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Initial Study/
Mitigated Negative Declaration

Hard Six Cellars Winery P16-00333 & Use Permit Exception to
Conservation Regulations P19-00315
Planning Commission Hearing October 16, 2019

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Hard Six Cellars Winery, Use Permit #P16-00333-UP and Use Permit Exception to Conservation Regulations #P19-00315
2. **Property Owner:** Wayne and Kara Fingerman, 1755 S. Fork Diamond Mountain Road, Calistoga, CA 94515; (707) 942-4806
3. **Project Sponsor's Name and Address:** Wayne and Kara Fingerman, 1755 S. Fork Diamond Mountain Road, Calistoga, CA 94515; (707) 942-4806
4. **Representative:** Donna Oldford, Plans4Wine, 2620 Pinot Way, St. Helena, CA 94574, (707) 963-5832
5. **County Contact Person, Phone Number and Email:** Jason R. Hade, Planner III, (707) 259-8757, jason.hade@countyofnapa.org
6. **Project Location and APN:** The project is located on an approximately 53.04 acre site within the AW (Agricultural Watershed) zoning district at 1755 S. Fork Diamond Mountain Road; APN: 020-100-014.
7. **General Plan Description:** AWOS (Agriculture, Watershed, and Open Space) Designation
8. **Zoning:** Agricultural Watershed (AW) District
9. **Background/Project History:**

The subject site includes an existing primary residence, agricultural building, landscaping, pool, two (2) 10,000 gallon water storage tanks, pond, and water treatment system. The water source for the project is one onsite well. Approximately four acres of vineyards are planted at the subject site. Existing site access is provided via a driveway connection to the south fork of Diamond Mountain Road approximately 1,000 feet south of the Diamond Mountain Road intersection.

10. **Project Description:** Approval of a Use Permit for a new 20,000 gallon per year winery to allow the following:
 - a) Construct a 3,969 square foot two-story (main roof height of approximately 23 feet) winery structure, 7,135 square foot cave, 5,486 square foot uncovered work area, and 1,185 square foot outdoor hospitality area. A 168 square foot pump house is also proposed.
 - b) Removal of existing barn;
 - c) Maximum annual permitted production of 20,000 gallons;
 - d) Hosted daily tours and tastings by appointment only for a maximum of 16 persons per day and 112 persons per week Monday through Sunday. Food service (wine and food pairings) is requested as part of the tours and tastings;
 - e) A Marketing Program as follows:
 - a. Four (4) events per year with a maximum of 75 guests;
 - b. One (1) event per year with a maximum of 125 guests;
 - c. All food to be catered; and
 - d. Time of day: 11:00 AM to 10:00 PM.
 - f) Hours of operation: 6:00 AM to 6:00 PM (production hours, except during harvest), 10:00 AM to 6:00 PM (visitation hours); seven (7)-days a week;
 - g) Employment of: four employees (three full time and one part-time) non harvest; two additional employees (two part time) during harvest, for a total maximum of six employees;
 - h) Employee hours: 6:00 AM to 6:00 PM, one (1) shift;
 - i) On-premises consumption of wines produced on site in the outdoor patio and near the pond in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
 - j) Construction of four (4) parking spaces (three (3) standard spaces and one ADA space);
 - k) Improvement of the existing access driveway to County standards except for the request noted below;
 - l) Installation of landscaping and restoration of the existing pond;
 - m) Construct a new wastewater system and associated infrastructure consistent with County Code; and
 - n) Construction of one (1) 5,000 gallon water storage tank and one (1) 50,000 gallon fire protection water storage tank (final capacity of fire protection water storage tank may change at time of building permit submittal, but this represents the largest anticipated size for the purposes of project environmental review).

A Use Permit Exception to the Conservation Regulations application (P19-00315) is also requested to allow re-grading of the existing access driveway to the south fork of Diamond Mountain Road to encroach into the required 55-foot stream setback by approximately 30 to 35 square feet for the unnamed creek. This section of the access driveway lies within a 40-foot wide access easement across a portion of APN 020-300-071.

The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) dated January 8, 2018. The request proposes an exception to the Napa County RSS to allow for a reduction in commercial width, a non-standard driveway connection to the nearest public road, and for a portion of road with slopes exceeding 18 percent but less than 20 percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent.) The RSS exception has been requested to preserve mature native trees on steeply sloping hillsides and to minimize the need for grading on steep slopes and within the natural watercourse surrounding the driveway.

The project includes approximately 2,790 cubic yards of cut and approximately 2,816 cubic yards of fill. Wine cave spoils would total approximately 4,230 cubic yards of spoils. The majority of spoils would be permanently kept on site and utilized for the restoration of the pond as shown on the project plans while the remaining excess spoils would be transported off-site to a County approved location.

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

The 53.04 acre project site is located within the AW zoning district on South Fork Diamond Mountain Road approximately two miles from the intersection with State Route 29 and approximately 0.75 miles south of the City of Calistoga. The project vicinity is rural and dominated by vineyards as well as natural habitats consisting of coniferous forest, oak woodland, chaparral, and open grasslands. In general, the coniferous forests and oak woodlands occupy north-facing slopes and valley bottoms. Chaparral is most common along the steepest, mostly south-facing slopes and on shallow, rocky soils. Grasslands occur on deep to moderately deep soils along less steep slopes, ridge tops, and adjacent to larger stream corridors. These habitats are bisected by a network of mostly seasonal streams that feed into the Napa River. The project site consists of a mix of natural habitats and anthropogenic features. The eastern portion of the site encompasses several structures, as well as natural habitats. Many of the structures are associated with the vineyard which is maintained by the property owner. The western portion of the site contains only natural habitat surrounding the driveway. Natural habitats within the project site boundary include the following, in general order of extent: fresh emergent wetland (associated with the onsite man-made pond), montane hardwood-conifer, annual grassland/ruderal, mixed chaparral, and redwood, as classified in the California Wildlife Habitat Relationships vegetation classification system (Mayer and Laudenslayer 1988). Precipitation occurring on the project site drains eastward and westward via two non wetland swales. There are no streams on the project site. Site topography ranges from slopes of less than five percent to slopes in excess of 30 percent within the north, south and western edges of the property. Soil types include Forward Kidd Complex, 11 to 60 percent slopes. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The project site is in an area designated as Very High Fire Hazard Severity.

The property is surrounded by rural residential and agricultural (vineyards) uses. The proposed winery is located approximately 616 feet to the west of the nearest neighboring residence which is located at 1761 Diamond Mountain Road.

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

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

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife (DFW)
Regional Water Quality Control Board (RWQCB)

Other Agencies Contacted

Federal Trade and Taxation Bureau
Department of Alcoholic Beverage Control

13. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?** On February 4, 2019, 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. The Yocha Dehe Wintun Nation responded and declined comment as the project site is not located within their aboriginal territories. No other responses were received within 30-days of the tribes receipt of the invitations.

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 21080.3.2.) 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

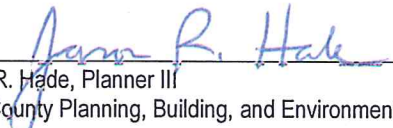
of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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, Planner III
Napa County Planning, Building, and Environmental Services

9/11/19

Date

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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. The project site is not located within a scenic vista. As such, no impacts would occur.
- b. The project site is not subject to *Napa County Zoning Ordinance*, Chapter 18.106 (*Viewshed Protection Ordinance*) because it is not visible from State Route 29 and Dunaweal Lane which are designated as Viewshed Roads. Additionally, no construction is proposed on slopes in excess of 15 percent. A total of nine trees would be removed as part of project construction, but they are not located within a state scenic highway. No rock outcroppings or historic buildings are located at the subject site. Impacts would be less than significant.
- c. The proposed project includes a new winery and cave. Proposed architectural design of the winery structure would utilize gray concrete walls with steel finish, steel trellising, glass façade with aluminum and glass storefront doors, wood trim, and a metal roof of pre-finished metal with gray or zinc tone color. The maximum height for the slope-roof winery structure would be approximately 23 feet measured from grade. As such, the project would not degrade the existing character of the site and its surroundings and impacts would be less than significant.
- d. The installation of lighting that may have the potential to impact nighttime views is proposed on the winery structure 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.*

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

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

Mitigation Measures: None required.

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

Discussion:

a/b/e. The project site is designated as "other land" 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 and no portion of the property qualifies as "prime" or "unique" farmland. The proposed project would not conflict with existing zoning for agricultural uses. There is no existing agricultural contract on the property. There are no other changes included in this proposal that would result in the conversion of Farmland. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application would not result in the conversion of special status farmland to a non-agricultural use. No impacts would occur.

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

Mitigation Measures: None required.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely 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-b. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban

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

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately 11,272 square feet of enclosed floor area (winery building, cave and pump house) with 2,037 square feet of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 47ksf (high quality restaurant) and 541ksf (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

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

- c-d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to the winery building, cave, and access driveway improvements. 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 adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

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

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 616 feet to the east of the proposed winery building. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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. Natural habitats within the project site boundary include the following, in general order of extent: fresh emergent wetland (associated with the onsite man-made pond), montane hardwood-conifer, annual grassland/ruderal, mixed chaparral, and redwood. Two special-status plants are present within the study area that are listed by the California Native Plant Society (CNPS): Calistoga Ceanothus (*Ceanothus divergens* CNPS List 1.B.2) and Napa False Indigo (*Amorpha californica* var. *napensis* CNPS List 1.b.2). These plants do not have State or Federal Listing but are listed by the California Native Plant Society (Special-Status Plant Survey Hard Six Cellars 1755 S. Fork Diamond Mountain Road, Calistoga, CA 94516, 2018). Avoidance of all special-status plants may be impractical so a mitigation plan would need to be developed as discussed further in mitigation measure BIO-1. An assessment for Northern Spotted Owls was conducted and determined that the closest known Northern Spotted Owl territory is located just over a half-mile from the project area. Site topography would ensure that noise from the project's construction activities would not disturb the Northern Spotted Owl within their activity center. The project is located in unsuitable Northern Spotted Owl habitat and would not alter any Northern Spotted Owl habitat (Hard Six Cellars Project, 2016). Sensitive animal species which could occur on the project site include special-status birds and the western pond turtle (Fingerman Property 1755 S. Fork Diamond

Mountain Road, Calistoga, Napa County, 2016). Accordingly, the mitigation measures identified below shall be implemented. The implementation of mitigation measures BIO-1, BIO-2, and BIO-3 would reduce potentially significant impacts to a level of less than significant.

c/d. A Delineation of Potential Jurisdictional Waters was conducted by Vollmar Natural Lands Consulting in October 2016. The delineation identified 1.160 acre of wetland habitat as well as 0.298 acre of open water habitat, which are associated with the onsite man-made pond. The pond has been constructed within upland habitat and is not hydrologically connected to any potentially jurisdictional stream corridors. Therefore, the habitats are not subject to regulation by the U.S. Army Corps of Engineers. However, because the California Department of Fish and Wildlife (CDFW) does not formally differentiate lakes from ponds, the pond may be subject to regulation by the CDFW under Section 1600 *et seq.* (Lake and Streambed Alteration Program). In addition, the pond is potentially subject to regulation by the Regional Water Quality Control Board (RWQCB), which regulates California surface water features. Placement of wine cave spoils in the fresh water marsh of the pond would require agency consultation and permits if agency consultation determines that the area is jurisdictional from the CDFW and RWQCB for impacts to "Waters of the State." The proposed project includes the restoration of the existing pond, which would involve temporary disturbance of the pond and associated wetlands. The existing pond would be drained and planting material on the pond bottom would be removed and stored and used as planting medium for pond restoration. The pond would be rough graded according to the landscape design and an artificial liner would be placed to stop pond leakage. Spoil material would be spread over the liner and the stored growing medium would be placed and augmented with compost and topsoil. Native grasses and forbs would be planted and kept sufficiently moist until the rainy season. The pond would be allowed to fill from rainfall and surface flow as it currently does. It is expected that wetlands would reform within the pond, and as currently occurs, that the extent of the wetlands would fluctuate with seasonal changes in water levels in the pond. As the pond would be restored and wetlands would reestablish, there would not be a long-term loss of wetlands and waters.

Wildlife corridors are described as pathways or habitat linkages that connect discrete areas of natural open space otherwise separated or fragmented by topography, changes in vegetation, and other natural or manmade obstacles such as urbanization. The site is located in a sparsely developed area and is surrounded by large expanses of undeveloped land and some vineyards. The project site itself does not contain characteristics associated with regional wildlife movement corridors, such as a creek corridors or woodlands, but it is expected that a variety of wildlife species make local movements within and across the site. Given the extent of undeveloped land surrounding the project site, development of the proposed project would not be expected to substantially obstruct regional wildlife movement. Additionally, the onsite pond, which is likely used by a variety of wildlife species, would remain accessible to wildlife. Therefore, the proposed project would not substantially interfere with an established wildlife movement corridor. Impacts would be less than significant with the implementation of mitigation measure BIO-4.

e. As illustrated on the submitted plans, a total of nine trees would be removed as part of project construction. Impacts would be less than significant because no oak trees would be removed.

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

Mitigation Measures:

MM BIO-1: If special-status plant species found on-site cannot be avoided, then a mitigation plan will need to be developed for approval by the California Department of Fish and Wildlife after consultation. The plan shall specify, at a minimum, the following: (1) the location of the mitigation site(s); (2) procedures for procuring plants, such as transplanting or collecting seed from plants to be impacted; (3) procedures for propagating collected seed; (4) the quantity and species of plants to be planted or transplanted; (4) planting procedures, including the use of soil preparation and irrigation; (5) a schedule and action plan to maintain and monitor the mitigation site for a minimum 5 year period; (6) reporting procedures, including the contents of annual progress reports; (7) a list of criteria (e.g., growth, plant cover, survivorship) by which to measure success of the plantings; and (8) contingency measures to implement if the plantings are not successful.

Monitoring: If special-status plant species found on-site cannot be avoided, a mitigation plan approved by the California Department of Fish and Wildlife shall be submitted to Planning Division staff prior to issuance of the grading permit.

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

Monitoring: If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 15 through August 31), the special-status bird species and other migratory passerines (perching birds) survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-3: A preconstruction survey for western pond turtle shall occur prior to beginning work, and work shall only occur in areas that have been surveyed. This shall include a focused survey for adult turtles and nest site searches. Any adults found within the work area shall be relocated to suitable off-site habitat. Nest sites discovered during the preconstruction survey or anytime during construction shall be avoided until vacated, as determined by a qualified biologist. On-going monitoring during construction shall occur to ensure turtles have not moved back into the area and they are not being impacted by activities. If relocation of a western pond turtle is required, the relocation site must be approved by the California Department of Fish and Wildlife and the biologist relocating the turtle must have approval from the California Department of Fish and Wildlife.

Monitoring: The pre-construction western pond turtle survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-4: If any placement of fill within the fresh water marsh of the pond identified in the *Delineation of Potential Jurisdictional Waters Fingerman Property, Calistoga, Napa County, California*, is proposed, consultation and permitting must be obtained from the U.S Regional Water Quality Control Board and California Department of Fish and Wildlife prior to and during the construction.

Monitoring: Proof of the required permits (401 Water Quality Certification from the Regional Water Quality Control Board and 1604 Stream Alteration Agreement from the California Department of Fish and Wildlife) and consultation for any placement of fill within the fresh water marsh of the pond identified in the *Delineation of Potential Jurisdictional Waters Fingerman Property, Calistoga, Napa County, California* from the agencies identified above shall be submitted to Planning Division staff prior to the issuance of a grading permit.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V.	CULTURAL RESOURCES. Would the project:				
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) 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-b. According to Napa County Environmental Sensitivity Maps (Archaeological Resources Layer, historical site, points & lines), no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. 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.

- c. 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. However, if resources are found during project grading, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency 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
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Be located on expansive soil creating substantial direct or indirect 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"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <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.) A Landslide Hazard Evaluation was conducted for the project site by Condor Earth Technologies in June 2016. During their site reconnaissance, they found no evidence that landsliding has extended into or occurred on or above the project site. They determined the proposed construction site is neither underlain nor affected by mapped possible landslides in the vicinity. Based upon this information, Condor Earth Technologies concluded that this site presents a low landslide hazard and no further studies to evaluate the landslide hazards are warranted.
- b. The proposed improvements would occur on slopes of five percent to 25 percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. The following soil type is present at the subject site: Forward Kidd Complex, 11 to 60 percent slopes. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the improvements are proposed for an area which has a very low susceptibility for liquefaction. Impacts would be less than significant.
- e. According to the Wastewater Feasibility Report prepared by Delta Consulting and Engineering on January 18, 2019, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.
- f. According to Napa County Environmental Sensitivity Maps (Archaeological Resources Layer, historical site, points & lines), no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. 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 standard condition of approval 7.2 identified in **Section V** above.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	GREENHOUSE GAS EMISSIONS. Would the project:				
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

District or the California Air Resources Board which may have a significant impact on the environment?

- b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion:

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 (CO₂e)]. This threshold of significance is appropriate for evaluating projects in Napa County.

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

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

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explain human effects on the atmosphere). Carbon Dioxide (CO₂) gas, the principal greenhouse gas (GHG) being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions (http://www.climatechange.ca.gov/glossary/letter_c.html). Equivalent Carbon Dioxide (CO₂e) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG (BAAMD CEQA Air Quality Guidelines, May 2017). In this case, carbon dioxide (CO₂) is used as the reference atom/compound to obtain atmospheric carbon CO₂ effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO₂e) 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 winery building, cave and improvements to an existing paved driveway.

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

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. Because approximately 11,272 square feet of floor area (winery building, cave and pump house) is proposed when compared to the BAAQMD's GHG screening criteria of 121,000 sf for general industrial, and compared to the BAAQMD's screening criterion of 9,000 sf. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO₂e/yr GHG threshold of significance. Approximately 2,037 square feet of space dedicated to tasting/hospitality uses is proposed.

Furthermore, the applicant intends to implement the following GHG reduction methods at the winery: preservation of developable open space in a conservation easement; solar hot water heating; energy conserving lighting; energy star roof/living roof/cool roof; installation of water efficient fixtures; low-impact development (LID); water efficient landscape; recycle 75 percent of all waste; compost 75 percent of food and garden material; implement a sustainable purchasing and shipping program; electric vehicle charging station installation; site design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave (a cave is proposed); limit the amount of grading and tree removal; education to staff and visitors on sustainable practices; use of 70 to 80 percent cover crop; and retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO₂e. GHG Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions below BAAQMD thresholds.

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
IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. A business plan would be filed with the Environmental Health Division should hazardous materials reach reportable levels. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of a new winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery building. According to Google Earth, the nearest school to the project site is Calistoga Elementary School, located approximately 1.75 miles to the north. 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. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards except for a limited request for an exception. The applicant proposes an exception to the Napa County RSS to allow for a reduction in commercial width, a non-standard driveway connection to the nearest public road, and for a portion of road with slopes exceeding 18 percent but less than 20 percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent.) The RSS exception has been requested to preserve mature native trees on steeply sloping hillsides and to minimize the need for grading on steep slopes and within the natural watercourse surrounding the driveway. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed driveway improvements would provide adequate access to south fork of Diamond Mountain Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces which would:				
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) 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"/>
iii) 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"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. 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 discretionary 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 Groundwater Resources Advisory Committee (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, providing a definition, and explaining the shared responsibility for Groundwater Sustainability and the important role of monitoring as a means to achieving groundwater sustainability.

In 2009, Napa County began a comprehensive study of its groundwater resources to meet identified action items in the County's 2008 General Plan update. The study, by Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district". Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and

seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Carneros region (mostly salinity). The subject property is located within the Western Mountains subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013. The County has no record of problems or complaints of diminished groundwater supplies at the project site or in the general vicinity.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. The project is categorized as "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 analysis was completed by Richard C. Slade & Associates, LLC on February 9, 2017 which included a parcel specific recharge evaluation. According to the recharge evaluation, groundwater recharge at the subject property is estimated to be 17.9 AF/YR (Richard C. Slade & Associates, LLC, 2017).

a/b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. According to the Wastewater Feasibility Report prepared by Delta Consulting and Engineering on January 18, 2019, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

An existing well was constructed at the site in 2006 and is proposed as the project's water source. According to a test conducted on February 25, 2015, it has a measured yield of 15 gpm (Richard C. Slade & Associates, LLC, 2017).

According to the water analysis, the projected water use the well for the project plus existing demand is 1.21 AF/YR. The anticipated total overall water demand for the project site would be 2.00 AF/YR representing a 0.79 AF/YR increase of the existing water demand of 1.21 AF/YR. 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	0.79	0.79
Winery		
Wine Production	0.000	0.49
Domestic (Employees & Visitors)	0.000	0.14
Landscape Irrigation	0.16	0.32
Residential Water Use	0.26	0.26
Net Use (Acre-ft per Year)	1.21	2.00

The estimated groundwater demand of 2.00 AF/YR, represents an increase of 0.79 AF/YR over the existing condition. The average annual recharge of 17.9 AF/YR is higher than the average annual groundwater demand estimated to be 2.00 AF/YR. The winery, as part of its entitlement would include the County's standard condition of approval requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

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

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

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

The proposed project would result in a modest increase on the demand of ground water supplies, but would remain far below the groundwater recharge rate, and therefore would not interfere with groundwater recharge or lowering of the local groundwater level. There are no known offsite wells located within 500 feet of the project well. 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. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such 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
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-b. The project would not occur within an established community, nor would it result in the division of an established community.

The project complies with the Napa County Code and all other applicable regulations with the exception of a Use Permit Exception to Conservation Regulations application (P19-00315) that is requested to allow re-grading of the existing access driveway to the south fork of Diamond Mountain Road to encroach into the required 55-foot stream setback by approximately 30 to 35 square feet for the unnamed creek. The new driveway would improve an existing paved driveway to County standards. Mitigation measures BIO-1 and BIO-2, discussed under the "Biological Resources" section above, are intended to address any potential biological impacts from the requested minor stream setback incursion.

The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards except for a limited request for an exception. The request proposes an exception to the Napa County RSS to allow for a reduction in commercial width, a non-standard driveway connection to the nearest public road, and for a portion of road with slopes exceeding 18 percent but less than 20 percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent.) The RSS exception has been requested to preserve mature native trees on steeply sloping hillsides and to minimize the need for grading on steep slopes and within the natural watercourse surrounding the driveway.

The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.

The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance, including the Winery Definition Ordinance (WDO). The County has adopted the WDO to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

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

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

The General Plan includes two policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. Proposed architectural design of the winery structure would utilize gray concrete walls with steel finish, steel trellising, glass façade with aluminum and glass storefront doors, wood trim, and a metal roof of pre-finished metal with gray or zinc tone color. The maximum height for the slope-roof winery structure would be approximately 23 feet measured from grade. As such, the project would fit within the context of its surroundings. 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
XII.	MINERAL RESOURCES. Would the project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:					
a/b.	Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (<i>Mines and Mineral Deposits</i> , 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
XIII.	NOISE. Would the project result in:				
	a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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) Generation of excessive groundborne vibration or groundborne noise levels?	<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) For a project located within the vicinity of a private airstrip or 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"/>

Discussion:

a/b. The project would result in a temporary increase in noise levels during construction of the proposed winery building, cave, and driveway improvements. 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 616 feet to the east of the proposed winery building and cave, there is a low potential for impacts related to construction noise to be significant. 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.

8.3. 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.

The proposed project involves a marketing program including five events on an annual basis with the largest event permitting up to 125 guests. The proposed project requests the use of an outdoor patio for tastings and marketing events, which has the potential to generate higher noise levels, compared to existing conditions.

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 parcel are predominantly agricultural (vineyards) 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 616 feet to the east of the proposed winery structure, cave and parking area. Under the proposed project, the largest outdoor event that would occur on the parcel would have an attendance of no more than 125 people, and all events would end by 10:00 p.m., with clean-up conducted afterwards. Winery operations would occur between 6:00 a.m. and 6:00 p.m. (excluding harvest). The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery building itself and the cave, with the exception of a 1,185 square foot uncovered outdoor hospitality area. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including clean-up 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.

The proposed project would not result in long-term significant permanent noise impacts.

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

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned 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 people or housing, 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 proposed winery would include four employees (three full time and one part-time) non harvest; two additional employees (two part time) during harvest, for a total maximum of six employees. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The three (3) full-time employees and three (3) additional part-time employees which are part of this project could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

b. No existing housing or people would be displaced as a result of the project. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None required.

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

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

Discussion:

- a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to conditions established by the Napa County Fire Marshall 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
XVI. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. 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-38, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<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) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a geometric 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-14, 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"/>

Discussion:

a/b. The project study area consists of the intersections of State Route (SR) 29/Diamond Mountain Road, the south fork of Diamond Mountain Road/project driveway intersection, and the SR 29 segments just north and south of Diamond Mountain Road. SR 29 provides the only subregional access to Diamond Mountain Road. It has two well-paved 12-foot travel lanes and eight-foot-wide paved shoulders. The posted speed limit is 55 miles per hour and the roadway is level. The highway traverses a horizontal curve through the Diamond Mountain Road intersection. SR 29 is not controlled on its approaches to the Diamond Mountain Road tee intersection, but a left turn lane has been provided on the northbound intersection approach. Diamond Mountain Road is a narrow two-lane rural County collector road extending westerly from its tee intersection with SR 29. It is stop sign controlled on its approach to the state highway. It has numerous horizontal curves, no centerline stripe and a gradual uphill grade east to west. The posted speed limit is 15 miles per hour along the majority of the road. There are intermittent dirt shoulders and numerous trees close to the edge of the road. The South Fork of Diamond Mountain Road is a very narrow two-lane road with numerous horizontal curves, intermittent dirt shoulders, no centerline striping and a gradual uphill north-to south grade. In the vicinity of the project driveway it is 14 to 15 feet wide. There are numerous tree trunks located in close proximity to the edge of the road and there is no posted speed limit. The South Fork of Diamond Mountain Road is posted "Not a Through Road" at its intersection with Diamond Mountain Road. It is yield controlled on its southbound (downhill) approach to Diamond Mountain Road. The winery would be located on the east side of the South Fork of Diamond Mountain Road with the entrance about 1,000 feet south of the South Fork of Diamond Mountain Road/Diamond Mountain Road intersection and almost three miles from SR 29. There is currently a driveway along the South Fork of Diamond Mountain Road serving an existing residence and vineyards that would be used by winery traffic. Trucks hauling grapes from the on-site vineyards to the South Fork of Diamond Mountain Road, Diamond Mountain Road, and SR 29 currently use this driveway.

Crane Transportation Group prepared a *Traffic Impact Report* on January 24, 2017. Existing traffic volumes at the intersection of SR 29/Diamond Mountain Road are identified in Figure 3 of the study and include 21 inbound trips and 37 outbound trips during the Friday PM peak hour (3:45 PM to 4:45 PM) and 13 inbound trips and 24 outbound trips during the Saturday PM peak hour (5:00 PM to 6:00 PM). The study found that the proposed project would result in an increase of one inbound trip and one outbound trip during Friday PM peak hour (3:45 PM to 4:45 PM) and zero inbound and one outbound trips during the Saturday PM peak hour (5:00 PM to 6:00 PM). The largest requested marketing event would have up to 125 attendees per event and occur once a year. These events would be held between 10:00 AM and 2:30 PM or after 6:00 PM and would be anticipated to generate up to 117 two-way trips. Wine cave spoils would total approximately 4,230 cubic yards of spoils. The majority of spoils would be permanently kept on site and utilized for the restoration of the pond as shown on the project plans while the remaining excess spoils would be transported off-site to a County approved location. The applicant anticipates up to two truck trips per day for spoils off-hauling during the projected eight month project construction duration. Up to 16 grape haul truck trips per year would occur, but the processing of grapes at the proposed winery now being grown on-site would eliminate approximately three to four existing grape haul trucks per year now leaving the site (Traffic Impact Report Proposed Hard Six Cellars Winery Along the South Fork of Diamond Mountain Road in the Napa Valley, 2017).

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)

According to the study, "the project would result in no significant off-site circulation system operational impacts to SR 29 or to the SR 29/Diamond Mountain Road intersection" (Traffic Impact Report Proposed Hard Six Cellars Winery Along the South Fork of Diamond Mountain Road in the Napa Valley, 2017). The project would not degrade operation from acceptable to unacceptable at any analyzed location and/or increase peak hour volumes by one percent or greater on any segment of SR 29 already experiencing unacceptable "Without Project" operation. Implementation of mitigation measure TRANS-1 below would reduce potential impacts to a less than significant level. 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 tasting by appointment would not occur during events of 125 guests.

As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation.

- c. Impacts associated with the proposed project's vehicle miles traveled (VMT) would be less than significant based upon the proposed land use (small winery with limited visitation and marketing program and on-site vineyards), proximity to the City of Calistoga, and proximity to public transit (approximately two miles).
- d-f. After implementation of the proposed project, the site would be accessed via an existing driveway on the South Fork of Diamond Mountain Road. Sight distance adequacy at the project driveway was evaluated and found to be acceptable with the proposed removal of trees and brush on the east side of the South Fork of Diamond Mountain Road to the north and south of the project driveway connection. This work is shown in Figures 11 and 12 of the traffic impact report. 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-2. Proposed site access, including the RSS exception, was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned.

Based on the existing volumes on the South Fork of Diamond Mountain Road and expected daily volumes at the project driveway, a left turn lane is not required at the proposed project driveway per the County's standard left turn lane warrant.

The proposal includes the construction of four parking spaces (three (3) standard spaces and one ADA space) at the subject site. 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 13 parking spaces. However, it is unlikely that the winery would host 16 visitors at one time and have three full-time employees and three part-time employees at the site at one time. Implementation of the TDM plan, as required by mitigation measure TRANS-1 below, would address parking during the proposed events by requiring the use of a shuttle bus system for events of 125 guests to transport guests from additional temporary parking along vineyard roads and along the shoulders of the winery access road. Therefore, the proposed parking would be adequate for the expected frequency of visitors and employees.

Mitigation Measures:

- MM TRANS-1: Events at the winery shall not be scheduled to begin or end between 3:00 PM and 6:00 PM to minimize trips during the evening peak hour. A shuttle bus system shall be utilized for events of 125 guests to transport guests from additional temporary parking along vineyard roads and along the shoulders of the winery access road.

Monitoring: A TDM Plan which requires events at the winery to not be scheduled to begin or end between 3:00 PM and 6:00 PM and outlines the shuttle bus system to be used during events of 125 guests shall be prepared and submitted to the Planning Division prior to the issuance of a Final Certificate of Occupancy. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement shall be submitted to the Planning Division on January 15 of each year. Planning Division

staff will review the statement to ensure compliance with the TDM Plan. Enforcement steps will be taken, if needed, to attain compliance status.

MM TRANS-2: 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
XVIII.	TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. On February 4, 2019, 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. The Yocha Dehe Wintun Nation responded and declined comment as the project site is not located within their aboriginal territories. No other responses were received within 30-days of the tribes receipt of the invitations. No impacts would occur.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:				
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) 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"/>
	d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<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) Comply with federal, state, and local management and reduction 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 require the construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

As discussed in **Section X** above, the project is categorized as "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 analysis was completed by Richard C. Slade & Associates, LLC on February 9, 2017 which included a parcel specific recharge evaluation. According to the recharge evaluation, groundwater recharge at the subject property is estimated to be 17.9 AF/YR (Richard C. Slade & Associates, LLC, 2017).

An existing well was constructed at the site in 2006 and is proposed as the project's water source. According to a test conducted on February 25, 2015, it has a measured yield of 15 gpm (Richard C. Slade & Associates, LLC, 2017). According to the water analysis, the projected water use for the well for the project plus existing demand is 1.21 AF/YR. The anticipated total overall water demand for the project site would be 2.00 AF/YR representing a 0.79 AF/YR increase of the existing water demand of 1.21 AF/YR. Based on this information, adequate water would be available to serve the project because the projected water demand is below the parcel specific recharge estimation of 17.9 AF/YR.

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.

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

d/e. 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. 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
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to 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
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The proposed project is located within the state responsibility area and is classified as a very high fire hazard severity zone. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan because the proposed driveway improvements would provide adequate access to the South Fork of Diamond Mountain Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. The project application was reviewed and approved by the Napa County Fire Department, as conditioned. Impacts would be less than significant.
- c/d. Implementation of the project would include the improvement of the existing access driveway (on and off-site) to County standards except for the request noted above. As part of the project, the property owner would implement a horizontal and vertical vegetation management plan consistent with California Department of Forestry and Fire Protection requirements along the entire length of the driveway to provide defensive space and improve sight distance. The vegetation management plan would be reviewed and approved by the Napa County Fire Marshal. Sight distance adequacy at the project driveway was evaluated and found to be acceptable with the proposed removal of trees and brush on the east side of the South Fork of Diamond Mountain Road to the north and south of the project driveway connection. Proposed site access, including the RSS exception, was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned. The project was designed to minimize impacts to steep slopes which would also minimize potential slope instability and drainage issues. 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
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially 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, substantially 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, the project site contains vegetation suitable for special-status birds, western pond turtle, and special-status plants. Mitigation is proposed for those biological topics, as well as the placement of fill within the fresh water marsh of the pond, that would reduce potentially significant impacts to a level of less than significant. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In summary, all potentially significant effects on biological and cultural resources can be mitigated to a level of less than significant.
- 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 through Greenhouse Gas Voluntary Best Management Practices including but not limited to: preservation of developable open space in a conservation easement; solar hot water heating; energy conserving lighting; energy star roof/living roof/cool roof; installation of water efficient fixtures; low-impact development (LID); water efficient landscape; recycle 75 percent of all waste; compost 75 percent of food and garden material; implement a sustainable purchasing and shipping program; electric vehicle charging station installation; site design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave (a cave is proposed); limit the amount of grading and tree removal; education to staff and visitors on sustainable practices; use of 70 to 80 percent cover crop; and retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site.

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." Within the project site vicinity, State Highway 29 is listed as two-lane Rural Throughways on the General Plan Circulation Map and already operates at a LOS E. The proposed project would not lead to a deterioration of the level of service on Highway 29 because it would add less than one percent to the existing volume. Potential cumulative impacts would be less than significant.

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

Mitigation Measures: None Required.

**Hard Six Cellars Winery Use Permit No. P16-00333-UP & Use Permit Exception to Conservation Regulations No. P19-00315
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
Impact BIO-1: Biological Resources. The proposed project has the potential to directly impact suitable habitat for special status bird and plant species.	MM BIO-1: If special-status plant species found on-site cannot be avoided, then a mitigation plan will need to be developed for approval by the California Department of Fish and Wildlife after consultation. The plan shall specify, at a minimum, the following: (1) the location of the mitigation site(s); (2) procedures for procuring plants, such as transplanting or collecting seed from plants to be impacted; (3) procedures for propagating collected seed; (4) the quantity and species of plants to be planted or transplanted; (4) planting procedures, including the use of soil preparation and irrigation; (5) a schedule and action plan to maintain and monitor the mitigation site for a minimum 5 year period; (6) reporting procedures, including the contents of annual progress reports; (7) a list of criteria (e.g., growth, plant cover, survivorship) by which to measure success of the plantings; and (8) contingency measures to implement if the plantings are not successful.	If special-status plant species found on-site cannot be avoided, a mitigation plan approved by the California Department of Fish and Wildlife shall be submitted to Planning Division staff prior to issuance of the grading permit.	P	PD	PC _/_/_
	MM BIO-2: If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 15 through August 31), the work shall be preceded by a survey for special-status bird species and migratory passerines (perching birds) by a qualified biologist within 14 days prior to the beginning of work. In the event that nesting birds are found during the survey, construction buffers shall be established by the biologist in cooperation with the California Department of Fish and Wildlife. These buffers shall remain in place until offspring have fledged or after August 31.	If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 15 through August 31), the special-status bird species and other migratory passerines (perching birds) survey shall be submitted to Planning Division staff prior to issuance of the grading permit.	P	PD	PC _/_/_
	MM BIO-3: A preconstruction survey for western pond turtle shall occur prior to beginning work, and work shall only occur in areas that have been surveyed. This shall include a focused survey for adult turtles and nest site searches. Any adults found within the work area shall be relocated to suitable off-site habitat. Nest sites discovered during the preconstruction survey or anytime during construction shall be avoided until vacated, as determined by a qualified biologist. On-going monitoring during construction shall occur to ensure turtles have not moved back into the area and they are not being impacted by activities. If relocation of a western pond turtle is required, the relocation site must be approved by the California Department of Fish and Wildlife and the biologist relocating the turtle must have approval from the California Department of Fish and Wildlife.	The pre-construction western pond turtle survey shall be submitted to Planning Division staff prior to issuance of the grading permit.	P	PD	PC _/_/_

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

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p>Impact BIO-3: Biological Resources. The proposed project has the potential to directly impact waters regulated by the State if filled or otherwise modified.</p>	<p>MM BIO-4: If any placement of fill within the fresh water marsh of the pond identified in the <i>Delineation of Potential Jurisdictional Waters Fingerman Property, Calistoga, Napa County, California</i>, is proposed, consultation and permitting must be obtained from the U.S Regional Water Quality Control Board and California Department of Fish and Wildlife prior to and during the construction.</p>	<p>Proof of the required permits (401 Water Quality Certification from the Regional Water Quality Control Board and 1604 Stream Alteration Agreement from the California Department of Fish and Wildlife) and consultation for any placement of fill within the fresh water marsh of the pond identified in the <i>Delineation of Potential Jurisdictional Waters Fingerman Property, Calistoga, Napa County, California</i> from the agencies identified above shall be submitted to Planning Division staff prior to the issuance of a grading permit.</p>	P	PD	PC _/_/_
<p>Impact TRANS-1: Transportation/Traffic. The proposed project has the potential to 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.</p>	<p>MM TRANS-1: Events at the winery shall not be scheduled to begin or end between 3:00 PM and 6:00 PM to minimize trips during the evening peak hour. A shuttle bus system shall be utilized for events of 125 guests to transport guests from additional temporary parking along vineyard roads and along the shoulders of the winery access road.</p>	<p>A Transportation Demand Management (TDM) Plan which requires events at the winery to not be scheduled to begin or end between 3:00 PM and 6:00 PM and outlines the shuttle bus system to be used during events of 125 guests shall be prepared and submitted to the Planning Division prior to the issuance of a Final Certificate of Occupancy. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement shall be submitted to the Planning Division on January 15 of each year. Planning Division staff will review the statement to ensure compliance with the TDM Plan. Enforcement steps will be taken, if needed, to attain compliance status.</p>	P	PD	FI _/_/_ OG _/_/_

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