of 100 guests or greater 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 project generated 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. County Code Enforcement Staff conduct winery use permit compliance audits, such that future use of the sound curtain for outdoor events will be monitored. Code Enforcement staff will respond to any noise complaints.

---

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
-----------------------------------	--	------------------------------------	-----------

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING.</b> 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 existing winery includes up to a maximum of 86 full-time employees and no additional employees are requested as part of this project. 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%. No population growth is anticipated as no new employees are proposed. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

b/c. This application would not displace a substantial volume of existing housing or a substantial number of people and would not necessitate the construction of replacement housing elsewhere. No impacts would occur.

**Mitigation Measures:** None required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

**Mitigation Measures:** None required.

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

Discussion:

- a. The project would not significantly increase use of existing park or recreational facilities based on its limited scope. Impacts would be less than significant.
- b. No recreational facilities are proposed as part of the project. No impact would occur.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. <b>TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the Napa County Transportation and Planning Agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion:

a/b. The project study area consists of the intersections of State Route (SR) 29-128/Rutherford Road and SR 29/proposed winery driveway to serve the new parking area. The Rutherford Road westbound approach is stop sign controlled. Employee and truck access is via Rutherford Road. Currently, BV visitors use the shared parking lot with Rutherford Grill and the U.S. Post Office which is accessed via two driveway connections to Rutherford Road and one driveway connection to SR 29. There are an additional four driveway connections to SR 29: two along the winery building which access a small parking area serving the BV offices; and two gated driveways, one just north of the winery building and one at the north end of the site. The project includes the elimination of the gated driveway connection to SR 29 just north of the winery building and construction of a new primary driveway to provide access to the new parking area.

Crane Transportation Group prepared a *Traffic Impact Report* on January 7, 2018. Existing traffic volumes at the intersection of SR 29-128/Rutherford Road are identified in Figure A-1 and Figure A-2 of the study and include 178 inbound trips and 151 outbound trips during the Friday PM peak hour (3:00 PM to 4:00 PM) and 194 inbound trips and 130 outbound trips during the Saturday PM peak hour (3:00 PM to 4:00 PM). The study found that the proposed project would result in an increase of six inbound trips and 10 outbound trips during Friday PM peak hour (3:00 PM to 4:00 PM) and six inbound and 10 outbound trips during the Saturday PM peak hour (3:00 PM to 4:00 PM). The largest requested additional marketing events would have up to 300 attendees per event and occur two times a year. These events would typically be held in the evenings and on weekends and would be anticipated to generate up to 248 two-way trips. According to Summit Engineering, the total soil amount off-haul from project grading is approximately 1,675 cubic yards which would result in approximately 105 truck trips during project construction.

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

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

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

A summary of the existing peak hour intersection level of service calculations is provided in the table below.

Study Intersection Approach	Friday PM Peak	Saturday PM Peak
	LOS	LOS
SR 29/Rutherford Road	F	F

According to the study, "the project would result in no significant off-site circulation system operational impacts to the SR 29 intersection with Rutherford Road" (*Traffic Impact Report BV Winery Along SR 29 in Rutherford, CA 2017 Use Permit Modification, 2018*). The study found that the project would have a less than significant impact under all scenarios, including those where the study intersection is operating unacceptably without project-added volumes, because the project-added volumes represent less than one percent of existing or existing plus approved volumes and less than five percent of the difference between existing and projected future volumes. Public Works Department staff reviewed the study and concluded that the study adequately demonstrates that the proposed use in the proposed location 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 be scheduled to avoid beginning or ending during the hours to 3:00 PM to 6:00 PM, Monday through Sunday. Tasting by appointment would not occur during events of 100 guests or greater. 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 new parking area would continue to be accessed via a new driveway on SR 29. Sight distance along SR 29 at the proposed project driveway was evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The study found that "the posted speed limit at the project entrance is 40 miles per hour, although some vehicles were observed traveling 5 to 10 mph higher than the posted limit during a field survey by Crane Transportation Group. However, based upon either a 50 or 60 mile per hour criteria, there are adequate sight lines to both the north and south along SR 29 for a driver exiting the winery main driveway" (*Traffic Impact Report BV Winery Along SR 29 in Rutherford, CA 2017 Use Permit Modification, 2018*). 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.

Based on the forecast of traffic to be generated by the proposed project, the project would require the installation of a left-turn lane at the location of the proposed project driveway on SR 29. A two-way left turn lane would be provided on the southbound SR 29 approach to the existing driveway that would provide access to the new visitor parking lot. The widened median would also be extended south of the driveway to provide a refuge area for the drivers turning left from the project to southbound SR 29.

The proposal includes the construction of an additional 49 paved parking spaces within an existing graveled area for a total of 129 parking spaces. 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 294 parking spaces. However, it is unlikely that the winery would host 550 visitors at one time and have 86 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. <b>TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. On February 2, 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. A site visit was conducted with tribal representatives on March 21, 2018 and the tribe stated that they are not aware of any known cultural resources near this project site and that a cultural monitor is not needed. However, in a letter dated April 5, 2018, 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. <b>UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	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 Wastewater Feasibility Study prepared by Summit Engineering in September 2017, the project site and proposed system has adequate disposal capacity to serve the project. The study concluded "to accommodate the proposed changes, it is feasible to expand and upgrade the facility's existing sanitary sewage (SS) management system, with no changes required to the process wastewater (PW) management system. The SS management system will be improved to accommodate additional SS flow from visitation and employees" (*Wastewater Feasibility Study, 2017*). The Division of Environmental Health reviewed this report and concurred with its findings.

The facility's domestic water system is classified as transient, non-community and would be managed by employees of the winery. Water sources for the project consist of three groundwater wells which include one domestic water supply well on APN 030-110-021 that is to be replaced with a new well on the winery parcel. Irrigation water is provided by two agricultural wells on the adjacent parcel (APN 030-110-028). According to Summit Engineering, the winery parcel average domestic water demand can be met with the existing domestic well located on APN 030-110-021 operating for 24 hours per day at 23.2 gallons per minute (gpm). The existing domestic well on APN 030-110-028 was rehabilitated in 2015, has a depth of 203 feet with a 60 foot tremie tube installed between the original 12 inch steel casing and a new 8 inch PVC casing, and an estimated yield of 210 gpm. This well is proposed to be replaced with a new well on the winery parcel while vineyard irrigation would continue to be provided by separate agricultural wells. A new domestic well to be drilled on the winery parcel has a proposed depth of 250 feet, with a 50 foot seal, a 6 inch PVC casing, and anticipated yield of 100 gpm. (*Water Availability Analysis Beaulieu Vineyards 1960 St. Helena Highway, Napa, California, APN 030-110-019, 2017*) The applicant submitted a Tier 2 Water Availability Analysis (WAA) completed by Summit Engineering in November 2017 showing the projected water use for the project plus existing demand is 94.1 AF/YR. The anticipated total overall water demand for the project site would be 94.1 AF/YR representing a 1.0 AF/YR increase of the existing water demand of 93.1 AF/YR. 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 being located within the Valley Floor in an area that has an established acceptable water use criteria of 1.0 acre foot per acre per year based upon current County Water Availability Analysis policies. Based upon those criteria, the Allowable Water Allotment for the project site is 141.2 acre-feet per year (af/yr), determined by multiplying the 141.2 acre Valley floor site (includes APN 030-110-015, 030-110-019, 030-110-026, 030-110-027, and 030-110-028 adjacent parcels owned by Treasury Wine Estates), by a one AF/YR/acre fair share water use factor. The estimated groundwater demand of 94.1 AF/YR represents a net increase of 1.0 AF/YR over the existing condition and is below the water allotment for the parcel. In summary, the existing yield would be sufficient to serve all uses on the property. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. Impacts would be less than significant as there is sufficient water supply available to serve the proposed project.

e. Wastewater would be treated on-site and would not require a wastewater treatment provider. Impacts would be less than significant.

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

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

**Mitigation Measures:** None required.

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

**Discussion:**

- a. As discussed in **Section IV** above, all potential biological related impacts would be less than significant. As identified in **Section V** above, no known 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. Compliance with the Secretary of the Interior Standards for Rehabilitation as well as implementation of mitigation measures MM CUL-1 and MM CUL-2 above would reduce potential impacts to a less than significant level.
- 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: bicycle incentives; location of project adjacent to a proposed Class I multi-use path and a proposed Class II multi-use bicycle lane parallel to State Route 29; installation of water efficient fixtures; project design to limit grading and tree removal; certification as a Napa Green Winery; use of recycled materials; and education to staff and visitors on sustainable practices. The existing winery has already implemented the following GHG reduction practices: installation of energy conserving lighting; recycling 75 percent of all waste; composting 75 percent of food and garden material; implementation of a sustainable purchasing and shipping program, public transit accessibility; Napa Green Land certification; use of 70 to 80 percent cover crop; and participation in Treasury Wine Estates Global Volunteering Week which occurs annually each May. Volunteering opportunities in 2017 included oak tree monitoring and maintenance, Napa River clean-up, and trail work and maintenance at several County regional parks.

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

General Plan Policy CIR-16 states that "The County will seek to maintain an arterial Level of Service D or better on all County roadways, except where the level of Service already exceeds this standard and where increased intersection capacity is not feasible without substantial additional right of way." Under existing, year 2020 and year 2030 conditions, the intersection of SR 29/Rutherford Road is anticipated to operate at LOS F. The traffic study prepared for the project found that the project would have a less than significant impact

under all scenarios, including those where the study intersection is operating unacceptably without project-added volumes, because the project-added volumes represent less than one percent of existing or existing plus approved volumes and less than five percent of the difference between existing and projected future volumes (*Traffic Impact Report BV Winery Along SR 29 in Rutherford, CA 2017 Use Permit Modification, 2018*). As discussed above under Section XVI Transportation, the project's additional traffic at the peak hours would avoid a deterioration of the level of service at the study intersection by adding less than one percent to the existing volume, reducing potential cumulative impacts to a less than significant level.

- 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.

**Beaulieu Vineyards Use Permit Major Modification No. P17-00192-MOD  
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<b>Impact CUL-1: Cultural Resources.</b> The proposed project has the potential to cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5.	<b>MM CUL-1:</b> In order to present a comprehensive account of the property's change over time, the applicant shall document the existing complex prior to alteration.	Photo documentation of the existing complex shall be submitted to the Planning Division prior to the issuance of a building permit.	P	PD	PC _/_/_
	<b>MM CUL-2:</b> Extensive and publicly-accessible interpretive exhibits that highlight the property's history, development, and significance to the history of Napa Valley shall be installed at the subject site prior to the issuance of a Final Certificate of Occupancy.	Interpretive exhibits shall be installed at the subject site to the satisfaction of the Planning Division prior to the issuance of a Final Certificate of Occupancy.	P	PD	FI _/_/_
<b>Impact NOI-3: Noise.</b> The proposed project has the potential to create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	<b>MM NOI-1:</b> Prior to the issuance of any building permits to implement this use permit, the permittee shall submit plans for a temporary sound curtain to be placed in the vicinity of the outdoor courtyard which shall be used when outdoor events of 100 guests or greater 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 project generated 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 operations plan prior to issuance of building permit plans for the project. 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 _/_/_  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
<p><b>Impact TRANS-4: Transportation/Traffic.</b> The proposed project has the potential to substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</p>	<p><b>MM TRANS-1:</b> 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.</p>	<p>The final landscape plan shall reflect the implementation of these standards prior to issuance of a building permit.</p>	P	PD	<p>PC _/_/_ FI _/_/_ OG _/_/_</p>
<p><b>Impact TRI-1: Tribal Cultural Resources.</b> The proposed project has the potential to impact resources of significance to a California Native American tribe.</p>	<p><b>MM TRI-1:</b> 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.</p>	<p>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>	P	PD	<p>PC _/_/_</p>

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

**PROJECT REVISION STATEMENT**  
**Beaulieu Vineyards Use Permit Major Modification #P17-00192-MOD**

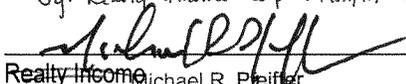
I hereby revise Beaulieu Vineyards Use Permit Major Modification #P17-00192 for the building alterations as well as modifications to the permitted public tours and tastings and marketing program on a 13.46-acre parcel (Assessor's Parcel No. 030-110-019) located at 1960 St. Helena Highway, Rutherford, CA, to include the measures specified below:

- MM CUL-1:** In order to present a comprehensive account of the property's change over time, the applicant shall document the existing complex prior to alteration.
- MM CUL-2:** Extensive and publicly-accessible interpretive exhibits that highlight the property's history, development, and significance to the history of Napa Valley shall be installed at the subject site prior to the issuance of a Final Certificate of Occupancy.
- MM NOI-1:** 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 courtyard which shall be used when outdoor events of 100 guests or greater 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 project generated 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.

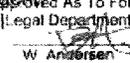
**Realty Income** further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing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

**Realty Income** 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.

By: Realty Income Properties, LLC  
By: Realty Income Corporation, its manager

 \_\_\_\_\_  
Date 5/1/2018

Realty Income  
(Owner) Michael R. Pfeiffer  
Executive Vice President

 \_\_\_\_\_  
Approved As To Form  
General Counsel, Legal Department  
W. Andersen

\_\_\_\_\_  
Treasury Wine Estates  
(Applicant/Lessee) \_\_\_\_\_  
Date

**PROJECT REVISION STATEMENT**  
**Beaulieu Vineyards Use Permit Major Modification #P17-00192-MOD**

I hereby revise Beaulieu Vineyards Use Permit Major Modification #P17-00192 for the building alterations as well as modifications to the permitted public tours and tastings and marketing program on a 13.46-acre parcel (Assessor's Parcel No. 030-110-019) located at 1960 St. Helena Highway, Rutherford, CA, to include the measures specified below:

- MM CUL-1:** In order to present a comprehensive account of the property's change over time, the applicant shall document the existing complex prior to alteration.
- MM CUL-2:** Extensive and publicly-accessible interpretive exhibits that highlight the property's history, development, and significance to the history of Napa Valley shall be installed at the subject site prior to the issuance of a Final Certificate of Occupancy.
- MM NOI-1:** 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 courtyard which shall be used when outdoor events of 100 guests or greater 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 project generated 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.

**Realty Income** 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.

**Realty Income** 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.

\_\_\_\_\_  
Realty Income  
(Owner)

\_\_\_\_\_  
Date

x   
\_\_\_\_\_  
Treasury Wine Estates  
(Applicant/Lessee)

\_\_\_\_\_  
Date

4/26/18