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Initial Study/Mitigated Negative
Declaration

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Kitoko Winery Use Permit, File # P17-00373-UP
2. **Property Owner:** Phillippe Langner, 3201 Atlas Peak Road, Napa, CA 94558; 707-927-3787
3. **Project Sponsor's Name and Address:** Phillippe Langner, 3189 Atlas Peak Road, Napa, CA 94558; 707-927-3787
4. **Representative:** Albion Surveys, Inc. Attn: Jon Webb, 1113 Hunt Avenue, St. Helena, CA 94574; (707) 963-1217
5. **County Contact Person, Phone Number and email:** Sean Kennings, Planning Consultant, LAK Associates; 415-533-2111, sean@lakassociates.com and Charlene Gallina, Supervising Planner, 707-299-1355, Charlene.gallina@countyofnapa.org
6. **Project Location and APN:** The project is located on an approximately 20-acre site within the AW (Agricultural Watershed) zoning district at 3201 Atlas Peak Road, Napa CA 94558; APN: 033-010-034.
7. **General Plan Description:** AWOS (Agriculture, Watershed, and Open Space)
8. **Zoning:** Agricultural Watershed (AW) District
9. **Background/Project History:** The existing parcel (APN 033-010-034) is twenty acres and was previously developed with an existing residence, barn and various agricultural outbuildings. The existing property is served by a well and septic system and is accessed via an existing driveway from Atlas Peak Road. Prior to the Atlas Fire in October 2017, a residence and associated outbuildings existed just south of the proposed winery location, and no other structures existed in the area. About half of the site is grassland and half is chaparral. A residential driveway is located along the eastern end of the property. The remaining property is fallow with evidence of historical disturbance. There are no vineyards on the project site.
10. **Description of Project.** Approval of a Use Permit to allow the construction of a new 40,000-gallon winery with the following characteristics: a) Construction of a winery building consisting of two detached structures (3,187 sf and 2,603 sf) joined in the center by a covered crush pad (1,658 sf). Mobile bottling activities will occur in the crush pad area; b) Construction of a cave approximately 13,662 sf with access by three (3) portals. One portal will be accessed from the new winery building and one will be accessed from the covered crush pad and the third will be accessed from the turn-around area located at the western portion of the project. The cave will be use primary for production with the exception of 420 sf hospitality room; c) Tours and tastings by appointment only with a maximum of 20 visitors per day and a weekly maximum of 140 visitors; d) A marketing program of 10 events per year with a maximum of 30 persons and one (1) event per year with a maximum of 100 persons. Events to be held between 10 am and 6 pm and 7 pm to 10 pm. All events will be catered with food prepared off-site. Portable toilets will be brought in for the large marketing event; e) Four (4) full-time and three (3) part-time employees; During harvest on a weekday, there will be 5 full-time employees and 1 part-time employee and 3 full-time employees on a harvest Saturday; f) On premise consumption of wines produced on-site within the outdoor terraced area, hospitality building designated tasting areas, and the cave's designated hospitality room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; g) Winery hours of operation Monday through Sunday 7 am – 6 pm (Non-harvest Production) and 10 am – 6 pm (Visitation); h) Construction of seven (7) parking spaces; i) Installation of a wastewater system; j) Installation of a well and public water system; k) Installation of an underground or above ground water storage system for fire protection and rain water collection (50,000 +/- gallons); l) Installation of a 10,000 gallon domestic water tank;

m) A new access driveway and n) All project spoils and rocks generated from the cave and construction activities to be disposed on-site in front of the proposed winery.

11. **Describe the environmental setting and surrounding land uses.**

The 20-acre project site is located in the Atlas Peak area of unincorporated Napa County. The site is located within the AW zoning district at 3201 Atlas Peak Road, approximately four (4) miles north of the intersection of State Route 121 and Atlas Peak Road and approximately nine (9) miles northeast of downtown Napa. The parcel is comprised of 20 acres of mostly undeveloped land, approximately half of which is grassland and half is chaparral. A residential driveway is located along the eastern end of the site. The remaining property is fallow with evidence of historical disturbance. Vineyards are located to the west and north of the site.

Elevation of the property ranges from 1,340 at the driveway entrance to 1,395 feet in the western portion of the property. Slopes on property vary between 5-15 percent. A small unnamed blue-line stream, approximately 500 southwest of the development area flows southeast towards Milliken Creek and Milliken Reservoir. The project is located within the domestic watershed for Milliken Reservoir. The United States Department of Agriculture Soil Conservation Service Soils Map for Napa County shows the entire property mapped as Hambright-Rock outcrop complex, 2 to 30 percent slopes and Hambright-Rock outcrop complex 30 to 75 percent slopes. The area does not lie within the FEMA flood zone. The project site is in an area designated as Very High Fire Hazard Severity and compliance with Chapter 7A of the California Building Code is required for new construction.

The property is surrounded by rural residential and agricultural (vineyards) uses. The subject property is located approximately 1,200 feet to the south and west of the nearest neighboring residence – however, many residences and accessory structures were destroyed during the 2017 Atlas Fire. To the West, APN 039-010-005 is also owned by Kitoko Vineyards, LLC (3139 Atlas Peak Road), which also suffered damage during the 2017 Atlas Fire. Access to this property is through APN 033-010-035 (3183 Atlas Peak Road) located to the south and menders through the subject parcels in a northwesterly direction.

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

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

Responsible (R) and Trustee (T) Agencies

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

Other Agencies Contacted

Federal Trade and Taxation Bureau
Department of Alcoholic Beverage Control

13. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to 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 October 19, 2018, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1. Only one (1) response was received from the Middletown Rancheria in which they had no comments. On August 26, 2019, a letter was sent to the remaining tribes to close out consultation and to identify that they can comment on the project with circulation of this initial study.

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.

Charlene Gallina

Signature

9/10/2019

Date

Name: Charlene Gallina
Napa County
Planning, Building and Environmental Services Department

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. **AESTHETICS.** Except as provided in Public Resources Code Section 21099, would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) 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/b. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by rural residential uses. The project would not result in a substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently not developed with a winery or other physical improvements. The Atlas Fire in October 2017 destroyed the main residence on the subject property. As proposed on the project plans, two oak trees will be removed as a result of the project, however, most vegetation was destroyed in the Atlas Fire and additional removal may be required to clear trees burned in the fire. There are no rock outcroppings visible from the road or other designated scenic resources on the property. Atlas Peak Road is not identified as a Viewshed Road and the proposed project is not located on slopes in excess of 15%.
- c. The proposed new winery consists of two structures set back 757 feet from Atlas Peak Road. These structures will be screened from the road due to the topography of the site and being tucked into the hillside along with use of decorative landscaping to screen the parking lot and access to the building. As proposed, the hospitality and production buildings will be placed in front of the cave portals with winery functions occurring in the center of the building under the crush pad and inside the cave. The proposed architectural design of the winery structure would include elements, which allow the structure to integrate seamlessly into the site. These elements include: native stone gabion walls, shotcrete and rusted-metal finishes, a compact floor plan/development area and low plate heights. The color of the winery will be conditioned to meet the County's required earth tone palette as noted below. The height of the two winery buildings are 18'3" to the eave of the roof. As such, the project would not degrade the existing character of the site and its surrounding and impacts would be less than significant.
- d. The installation of additional lighting that may have the potential to impact nighttime views is proposed within the new parking area as part of the project. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As subject to the standard conditions of approval, below, the project would not have a significant impact resulting from new sources of outside lighting.

6.3 **LIGHTING – PLAN SUBMITTAL**

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent*

streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.5 **COLORS**

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

Ongoing operations of the tasting room would also be subject to compliance with the following standard condition of approval:

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.
- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

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"/>

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.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the Napa County Important Farmland 2016 map prepared by the California Department of Conservation District, Division of Land Resource Protection. However, the proposed improvements would occur within the portion of the site designated as Grazing Land. Accordingly, implementation of the project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important as shown on the Napa County Important Farmland Map 2016, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The proposed project would not conflict with existing zoning for agricultural uses. There is no existing agricultural contract on the property. There are no other changes included in this proposal that would result in the conversion of Farmland. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application would not result in the conversion of special status farmland to a non-agricultural use.

c/d. The project site is zoned AW, which allow wineries upon grant of a use permit. According to the Napa County Environmental resource maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest and Coniferous Forest) the project site contains no sensitive woodland or forested areas. The Atlas Fire in October 2017 destroyed the main residence on the subject property. As proposed on the project plans, two oak trees will be removed as a result of the project, however, most vegetation was destroyed in the Atlas Fire and additional removal may be required to clear trees burned in the fire. The proposed project is subject to, and as conditioned would comply with, County Code Section 18.108.027(B) (Sensitive Domestic Water Supply Drainages – Vegetation Clearing), which requires a minimum of 60% of the tree canopy and a minimum of 40% of the grass/brush cover existing on the parcel in 1993 be retained as part of the project. A vegetation retention analysis was prepared by Allied Civil Engineering for the site under the 1993 baseline. The analysis revealed that there are no significant changes to the tree canopy and brush coverage on the project site. In 1993, approximately 0.7 acres out of the total 20 acres were improved. An additional 0.03 acres is proposed for development of the winery and access improvements. Approximately 0.7 acres of the subject property is covered in trees in which 100% will be retained except for two trees. With regards to brush and grass coverage, approximately 0.8 acres will be removed out of the existing 18.6 acres. As a result, this coverage will be reduced by 4% to 17.8 acres. 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.

	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 Toxic Air Contaminants (TAC) Thresholds of Significance to assist in the review of projects under the California Environmental Quality Act (CEQA). These TAC 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 TAC thresholds are advisory and may be followed by local agencies at their own discretion.

The TAC thresholds were challenged in court (*California Building Industry Association v. Bay Area Air Quality Management District* (1st Dist., Div. 5, 2016) 2 Cal.App.5th 1067) because BAAQMD did not conduct CEQA review of their potential environmental impacts. 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 TAC 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 TAC 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 TAC 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 PM_{2.5}, 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 PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} 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 PM_{2.5} 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. The proposed project most closely compares to BAAQMD's operational criteria pollutant screening size of 541,000 square feet for general light industrial, or 47,000 square feet for a high-quality restaurant (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.). Given the size of the entire project, which is approximately 21,110 square feet of proposed enclosed floor area (winery building, crush pad area and cave) compared to the BAAQMD's screening criterion of 541ksf (general light industry) and 47ksf (high quality restaurant) for NOX (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 conservatively 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 new parking area and access driveway. 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 was approximately 1,200 feet to the south of the proposed winery building; however, it was destroyed in the 2017 Atlas Fire. To date, no building permits have been issued for a rebuild or submitted for processing. 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 Wildlife or the 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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The biological analysis was prepared for the project by Salix Consulting, Inc. (Salix) [*Biological Resources Assessment for the +/- 6.2 Acre Kitoko Vineyard Study Area Napa County, California*] in December 2017. Elevations of the property range from approximately 1,340 feet at the driveway entrance on Atlas Peak Road to 1,395 feet in the western portion of the property. Prior to the Atlas fire in October 2017, a residence and associated outbuildings existed on the property. About half of the site is grassland and half is chaparral. A residential driveway is located along the eastern end of the project site. The remaining property is fallow with evidence of historical disturbance. Vineyards were located to the west of the site on APN: 039-010-005, which is also owned by the project proponent. Field assessment of the study area were conducted on June 2, 2017 and August 5, 2017 (prior to the Atlas fire) to characterize existing conditions, assess the potential for sensitive plant and wildlife resources to occur, and determine if waters of the U.S. were present onsite. During the field assessments, plants and animals observed were documented, and habitat types were determined. Biological communities of the study area were mapped, and representative ground and aerial photographs were taken.

a. Special-Status Plants & Species: According to the Salix report, 17 of the 47 potentially-occurring special-status plant species (listed in Appendix C of the Salix report) were identified as occurring within the surrounding region; Figure 5a of the Salix report shows approximate locations of CNDDDB special-status plants within a five-mile radius of the study area. A survey for potentially occurring special-status plant species was conducted on June 2 and August 5. Results of the survey are addressed for each species identified as occurring in the project region in Tables 2a, 2b, and 4 of the Salix report. Woody species blooming prior to

June 2 may have been identifiable, and were surveyed for. Annuals blooming before June 2 may or may not have been detectable. Suitable habitat is present within the study area for several special-status plants listed in Table 4 of the Salix report, including Napa false indigo, Brewer's dwarf flax, and Jepson's leptosiphon. One special-status species, Napa bluecurls, was identified as occurring in the study area. This annual species was not detected in the early June survey but was clearly present in the early August survey. The proposed project will impact some of the plants found, and a mitigation plan will be developed in coordination with the Napa County Planning, Building and Environmental Services Department. One species, Keck's checkerbloom, is federally-listed as Endangered. The survey conducted in June and August included this species, and it was not detected. Several species including Napa false indigo, Brewer's dwarf flax, and Jepson's leptosiphon had potential to occur but were not detected within the study area during the June and August surveys. No other special-status plant species were detected.

As discussed above, only one of the potentially occurring special status plant species was observed on site: Napa bluecurls. Napa bluecurls (*Trichostema ruygtii*) is an annual herb that is native to and endemic to California. It has no federal or state status but is ranked 1B.2 (rare and endangered in California) by CNPS. The plant is endemic to California in the northern San Francisco Bay Area, where it is known from the southern Mayacamas Mountains in Napa County and into western Solano County. It grows in chaparral and openings and adjacent grassland areas. Napa bluecurls typically grows about a foot tall, sometimes up to two feet. The plant is highly aromatic from glandular hairs growing on the stems and leaves. The flowers are pale lavender in color. Its bloom period is June to October, peaking in late July and August. During the August 5, 2017 field assessment, Napa bluecurls was observed and mapped in sixteen subpopulations (ranging from 5-100 plants each) in openings in the chaparral in the central portion of the study area (Figure 6 in the Salix report). The size of the study area was approximately 6.2 acres out of the total 20-acre site. The plants were growing in a fairly distinct microhabitat; in open non-shady areas among annual grasses and forbs. These plants were not observed in early June but were quite distinguishable in early August. Representative ground photos show the plants in their habitat and a close-up of an individual plant are presented in Figure 7 of the Salix report. Per the project plans, the construction of the access driveway to the winery facility may disturb some of the Napa bluecurls communities. As such, implementation of mitigation measures **BIO-1** would reduce potentially significant impacts to a level of less than significant.

The study area supports many animal species common throughout the region. Species observed include turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), American crow (*Corvus brachyrhynchos*), western scrub jay (*Aphelocoma californica*), and mourning dove (*Zenaida macroura*). Other species evident through scat or tracks include raccoon, mule deer, coyote and opossum. A list of wildlife observed is provided in Appendix B of the Salix Report. No special status species were observed on-site, and none were reported to potentially occur on site. Prior to the 2017 Atlas Fire, the study area provided marginal nesting habitat for birds of prey (such as hawks and owls) and suitable habitat for other birds protected by the Migratory Bird Treaty Act. Although most vegetation on the subject property has been destroyed during the Atlas Fire, implementation of mitigation measures **BIO-2** would reduce potentially significant impacts to a level of less than significant in the event of future and ongoing vegetation removal.

- b/c/d There is no riparian habitat or wetlands present at site. A small unnamed blue-line stream, approximately 500 southwest of the development area flows southeast towards Milliken Creek and Milliken Reservoir. The project has been designed to avoid impacts to the unnamed blue-line stream in the southwest corner of the subject property. Proposed site improvements are located in the north/north-central portion of the subject property and would be over 500 feet from the top of stream bank and well outside any required setback per the Napa County Conservation Regulations which required a 55-foot setback for intermittent and seasonal streams on slopes of 5% to 15%. No streams adjacent or near the project site would be disturbed and no migratory fish or wildlife would be impacted as a result of the project.
- e. As illustrated on the submitted plans, two oak trees may be removed as part of the proposed project. However, much of the Project Site was burned during the 2017 Atlas Fire and there are no living trees remaining on the property.
- 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:** Development of the proposed project would have the potential to affect populations of Napa bluecurls (CNPS List 1B.2) within the project area, in conflict with General Plan Goal CON-3 (and related Policies) that require the protection of special status species. Impacts to Napa County Locally Rare species would conflict with Goal CON-2 that requires the maintenance and enhancement of existing levels of biodiversity. Policy CON-13 requires that all discretionary agricultural projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat

supporting special-status species to the extent feasible.

The plan shall be modified to include the following combination of mitigation measures to avoid and replace populations of Napa bluecurls within the project parcel:

Avoidance

Populations of Napa bluecurls within the study area shall be avoided to the extent feasible through project redesign at the building permit phase. Minimum 25-foot buffers shall be established and maintained between all development areas (including but not limited to landscaping and infrastructure) of remaining populations of Napa bluecurls.

Replacement/Restoration

All populations of Napa bluecurls removed shall be replaced at a minimum 2:1 ratio (population areas replaced: population areas removed) or greater as determined by and in consultation with the California Department of Fish and Wildlife (CDFW) and Napa County. Mitigation replanting shall be designated in a Mitigation Plan, which would include replanting procedures, monitoring requirements, and success criteria goals. Replanting areas shall be determined by a qualified biologist in consultation with CDFW. Planting densities would be determined by a qualified biologist during preconstruction surveys and shall be similar to existing densities found onsite.

Preservation

Areas containing Napa bluecurls that remain undeveloped shall be preserved and managed to maintain a relatively open canopy as determined by and in consultation with the California Department of Fish and Wildlife. A qualified biologist shall verify that markers and visible fencing protect these areas and are positioned correctly and adequately for each phase of the project. These areas may be inspected for compliance before, during, and after each construction phase.

The areas selected for preservation shall include those areas required to be avoided as mitigation and provide potential habitat for Napa bluecurls. Areas designated for preservation shall be identified as such in a deed restriction, open space easement with an organization such as the Land Trust of Napa County as the grantee, or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including, but not limited to, conversion to other land uses such as agriculture or urban development, and excessive off-road vehicle use that increases erosion), and should otherwise be restricted by the existing goals and policies of Napa County. The areas to be covered by the deed restriction shall be determined by and in consultation with the California Department of Fish and Wildlife, and submitted to Napa County for review and approval. Areas to be preserved shall be selected in a manner that minimizes fragmentation of habitat areas; and the preservation areas shall first prioritize portions of the project that are not already subject to development restrictions (i.e. within stream setbacks and on slopes greater than 30%). The deed restriction shall be entered into and recorded with the Napa County Recorder's office prior to commencement of the project or within 90 days of project approval, whichever occurs first, and in a form acceptable to County Counsel.

Monitoring: Prior to issuance of a grading permit, the Napa bluecurl Mitigation Plan shall be reviewed and approved by the Planning Division in consultation with CDFW and implemented for any removal and/or replanting of Napa bluecurls.

MM BIO-2:

Pre-construction Bird Surveys: If vegetation removal takes place during the breeding/nesting season (February 1 through August 31), disturbance of nesting activities could occur. Take of any active raptor nest is prohibited under California Fish and Game Code Sections 3503, 3503.5, and 3513. To avoid impacts to nesting birds, necessary tree and shrub removal should occur outside of the typical nesting season (February 1 through August 31). If tree or shrub removal occurs at any time during the nesting season, a preconstruction survey should be conducted by a qualified biologist no more than 15 days prior to initiation of proposed development activities. If active nests are found on or immediately adjacent to the site, a nest avoidance plan shall be implemented with approval from the Napa County Planning Department. The avoidance plan shall include appropriate buffers to the nest(s), and a qualified biologist should monitor the nest(s) and project activities to ensure no harm or agitation affects the nestlings. Once the birds have fledged, there is no longer a need for the buffer, and project activities could then proceed. If no nesting is found to occur, necessary tree and shrub removal could then proceed.

Monitoring: If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 1 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.

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

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

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

Mitigation Measures: None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. 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. The applicant has indicated that they will be installing a ground or roof mounted photovoltaic system to provide power to the proposed winery. 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 type="checkbox"/>	<input checked="" 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.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no

known landslide areas within the area of the subject site proposed for modification as part of the project.

- b. The proposed improvements would occur on slopes of 5 to 15 percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance, which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. The following soil types are present at the subject site: Hambright Rock Outcrop complex 2-30 percent slopes and Hambright Rock Outcrop complex 30-75 percent slopes (Hydrologic Soil Group D). 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 Disposal Feasibility Study prepared by Applied Civil Engineering on September 12, 2017, 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 District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

- a/b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report

(EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO₂e)]. This threshold of significance is appropriate for evaluating projects in Napa County.

During the ongoing planning effort, Napa 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 development of a winery building and wine cave as well as the construction of associated improvements including a new driveway to access Atlas Peak Road.

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 XVII, 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. The project proposes approximately 21,110 square feet of floor area for winery/wine cave uses and when compared to the BAAQMD's GHG operational screening criteria of 121,000 sf for general light industrial and 9,000 sf. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO₂e/yr GHG threshold of significance.

Furthermore, the applicant has submitted a Best Management Practices Checklist for development projects to reduce GHG emissions by employing the following as part of the proposed winery: exceeding Title 24 energy standards, installation of rooftop or ground mounted solar panels; installation of water efficient fixtures; application of low impact development; installation of water efficient landscape in compliance with the Water Efficient Landscape Ordinance (WELo); recycling waste and composting, installation of energy conserving lighting; the installation of bicycle racks; reducing Vehicle Miles Traveled (VMT) for employees by offering incentives, and the designation of clean air/ carpool/ electric vehicle parking spaces.

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

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

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

The increase in emissions expected as a result of the project would be relatively minor 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"/>
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 type="checkbox"/>	<input checked="" 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 an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed winery building. According to Napa County GIS, the nearest school to the project site is Vichy Elementary School, located approximately 4.5 miles to the southwest. 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 project's new access driveway would meet Napa County Road and Street Standards. The project has been reviewed for sight line distances and found to be acceptable. In addition, incorporating mitigation measures for brush clearing to maintain those distances would reduce potential impacts to less than significant. Therefore, the project would not obstruct emergency vehicle access. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.
- 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 new driveway would provide a primary access driveway to Atlas Peak 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 checked="" 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 type="checkbox"/> | <input checked="" 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 town across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The County of Napa had not adopted or implemented any additional mandatory water use restrictions. The County requires all Use Permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In 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 Central Interior Valleys subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013. The County has no record of problems or complaints of diminished groundwater supplies at the project site or in the general vicinity. The applicant has not experienced any issues with the availability of groundwater.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project, which reduces water usage, or any water usage, which is at or below the established threshold, is assumed not to have a significant effect on groundwater levels. O'Conner Environmental conducted a Tier 1 Water Availability Analysis (WAA) in September 2017 prior to the 2017 Napa Fire in October. A Tier 2 analysis was not conducted by O'Conner Environmental because the nearest non-project well is approximately 1,100 feet to the northwest of the project site.

For the recharge analysis, the WAA evaluated the hydrogeologic conditions for an area that contained 13 wells or a total project recharged area of 255 acres. The analysis estimated that there are nine main residences, six secondary units and three uncovered pools. The project parcel contains one of these primary residences. A large parcel to the northeast of the project parcel also contains a 6,000 sf lawn. There are three existing vineyards within the project recharge area, totaling 109.6 acres of vines. While the portions of the large vineyard at the western edge of the project recharge area (APN 039-010-003) are located outside of the recharge area, this vineyard's main wells appear to be located within the recharge area. Therefore, the total acreage of this vineyard was included in the water use calculations. One the existing vineyards (APN 039-010-008) also contains a small 10,000 gallon winery and employs two full time employees but does not have tastings or marketing events. The total existing water use for this recharge area is 65.94 acre-ft/yr. According to the recharge evaluation, the project recharge area revealed that average water year recharge was approximately 5.8 inches/yr or 123.3 acre-ft/yr. During drought conditions, recharge was significantly lower at 3.4 inches/yr or 72.3 acre-ft/yr. The total proposed water use for the project aquifer recharge area is estimated to be 67.2 acre-ft/yr representing a 1.21 acre-ft/yr increase of the existing water demand of 65.94 acre-ft/yr. This represents about 54% of the mean annual recharge indicating that the project is unlikely to result in declines in groundwater elevations or depletion of groundwater resources over time. For the proposed project parcel, the analysis revealed that average water year recharge was approximately 8.8 acre-ft/yr. During drought conditions, recharge was at 5.2 acre-ft/yr.

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 Disposal Feasibility Study prepared by Applied Civil Engineering on September 12, 2017, the project site and proposed system has adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

The project is not expected to violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. Water sources for the project site consist of one groundwater well. The existing well does not have the required 50-foot deep, 3-inch wide annular seal and, thus, a new well will be required to serve the Transient Non-Community Public Water System. The applicant submitted a Tier 1 WAA completed by O'Conner Environmental on September 7, 2017 showing the existing water demand for the property is 0.75 acre-ft/yr (residence only) and the projected water use for the project plus existing demand is 1.97 acre-ft/yr (existing residence - 0.75 acre-ft/yr, winery process - 0.86 acre-ft/yr, winery domestic/landscaping - 0.20 acre-ft/yr, employees - 0.07 acre-ft/yr, and visitation - 0.09 acre-ft/yr). The parcel water demand can be met with the proposed project well. Therefore, the impacts from the project would be less than significant and no further analysis is needed. Below is a table that details each source of existing and proposed groundwater use:

Usage Type (acre-ft/yr)	Residential Use	Winery Process	Winery Domestic & Landscaping	Employee Use	Visitors Use	Total Use
Existing Use	0.75	0	0	0	0	0.75
Proposed Use	0.75	0.86	0.20	0.068	0.09	1.97

Prior to the Atlas Fire, the existing water usage for the residence was approximately 0.75 acre-ft/yr and would remain unchanged as part of the project. The estimated groundwater demand of 1.97 acre-ft/yr, represents an increase of 1.22 acre-ft/yr over the existing condition. "Total annual water demand at Kitoko Winery, associated with the proposed production capacity to 40,000 gallons of wine per year, is estimated to be 7.1% of the project recharge area (Per Napa County Phase I Water Availability Analysis method) for the parcel; therefore, the demand should be met with a proposed well at 7.8 gpm combined capacity." (Applied Civil Engineering, 2017) The winery, as part of its entitlement would include the County's standard condition of approval requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

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

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

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

The proposed project would result in a minor increase on the demand of ground water supplies and therefore would not interfere with groundwater recharge or lowering of the local groundwater level. A Tier 2 well interference analysis was not conducted as part of the project's potential impacts as no neighboring wells are within 500 feet from the property. No significant drawdown impact is anticipated for wells on adjacent parcels. No spring interference would occur, as the natural spring on-site is no longer used as a water source. 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. Furthermore, the parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. There would be no impact.
- 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 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 and does not need a variance or other deviation from the County Code. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows for "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. The proposed new winery consists of two structures set back 757 feet from Atlas Peak Road. These structures will be screened from the road due to the topography of the site and being tucked into the hillside along with use of decorative landscaping to screen the parking lot and access to the building. As proposed, the hospitality and production buildings will be placed in front of the cave portals with winery functions occurring in the center of the building under the crush pad and inside the cave. The proposed architectural design of the winery structure would include elements, which allow the structure to integrate seamlessly into the site. These elements include: native stone gabion walls, shotcrete and rusted-metal finishes, a compact floor plan/development area and low plate heights. The color of the winery will be conditioned to meet the County's required earth tone palette. The height of the two winery buildings are 18'3" to the eave of the roof. As such, the project would be designed of high architecture quality and impacts would be less than significant. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 (*Mines and Mineral Deposits*, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures:

	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"/>
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 new winery facility, wine cave, and driveway connecting to Atlas Peak Road and the creation of additional parking stalls. 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 (destroyed in the 2017 Atlas Fire) to the project site was approximately 1,200 feet to the north of the proposed winery structures and operations there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 8am-5pm 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 wine-tasting program permitting up to 20 visitors a day by appointment only, 10 marketing events annually with a maximum of 30 guests, and one marketing event per year with a maximum of 100 guests. Use of the proposed facility for tastings and marketing events has the potential to generate higher noise levels, compared to existing conditions, as a result of the proposed occurrence of marketing events outdoors.

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 was approximately 1,200 feet to the north of the proposed winery structure. Under the proposed project, the largest event that would occur on the parcel would have an attendance of no more than 100 people. Winery operations would occur between 7:00 am and 6:00 pm (excluding harvest). Daily visitation will be held between 10:00 am and 6:00 pm. Marketing events will be held between 10:00 am and 6:00 pm or 7 pm and 10 pm. The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery building itself, the outdoor terrace adjacent to the building and the cave. Marketing events are proposed to be held in the Cave. 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, excluding clean-up will be required to finish by 10:00 pm. Amplified music or sound systems would not be permitted for outdoor events as identified in standard Condition of Approval below. Temporary events would be subject to County Code Chapter 5.36, which regulates proposed temporary events. With regards to bottling activities, the covered crush pad area will be flanked by two buildings and tucked up against the cave creating a natural screening area from off-site residences to the north and south. Such activities would be required to end by 6:00 pm.

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 winery includes four full-time employees three part-time employees as part of this project. During the harvest on a weekday, there will be five full-time employees and one part-time employee, and three full-time employees on a harvest Saturday. The Association of Bay Area Governments' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County's Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The four (4) full-time employees and three (3) additional part-time employees who 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:				
i)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) 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 for the residence, and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to Napa County Fire Marshall conditions and there would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. The proposed project would have minimal impact on public parks as no residences are proposed. Impacts to public services would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 parks 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-16, which seeks to maintain an adequate Level of Service (LOS) at	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?

- b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- d) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?

Discussion:

a. Crane Transportation Group prepared a Traffic Impact Report for Kitoko Vineyards Winery on August 10, 2017 and revised on February 20, 2018. The traffic study was developed to respond to work tasks typically requested by the Napa County Public Works Department. Evaluation was conducted for harvest Friday and Saturday PM peak traffic conditions. Existing harvest 2017, year 2020 and year 2030 (Cumulative – General Plan Buildout) horizons were evaluated both with and without project traffic. Operating conditions along Atlas Peak Road at the project entrance as well as at the Atlas Peak Road/Monticello Road (SR 121) and Silverado Trail/Hardman Avenue intersections were evaluated for all analysis scenarios based upon the County's recently approved significance criteria. In addition, the project driveway intersection with Atlas Peak Road was evaluated for sight line adequacy as well as the need for a left turn lane based upon County warrant criteria.

Analysis peak traffic hours were based upon the highest volumes surveyed along Silverado Trail at Hardman Avenue, as volumes at this location were significantly higher than those at the Atlas Peak Road/Monticello Road intersection. Along Silverado Trail, projected two-way volumes north of Hardman Avenue during harvest would be expected to be higher during the Friday PM peak hour compared to the Saturday PM peak hour (about 1,715 Friday PM peak hour two-way vehicles versus about 1,510 Saturday PM peak hour vehicles). Volumes along Monticello Road just west of Atlas Peak Road would also be expected to be higher during the Friday PM peak hour compared to the Saturday PM peak hour (about 1,230 vehicles during the Friday PM peak hour versus about 800 vehicles during the Saturday PM peak hour). Atlas Peak Road at the project site would also be expected to have higher Friday than Saturday PM peak volumes (19 vehicles during the Friday PM peak hour and 5 vehicles during the Saturday PM peak hour). The driveway serving the Kitoko Vineyards site had 1 vehicle during the Friday PM peak hour and 0 vehicles during the Saturday PM peak hour.

Project Trip Generation - The proposed project will result in the following - trip generation during harvest Friday and Saturday PM peak traffic hours.

PROJECT TRIP GENERATION

HARVEST

FRIDAY PM PEAK HOUR* (4:15-5:15)		SATURDAY PM PEAK HOUR* (4:30-5:30)	
INBOUND TRIPS	OUTBOUND TRIPS	INBOUND TRIPS	OUTBOUND TRIPS
0	3	0	3

* Peak traffic hour along Silverado Trail.

Trips during the Friday and Saturday PM peak hours will be a combination of the last visitors of the day leaving and the tour/tasting employee going home.

Year 2017 Harvest + Project Off-Site Circulation Impacts - The project would not result in any significant level of service or signal warrant impacts to the unsignalized Silverado Trail/Hardman Avenue intersection. Although the stop sign controlled Hardman Avenue intersection approach to Silverado Trail would be operating at an unacceptable level of service with or without the project, the increase in traffic on the Hardman Avenue approach due to the project would be less than 10 percent. The project would not result in any significant level of service impact at the signalized Atlas Peak Road/Monticello Road intersection and would not degrade operation from acceptable to unacceptable.

Year 2020 Harvest + Project Off-Site Circulation Impacts - The project would not result in any significant level of service or signal warrant impacts to the unsignalized Silverado Trail/Hardman Avenue intersection. Although the stop sign controlled Hardman Avenue intersection approach to Silverado Trail would be operating at an unacceptable level of service with or without the project, the increase in traffic on the Hardman Avenue approach due to the project would be less than 10 percent. Also, the project would not result in any significant level of service impact at the signalized Atlas Peak Road/Monticello Road intersection and would not degrade operation from acceptable to unacceptable.

Year 2030 (Cumulative) Harvest + Project Off-Site Circulation Impacts - The project would result in a significant level of service impact to the Silverado Trail/Hardman Avenue intersection during both the Friday and Saturday PM peak hours. The growth in traffic from existing to cumulative conditions on the stop sign controlled Hardman Avenue approach to Silverado Trail would be increased by more than 5 percent due to the addition of project traffic during both peak hours. However, there would be no level of service impacts to the signalized Atlas Peak Road/Monticello Road intersection and the project would not degrade operation from acceptable to unacceptable. To mitigate any potential impacts, the permittee will be required to install a sign directing winery guests when exiting the project driveway to make a right turn at the signalized Atlas Peak Road/Monticello Road intersection when desiring to travel up the Napa Valley to access either Silverado Trail or SR 29. Implementation of mitigation measure TRANS – 1 would reduce cumulative traffic conditions and reduce project impacts to less than significance.

- b. As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation. Atlas Peak Road is not classified as a Class III bike route and is therefore accessible via bicycle. The project would be conditioned to require the installation of bicycling parking facilities (minimum of two spaces) near the tasting room. No impact would occur.
- c. The transition to VMT is not required of lead agencies until July 1, 2020. However, in anticipation of the transition, the Circulation Element includes new policies that reflect this new regulatory framework for transportation impact assessment, along with a draft threshold of significance that is based on reduction of VMT compared to the unmitigated project rather than the regional average VMT (Policies CIR-7 through CIR-9). Staff believes this alternative approach to determining the significance of a project's transportation impacts would be better suited to Napa County's rural context, while still supporting the efforts of the County to achieve the greenhouse gas emissions goals of its pending Climate Action Plan. The reduction in VMT and, correspondingly, GHG emissions from the transportation sector, is also necessary for Napa County, the region, and the state to achieve long-term, statewide mandates targeted toward reducing GHG emissions. Such mandates include, but are not limited to Executive Orders S-3-05 and B-16-12, which respectively, set a general statewide GHG emissions reduction target of 80 percent below 1990 levels by 2050, and an 80 percent GHG emissions reduction below 1990 levels (also by 2050) specifically for the transportation sector. The applicant has indicated that given the winery location being a travel distance of 20 minutes to downtown Napa, employees would be encouraged to carpool and bring meals for required breaks and lunch. Scheduling of tastings would result in three or four tours per day of two – four guests per tour. Evening marketing events will be designed to require guests to utilize a shuttle service from the Silverado Resort and Spa Golf Course located at 1600 Atlas Peak Road. As such, impacts would be less than significant.
- d-e. After implementation of the proposed project, the site would be accessed via a new driveway off Atlas Peak Road (using the existing driveway access point). Based on the existing volumes on Atlas Peak Road and expected daily volumes at the project driveways, a left turn lane is not required at the proposed project driveway per the County's standard left turn lane warrant. Sight distance along Atlas Peak Road at the project driveway and proposed driveway was evaluated based on sight distance criteria contained in the Highway Design Manual published by Caltrans. Sight lines are currently acceptable in both directions at the project's driveway connection to Atlas Peak Road, but brush will need to be trimmed on a regular basis in order to maintain the acceptable sight lines as provided in mitigation measure TRANS 2, thereby reducing project impacts to less than significant. Proposed site access was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as mitigated.
- f. The proposal includes the construction of seven (7) parking spaces at the subject site. Based upon the County standard of 2.6 persons per vehicle during the weekdays and 2.8 persons per vehicle during the weekends and 1.05 persons per vehicle for

employees, the minimum parking required for daily activities would be seven spaces. However, it is unlikely that the winery would host 20 visitors at one time on a weekend and have four full-time employees and three part-time employees at the site at one time. The proposed parking will meet the anticipated parking demand and will avoid providing excess parking, and will therefore have no impact. Furthermore, the proposed marketing events each year would occur between 10:00 am and 6:00 pm and 7 pm to 10 pm, but would be scheduled to eliminate any guest traffic on the local circulation system between 3:00 and 5:30 pm on any day of the week. In addition, the applicant will be implementing a shuttle service whereby guests would be able to park at the Silverado Resort and Spa Golf Course parking lot located 1600 Atlas Peak Road and shuttled to events held during the evening.

Mitigation Measures:

MM Trans – 1: The permittee shall provide a sign along the project driveway for exiting traffic directing drivers desiring to travel up the Napa Valley to make a right turn at the signalized Atlas Peak Road/Monticello (SR121) intersection to access either Silverado Trail or SR 29.

Monitoring: Improvement Plans for the installation of the directional sign and an application for an encroachment permit shall be submitted for Engineering Services and the Planning Division and the Public Works Department review and approval prior to the issuance of a building permit or grading permit.

MM Trans – 2: The permittee shall remove brush on an annual basis along the project's Atlas Peak Road frontage to the north and south of the project driveway in order to maintain acceptable sight lines to accommodate 30 mile per hour traffic speeds on Atlas Peak Road.

Monitoring: Prior to the issuance of a building permit, an annual landscape maintenance program in conjunction with the project's landscape plan shall be submitted to the Planning Division and the Public Works Department for review and approval.

	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 October 19, 2018, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1. Only one (1) response was received from the Middletown Rancheria in which they had no comments. On August 26, 2019, a letter was sent to the remaining tribes to close out consultation and to identify that they can comment on the project with circulation of this initial study. No impacts would occur.

Mitigation Measure: 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"/>
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. The project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal would be accommodated on-site and in compliance with State and County regulations. According to the Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering on September 12, 2017, the project site and proposed winery and wine cave development could be served by two potential on-site systems: 1) Option 1: Combined Sanitary and Process Wastewater Subsurface Drip Disposal Field, or 2) Option #2: Sanitary Wastewater Subsurface Drip Disposal Field and Process Wastewater Treatment for Irrigation. The difference between the two systems is whether the sanitary wastewater and the winery process wastewater would be collected together and pretreated before dispersal in drip-type subsurface system or treated separately and dispersed separately. The Applied Civil Engineering concludes that the project site would have adequate disposal capacity to serve either system designed for the project. Full design calculation and construction plans for the wastewater system(s) must be prepared in accordance with Napa County standards at the time of building permit application. The Division of Environmental Health reviewed this report and concurred with its findings.
- b. 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 1 analysis. Based on WAA guidance, a Tier 2 analysis was not required, as stated by O'Conner Environmental on September 7, 2017, because the nearest non-project well is located more approximately 1,100-ft from the proposed project well. Water sources for the project site consist of an existing groundwater well for the previous single-family residence. This well does not have the required 50-foot 3-inch wide annular seal, therefore, a new well is proposed. The applicant submitted a Water Availability Analysis (WAA) completed by O'Conner Environmental Engineering on September 7, 2017 evaluating existing and proposed water uses within the project recharge area, an analyses to estimate groundwater recharge relative to proposed uses (Tier 1) and a screening analysis of the potential for well interference at neighboring wells located within 500-ft of the project well (Tier 2). The existing water use for the property is 0.75 acre-ft/yr. The anticipated total overall water demand for the project site would be 1.97 acre-ft/yr representing 1.22 acre-ft/yr increase of the existing water demand of 0.75 acre-ft/yr. For the proposed project parcel, the recharge analysis revealed that the average water year recharge was approximately 8.8 acre-ft/yr. During drought conditions, recharge was at 5.2 acre-ft/yr. The parcel water demand can be met with the existing well (residential only) and the new project well (winery). The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project. Impacts would be less than significant.
- c. Wastewater would be treated on-site and would not require a wastewater treatment provider. Impacts would be less than significant.
- d. 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 though 2030. Impacts would be less than significant.

- e. 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"/>
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 Atlas Peak 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.
- c/d. Implementation of the project would include the improvement of the existing access driveway (on and off-site) to County standards. 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 and 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 annual removal of trees and brush on the west side of Atlas Peak Road. Proposed site access was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned. 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?

Discussion:

- a. As discussed in **Section IV** above, the project site contains special status plants and species. Mitigation is proposed for those biological topics that would reduce potentially significant impacts to a level of less than significance. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In the event archaeological artifacts are found, a standard condition of approval would be incorporated into the project. 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 traffic is 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, traffic and air pollutions, all of which contribute to cumulative effects when future development in Napa Valley is considered. Cumulative impacts of these issues are discussed in previous sections of this Initial Study, wherein the impact from an increase in air pollution is being addressed as discussed in the project's Greenhouse Gas Voluntary Best Management Practices including but not limited to: employees carpool incentives, installation of solar arrays, installation of water efficient fixtures; application of low impact development; installation of water efficient landscape in compliance with the Water Efficient Landscape Ordinance (WELO); installation of energy conserving lighting; the installation of bicycle racks; and the designation of clean air/carpool/electric vehicle parking spaces.

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 relatively small amount toward the general overall increase. As discussed in **Section XVII** above, the project will be conditioned to include proper traffic signage to reduce potential impacts to cumulative traffic conditions.

- 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.



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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Planning Commissioners	From: Charlene Gallina Supervising Planner
Date: October 16, 2019	Re: Kitoko Winery Use Permit P17-00373-UP

On September 26, 2019, Staff received the attached comment from the California Department of Toxic Substances Control (DTSC) in response to the Draft Initial Study – Mitigated Negative Declaration prepared for the proposed Kitoko Winery Project. The attached email transmittal stated that a Leaking Underground Storage Tank (LUST) site is shown to exist at the project's address on the online Geotracker database and that the LUST site is listed as completed/case closed. Furthermore, the DTSC requested more information be included in Initial Study/Mitigated Negative Declaration and possibly additional mitigation measures be added.

Property research by the Planning and Environmental Health Divisions revealed that on November 7, 2016, a letter from the Department of Public Works was sent to the former property owner confirming the completion of a site investigation and corrective action for the voluntary cleanup program at this site (Napa County Site HF-E 8241). The letter also stated that no further action related to the contamination release at the site was required. Therefore, the site is not considered to have any potential significant environmental effect related to the LUST and no additional conditions or mitigation measures are required.

Gallina, Charlene

From: Roman, Isabella@DTSC <Isabella.Roman@dtsc.ca.gov>
Sent: Thursday, September 26, 2019 4:12 PM
To: sean@lakassociates.com; Gallina, Charlene
Subject: Kotoko Winery Use Permit IS comment

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

I represent a responsible agency reviewing the Initial Study for Kotoko Winery Use Permit.

There is limited information in the text regarding the cave, the water well and the wastewater system. Please add additional information to the text including purpose, intended use and users and construction details. A map of the proposed project site would also be helpful to be included.

A Leaking Underground Storage Tank (LUST) site is shown to exist at the project's address on the online Geotracker database. The LUST site is listed as completed/case closed however a discussion of this, especially in relation to the water well, should be included in the text. This would be useful to include in the discussion under IX.)d.).

Based on the past land uses summarized in the text, it may be unlikely that contamination is present at the site. However, there is no discussion in the document of the potential for contamination to be present. Because such extensive work is proposed to be done as part of this project especially in regards to the cave, it would be valuable to collect environmental samples and/or to conduct a Phase 2 Environmental Site Assessment to have more information. Due to the cave's location below grade and it's potential to have little to no barrier to soil and/or soil gas, workers and customers could potentially have a higher exposure than in other situations. This could be clarified by providing the information requested above.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

Isabella Roman
Environmental Scientist
Site Mitigation and Restoration Program
Department of Toxic Substances Control
700 Heinz Avenue Suite 200
Berkeley, CA 94710
(510)-540-3879



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A Commitment to Service

November 7, 2016

Ron & Dale Troup
c/o Ms. Shawnee Talley
2040 Jefferson Street
Napa, CA 94559

Subject: No Further Action letter for 3201 Atlas Peak Road, Napa, California
Napa County Site HF-E 8241 APN 033010034000

Dear Ms. Niles,

This letter confirms the completion of a site investigation and corrective action for the voluntary cleanup program site at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the discovered contamination are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the contamination release(s) at the site is required.

This notice is issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code. Please contact our office if you have any questions regarding this matter.

Sincerely,

James Newman, P.G., C.E.G.
Geologist, Napa County Department of Public Works

cc Mark Bare, San Francisco Bay RWQCB
Clarence Johnson, C J Environmental, 57 Amberwood Court, Moraga, CA 94556
Shawnee Talley, 2040 Jefferson Street, Napa, CA 94559

E 8241/CL/2016

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Steven E. Lederer
Director