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Initial Study/Mitigated Negative
Declaration & MMRP

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

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Gateway East Winery, Use Permit #P18-00389-UP
2. **Property Owner:** Scannell Properties (Todd Berryhill), 3468 Mt. Diablo Blvd., Suite B115, Lafayette, CA 94549; (510) 899-8302
3. **Project Sponsor's Name and Address:** Matt Anderson, Scannell Properties, 3468 Mt. Diablo Blvd., Suite B115, Lafayette, CA 94549; (415) 845-9504
4. **Representative:** George Monteverdi, Monteverdi Consulting, LLC, PO Box 6079, Napa, CA 94581, (707) 761-2516
5. **County Contact Person, Phone Number and Email:** Sean Trippi, Principal Planner, (707) 299-1353, sean.trippi@countyofnapa.org
6. **Project Location and APN:** The project is proposed on a 5.52 acre site on the west side of Gateway Road East and the south side of Sheehy Creek. APN's: 057-210-039 & 040 (SFAP). Napa.
7. **General Plan Description:** Industrial
8. **Zoning:** Industrial Park: Airport Compatibility (IP:AC)
9. **Project Description:** Approval of a Use Permit for a new 230,000 gallon per year winery to allow the following:
 - (a) construction of a 86,393 sq. ft. one-story winery building for production, storage, office, and hospitality/retail sales areas;
 - (b) on-site parking for 89 vehicles (the installation of 12 parking spaces will be deferred);
 - (c) hours of operation seven days a week from 9:00 AM to 5:00 PM;
 - (d) tours and tastings by appointment only (wine and food pairings) for a maximum of 30 visitors per day, 210 maximum per week;
 - (e) establishing a marketing program to host 12 events per year for up to 100 guests at each event and one auction-related event per year with up to 100 guests (1,300 guests per year), all food for marketing events will be catered, marketing events would occur between 9:00 AM and 10:00 PM;
 - (f) on-premises consumption of wines produced on site in the tasting room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
 - (g) on-site process wastewater pre-treatment system;
 - (h) a new driveway on Gateway Road East and utilization of an existing shared driveway with the property to the south; and,
 - (i) signage, and landscape improvements.

Exterior building materials include tex-coat concrete tilt-up wall panels with a multi-color paint scheme and multiple score lines/reveals. The east elevation (facing Gateway Road East) includes glass storefront for the main entry at the southeast corner of the building that wraps onto the south elevation. Glass storefronts are also proposed on the west elevation and at the northeast corner of the building. The west elevation includes five truck loading docks, with roll-up doors and three man-doors. There is also a covered outdoor work area/crush pad in front of the loading docks. The proposed hours of operation are expected to be 9:00 AM to 5:00 PM, seven days a week. The proposed facility expects to employ 20 full and part-time employees. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively.

10. **Describe the environmental setting and surrounding land uses:**

The site is currently vacant, has been previously graded and is located within a predominantly developed portion of the industrial/business park area. The site has been designated for industrial development for over 30 years. Grade elevations on the site range from approximately 42 to 53 feet above mean seal level, from northwest to southeast. The site is dominated by ruderal grasses with a smattering of bushes. There are no trees on the site. North of the project site, across Sheehy Creek is an approved (and currently under construction) 105,099 s.f. multi-building self-storage facility on a 7.39 acre property. To the south is the recently constructed Portocork facility on a 2.49 acre property. East of the project site is an approved but not yet built 67,930 sq. ft. three story office building and west of the site is an approved 42,700 sq. ft. light industrial building on a 2.74 acre site which is also not yet built. Southwest of the site is an office complex with four multi-tenant buildings and southeast of the site are two recently approved light industrial buildings totaling 63,875 s.f. The project site is in close proximity

to the Napa County Airport, and is located in Zone D, the Common Traffic Pattern. This is an area of frequent aircraft overflight at low elevations.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement). Discretionary approval required by Napa County consists of a use permit. The proposed project would also require various ministerial approvals by the County including, but not limited to building permits and encroachment permits. Permits to connect to water and sewer utilities are required from the City of American Canyon and Napa Sanitation District, respectively. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Regional Water Quality Control Board standards and is administered by the Engineering Services Division.

The project proposes a drainage outfall into Sheehy Creek which would require a streambed alteration agreement from the California Department of Fish and Wildlife. If the proposed project involves the fill of waters of the United States, the project would require a dredge-and-fill permit from the U.S. Army Corps of Engineers. The proposed project does not involve the "take" of listed endangered or threatened species, and thus does not require a "take permit" from the Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife
U.S. Army Corps of Engineers
City of American Canyon
Napa Sanitation District

Other Agencies Contacted

Federal Trade and Taxation Bureau
Department of Alcoholic Beverage Control

12. **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 June 6, 2019, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. A response was received from the Yocha Dehe Wintun Nation that indicated that the project site was located within their aboriginal territories and that they have a cultural interest in the proposed project area. Although the response was received after the prescribed 30-day consultation period, the requested additional information was provided to the tribal representative. No further consultation was requested and the consultation period closed on August 14, 2019.

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.



Sean Trippi, Principal Planner
Napa County Planning, Building, and Environmental Services

10/1/2019

Date

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The proposed project would not be located within an area which would damage any known scenic vista, or damage scenic resources, trees, rock outcroppings, or historic buildings. The proposed project site has been previously graded and consists primarily of ruderal grasses and is currently vacant.
- c. The proposed project is located within a partially developed portion of the Napa Valley Business Park Specific Plan (NVBPSP) area that allows a mix of industrial developments. The building is located on the west side of Gateway Road East, south of Sheehy Creek. Gateway Road East is a minor interior street that intersects the west side Devlin Road and ends in a cul-de-sac. The building includes tex-coat concrete tilt-up wall panels with a multi-color paint scheme and multiple score lines/reveals. The east elevation (facing Gateway Road East) includes glass storefront for the main entry at the southeast corner of the building that wraps onto the south elevation. Glass storefronts are also proposed on the west elevation and at the northeast corner of the building. The west elevation includes five truck loading docks, with roll-up doors and three man-doors. There is also a covered outdoor work area/crush pad in front of the loading docks. The overall design is equivalent to other similar more recent industrial projects approved and/or constructed within the NVBPSP boundaries, and meets the minimum design requirements for the NVBPSP industrial park area. Therefore, the project will not substantially degrade the existing visual character or quality of the site and surrounding area.
- d. The new facility will result in a minor increase in the nighttime lighting. In accordance with County standards, all exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and include shields to deflect the light downward. Avoidance of highly reflective surfaces will be required, as well as standard County conditions to prevent light from being cast skyward. This is an area routinely overflowed by low flying aircraft which necessitates strong controls on skyward nighttime lighting. As designed, and as subject to the standard conditions of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

- 4.9 *GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS*
 - a. *All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.*
- 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; located as low to the ground as possible; 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.*

Mitigation Measures: None required.

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

Discussion:

- a/b. The project site is located within a developing industrial park. The project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Important as shown on the Napa County GIS map (*Department of Conservation Farmlands 2012 Napa County Farmlands* layer). According to Napa County GIS the property is categorized as Farmland of Local Importance (L). Although the site, as well as other undeveloped land in the NVBPSP area, is classified as being locally important, the site has been designated for industrial or business park uses for the last 30 years. Undeveloped lands within the boundary of the NVBPSP are designated as Farmland of Local Importance because they include areas of soils that meet all the characteristics of Prime Farmland or of additional Farmland of Statewide Importance with the exception of irrigation. As development in the NVBPSP area continues, the surrounding developed parcels have been reclassified as Urban and Built-up Land (D). The project site is not subject to a Williamson Act contract.
- c/d. The project site is zoned Industrial Park (IP), which allows light industrial, wineries/wine processing facilities, manufacturing, office and business park uses upon grant of a use permit, and is located within the NVBPSP. 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 does not contain woodland or forested areas. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.
- e. The project site is surrounded by developing industrial park land and the area has been designated for industrial development for over 30 years. The project will not result in the conversion of existing farmland.

Mitigation Measures: None required.

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

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

Discussion:

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

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

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

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

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

Ozone and fine particle pollution, or 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 facility includes approximately 86,393 square feet of floor area including approximately 9,106 square feet of office area, 1,000 square feet of hospitality/retail and 76,287 square feet of wine storage and production. When compared to the BAAQMD's screening criteria of 541,000 sq. ft. for general light industrial, and compared to the BAAQMD's screening criterion of 47,000 sq. ft. for high quality restaurants, the project would not significantly impact air quality and does not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.) Given the size of the proposed project compared to the BAAQMD's screening criterion of 47,000 sq. ft. (high quality restaurant) and 541,000 sq. ft. (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

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

- c. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The proposed grading plan has been designed to balance cut and fill resulting no off or on-haul of soils. If grading were to result in off or on-haul of soils, these potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process.

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 will not expose sensitive receptors to substantial pollutant concentrations and are considered less than significant:

7.1 SITE IMPROVEMENT

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 tracked 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 State Regulations). Clear signage shall be provided for construction workers at all access points.

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/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>

Furthermore, while earthmoving and construction on the site will 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 IMPROVEMENT
 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.

- d. While the Air District defines public exposure to offensive odors as a potentially significant impact, light industrial or manufacturing uses are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Construction-phase pollutants will be reduced to a less than significant level by the above-noted standard condition of approval. The project will not create pollutant concentrations or objectionable odors affecting a substantial number of people.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV.	BIOLOGICAL RESOURCES. Would the project:				
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input 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 site is part of the Gateway Business Park Industrial Subdivision approved for industrial development in 1989. Improvements adjoining the site along Gateway Road East, such as curb, gutter, sewer and water laterals, street lights, etc., were installed in the mid-1990's as part of the approved subdivision improvements. A previous survey of plant species, entitled Botanical Survey of Napa Valley Gateway, prepared by Jake Ruygt, dated August 25, 1988, was conducted in the airport industrial park area associated with the proposed subdivision and included the project site. The survey did not find any rare, threatened, or endangered species on the project site. In addition, Sheehy Creek was realigned and enhanced to mitigate potential impacts to biological resources resulting from future development on the lots within the subdivision. Conservation easements with a width of 35-feet were recorded along both sides of Sheehy Creek. Prior to commencing construction of the required improvements and creek enhancement, the Gateway Business Park developer was required to obtain all necessary permits from California Department of Fish & Wildlife, the Army Corps of Engineers, and United States Fish and Wildlife Service.

The site is vacant, and is relatively flat with gentle slopes ranging from 0-5 percent from northwest to southeast. The site includes ruderal grasses, a smattering of bushes, and moderately dense riparian woodland areas along Sheehy Creek, which were planted as part of the creek restoration project. There is also a paved pathway located along the top of the bank of Sheehy Creek. The project proposes a drainage outfall into Sheehy Creek which would require a streambed alteration agreement from the California Department of Fish and Wildlife. The site is on the west side of Gateway Road East and adjoins Sheehy Creek to the north. There is existing development adjoining the property to the south and southwest. Undeveloped properties adjoin the east side of the site, although the properties have current entitlements. Industrial development has been progressing in the general vicinity since the late 1980's.

a/b. A biological assessment of the subject property, "*Biological & Wetland Resources Assessment, (Revised October 2018)*" dated January 22, 2019, was prepared by Barnett Environmental. The current report revised a previously prepared report by Barnett from 2016. The report assessed the potential presence of special status species, habitats, wetlands or other jurisdictional waters, and other biological resources within the project site as well as potential project impacts, if any, to biological resources and recommended mitigation measures as needed. An initial site survey was conducted on April 11, 2016. A subsequent site survey was conducted on September 21, 2018.

According to the report, the site consists of highly degraded annual grassland, dominated by non-native annuals such as medusa-head grass (*Elymus caput-medusae*), soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), raitail fescue (*Festuca myuros*), and wild oat (*Avena sp.*), with very few native plants. A non-native perennial, Harding grass (*Phalaris aquatica*) is also locally co-dominate. Over the years, apparent periodic disking of the site has resulted in the establishment of plant species characteristic of ruderal habitats, including fennel (*Foeniculum vulgare*), and bull thistle (*Cirsium vulgare*). As noted above, moderately dense riparian woodland areas along Sheehy Creek were planted as part of the creek restoration project in 2003-2004 to provide a riparian buffer along the creek. The western portion of the creek consists of fairly dense riparian willow scrub habitat. The eastern portion consists of emergent marsh wetland, with scattered riparian trees and shrubs. Arroyo willow (*salix lasiolepis*) and red willow (*salix laevigata*) are dominant and sub-dominant species in the riparian willow scrub component, respectively. Other sub-dominant species include coast live oak (*Quercus agrifolia*) and Fremont's cottonwood (*Populus fremontii*). Largely absent was a well-defined herbaceous layer, but there was a discontinuous shrub layer of coyote brush (*Baccharis pilularis*) and California blackberry (*Rubus ursinus*). The emergent marsh habitat in the open portions of the channel and along the terraced banks of the creek was largely dominated by well-defined stands of common tule (*Schoenoplectus actus* var. *occidentalis*).

The Barnett report included a review of USFWS and CDFW lists of special status animals and plant, the California Natural Diversity Database (CNDDDB) occurrence records for the local quads and the California Native Plant Society's (CNPS) inventory of Rare and Endangered Vascular Plants of California and other sources to define a list of special status species that could potentially occur on the project site or in the region. A complete list of all special status wildlife and plant species that may occur within the project's study area is provided in Table 1 of the report.

Five special status plant species could potentially occur in the vicinity of the study area; Tiburon paintbrush (*Castilleja affinis* var. *neglecta*), soft salty bird's-beak (*Chloropyron molle* ssp. *Molle*), Contra Costa goldfields (*Lasrhenia conjugens*), mason's lilaepsis (*Lilaeopsis masonii*), and two-forked clover (*Trifolium amoenum*). However, none of the special-status plant species with the potential to occur on the site were observed during the field surveys and were considered to be "likely absent" based primarily on lack of suitable habitat. According to the report, the historic and ongoing disturbance of the site likely precludes the presence of the above listed species in the area. Further, because of a lack of suitable habitat, their likelihood of occurring on the site is remote and there are no recorded occurrences of these species in the CNDDDB either within the or immediately adjacent to the site.

No special-status animal species were observed on the site or within the project's vicinity during the field survey. The majority of the special-status animal species occurring within the region are highly unlikely to occur on the project site due to a variety of reasons including the lack of suitable habitat on-site, lack of local occurrences, the site is out of range of the species, and the species were not observed on the project site. The report notes that although not seen on the site, Swainson's hawk has at least some potential to occur on the site at some time.

According to the Barnett report, a search of the CNDDDB indicated that there have been six documented occurrences of Swainson's hawk within a two-mile radius of the project site. The Swainson's hawk nests in isolated trees, shelterbelts (a line of trees or shrubs planted to protect an area, especially a farm field, from strong winds and the erosion they cause) riparian groves, or abandoned homesteads. As noted above, there are no trees on the project site. They forage almost exclusively in agricultural row-crops and grasslands. Its favored prey is voles and small rodents that are more readily available in suitable densities on agricultural lands. The report notes that no Swainson's hawks were present during the filed survey. Although there is no suitable nesting habitat on site, the project biologist noted, however, that a focused survey during the breeding period would reveal its presence or absence within the study area.

As noted in the report, there are no known occurrences of any special status wildlife species on the project site. However, as noted above, the project biologist recommends a focused survey during the Swainson's hawk breeding period to ensure that they are not present prior to construction. Mitigation measure BIO-1, below, will reduce potential impacts to any special-status bird species, including migratory birds protected under the Migratory Bird Treaty Act, to a level of less than significant.

According to the evaluation, the highly disturbed grassland community on the site provides limited wildlife habitat and low wildlife diversity. The project site contains no trees and is not in a native state. The ruderal habitat such as that found on the site generally provides marginal breeding, cover and foraging habitat for wildlife species. No wetland areas, special-status plant species or riparian habitat were identified on the project site. No habitat essential for special-status animal species was found on the project site and no special-status animal species were observed on the site during the field survey, except the American crow. There is no suitable nesting habitat on the project site, and the site does not appear to meet the California Department of Fish and Wildlife's criteria as suitable foraging habitat given its urbanized characteristics.

- c. According to the Barnett report, the U.S. Fish & Wildlife Service's *National Wetlands Inventory* and the *California Aquatic Resources Inventory* maps, there are no wetlands on the project site. A previous wetlands delineation in 2015, did map a 0.082 acre swale and a 0.011 acre seasonal wetland. There was no evidence of drainage or ponded wetlands, streams, surface water or areas of saturated soils observed during the follow-up site visit in 2018. According to the report, an American Canyon Water District water line ruptured along the west side of SR 29 reported in 2010, causing surface water to leak across the site in a west-northwesterly direction toward Sheehy creek, creating artificially wet conditions in the affected area. The Water District subsequently repaired the ruptured pipe and by 2014 the site was absent saturated soils during the normal dry summer months. In addition, there was no further indication of wetland hydrology or living wetland vegetation. The biologist found no indication of hydrophytic vegetation or ponding anywhere within the property during the site survey and there did not appear to be any observable ponded depressions on the site following the repair of the ruptured water main. The Army Corps of Engineers verified the previous delineation in 2017 for the swale and seasonal wetland totaling 0.93 acres found on the site, as noted above. Based on Barnett's recent findings, they will request a re-verification of the previous delineation due to changed conditions. Therefore, potential impacts to wetland areas would be less than significant.
- d. As noted above, moderately dense riparian woodland areas along Sheehy Creek were planted as part of the creek restoration project in 2003-2004 to provide a riparian buffer along the creek. The western portion of the creek consists of fairly dense riparian willow scrub habitat. The eastern portion consists of emergent marsh wetland, with scattered riparian trees and shrubs. There is also a paved pathway located along the top of the bank of Sheehy Creek. The project proposes a drainage outfall into Sheehy Creek which would require a streambed alteration agreement from the California Department of Fish and Wildlife (CDFW). Construction of the drainage outfall would be performed under the authority and direction of CDFW which would include measures to reduce potential impacts to any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Therefore, no significant impact would occur.
- e. The project would not conflict with any local policies protecting biological resources, such as tree preservation or the County's Conservation Regulations. The site is an improved industrial lot with little native vegetation. In accordance with the requirements of the NVBSP, new landscaping will be provided on the site. The project does not conflict with any County ordinance or requirement to preserve existing trees, and therefore is considered as not having potential for a significant impact thereto.
- f. The proposed project would not conflict with the provisions of adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. There are no plans applicable to the subject parcel.

Mitigation Measures:

BIO-1: If construction would commence anytime during the nesting/breeding season of the Swainson's hawk, other raptors, or other bird species listed in the Migratory Bird Treaty Act (typically February 1 through September 30), a preconstruction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified biologist (experienced with the nesting behavior of bird species of the region) within 14 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey will be to determine if active nests are present within or adjacent to the construction zone within approximately 250 feet (300 feet for raptors). The survey shall also be conducted in accordance with the protocol of the Swainson's Hawk Technical Advisory Committee's (TAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central*

Valley. The survey shall commence early in the Swainson's hawk nesting season (late March to early April) and surveys will be conducted within a minimum 0.25-mile radius of the Project area. The surveys shall be timed such that the last survey is concluded no more than two weeks prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities. If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. If any active Swainson's hawk nests are found during the survey, CDFW recommends a disturbance buffer of at least a 0.25 mile to avoid a "take" or adverse impacts to Swainson's hawk. No trees or vegetation shall be removed from the project site during the breeding period. The size of the buffer zones and types of construction activities restricted within them should be determined through consultation with the CDFW depending on the species, taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

The buffer zone around an active nest should be established in the field with orange construction fencing or another appropriate barrier and construction personnel should be instructed on the sensitivity of nest areas. The qualified biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special status bird species to ensure that no impacts on these nests occur.

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from February 1 through September 30. The survey shall also be conducted in accordance with the protocol of the Swainson's Hawk Technical Advisory Committee's (TAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting Swainson 's hawk which may include preservation of potential foraging habitat.

		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. The project site is vacant and does not contain any structures. Research into past uses has not identified historic resources that may be present at the site. A previous archaeological survey, entitled "A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area," prepared by Archaeological Resource Service (ARS), dated September 1983, was conducted in the Napa Valley Business Park Specific Plan area and included the project site. Subsequent surveys of the area, including the project site, were conducted by ARS in 1988. The studies did not indicate the presence of historical, archaeological, or paleontological resources. Flaherty Cultural Resource Services (FCRS) conducted a records search of the project site, dated January 11, 2019, including review of a previous records search of the Northwest Information Center Records and concluded that the site has been 100% surveyed for archaeological resources in the past. However, FCRS indicated that there is the possibility that buried or obscured resources may exist within the boundaries of the project site. If resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project:

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

Mitigation Measures: None required.

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

Discussion:

- a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII.	GEOLOGY AND SOILS. Would the project:				
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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.) The Napa County GIS Sensitivity Maps (Landslides line and polygon) did not indicate the presence of landslides within the area proposed for development.
- b. The proposed improvements would occur on slopes of five percent or less. The spoils resulting from grading activities will be retained on-site and used for construction of the engineered pad and fill slope proposed for construction of the winery and driveway. 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. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is composed of Haire loam, 0 to 9 percent slopes. According to the Napa County GIS Sensitivity Maps (Surficial Deposits layer), the site is underlain by Pre-Quaternary deposits and bedrock. Based on the Napa County GIS Sensitivity Maps (liquefaction layer) the property includes areas generally subject to a very low tendencies to liquefy. All proposed construction will be required to comply with all the latest building standards and codes at the time of construction. Compliance with the latest editions of the California Building Code for seismic stability would reduce any potential impacts to the maximum extent possible, resulting in less than significant impacts.
- e. The project will connect to municipal water service provided by the City of American Canyon and sewer service by Napa Sanitation District. "Will Serve" letters have been provided by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project. (see **Section XIX Utilities and Service Systems (d)**, below.)
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing buildings were constructed or when the vines were planted. 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 will be retained to investigate the site in accordance with the 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 our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.) For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' business 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 (BAAQMD 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 project development include: i) the carbon stocks that are lost (or released) when existing vegetation is removed and soil is ripped in preparation for a new structure, parking and associated infrastructure; and ii) emissions associated with the energy used to develop and prepare the project area and construct a winery, including construction equipment and worker vehicle trips (hereinafter referred to as Equipment Emissions). These emissions also include underground carbon stocks (or Soil carbon) associated with any existing vegetation that is proposed to be removed. As previously stated, this project includes the construction of a winery building, cave and improvements to an existing paved driveway.

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

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. Because there is approximately 1,000 sq. ft. of proposed floor area devoted to hospitality and retail approximately 85,393 sq. ft. of floor area devoted to production, warehousing and office within the proposed building, when compared to the BAAQMD's GHG screening criteria of 121,000 sq. ft. for general industrial (which includes office activities), and compared to the BAAQMD's screening criterion of 9,000 sq. ft. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO₂e/yr GHG threshold of significance. Given the size of the entire project, which is approximately 86,393 sq. ft. of proposed enclosed floor area (hospitality, administrative, and production), the screening criterion outlined above would not be exceeded.

Furthermore, the applicant intends to implement the following GHG reduction methods at the winery: generation of on-site renewable energy; habitat restoration/new vegetation; build to CALGREEN Tier 2 standards; VMT reduction plan; exceed Title 24 energy efficiency standards; energy conserving lighting; energy star/cool roofing; bicycle incentives; connection to recycled water; water efficient fixtures; low-impact development (LID); water efficient landscape; recycle 75 percent of all waste; planting of shade trees within 40-feet of the south side of the building; electric vehicle charging station installation; and , grading limits.

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

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

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

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in construction of the building. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration of construction activity, they will result in a less-than-significant impact.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of a new winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery building.
- 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. The project site is located within two miles of the Napa County Airport, and is therefore subject to the requirements of the County's Airport Compatibility Combination zoning district and the requirements of the Napa County Airport Land Use Compatibility Plan. The project site is located within Zone D of the compatibility plan which is an area of common overflight and moderate risk. The proposed use of the building is highly compatible with the risk and noise impacts associated with properties within Zone D. The building has also been designed to comply with specific requirements regarding light and glare to ensure airport land use compatibility. County development regulations have been certified as meeting ALUC compatibility requirements, and consequently the project is not subject to separate ALUC review because it has been designed to comply with County airport compatibility land use requirements.

- f. The proposed driveway that would serve the project will be designed to comply with County standards and access to the building has been designed to accommodate fire apparatus and large trucks. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable as conditioned. Therefore, the design of the project will not negatively impact or hinder emergency vehicle access.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. In addition, the project is located within an urbanized area as identified in the in the Land Use Element of the General Plan. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 discretionary permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project will discharge into an approved storm drainage system designed to accommodate the drainage from this site. The applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board (RWQCB) which is administered in part by the County Engineering Services Division on behalf of the RWQCB. Given the essentially level terrain, and the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.

- b. The project will receive water from the City of American Canyon. The project is located within an area designated for urban development by the City of American Canyon. The City has acquired water rights to provide adequate water for all areas within their service area. The City has reviewed the proposed project and determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant shall contribute to the City's water conservation fund and has issued a Will Serve letter for the proposal. No groundwater wells are associated with this property. (see **Section XIX Utilities and Service Systems (d)**, below.)
- c. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan. 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 proposed project would not occur within an established community, nor would it result in the division of an established community. The proposed project complies with the Napa County General Plan, the Napa County Zoning Ordinance, applicable County Code sections, the Napa Valley Business Park Specific Plan, and all other applicable regulations.

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: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 proposed project will result in a temporary increase in noise levels during the construction of the building, parking areas, and associated improvements. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The proposed project would not result in long-term significant permanent construction noise impacts or operational impacts. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (N.C.C. Chapter 8.16).

The anticipated level of noise to occur following the completion of construction including the operation of the facility would be typical of a winery or light industrial/manufacturing/warehouse/distribution use in an existing industrial park. The project is located within an industrial park and is not in an area where noise increases resulting from additional industrial development will impact sensitive receptors. The design of the proposed project, together with adherence to the County Noise Ordinance, would ensure the proposed project would not result in adverse noise impacts.

c. The proposed project site is located within compatibility Zone D of the Napa County Airport, which is an area of common aircraft overflight. As such, persons on the project site will be exposed to noise from regular aircraft overflight. The Napa County Zoning Code, section 8.16.070 Exterior noise limits, lists the maximum allowable level for Industrial areas as 75 dbA. Based on the County General Plan Community Character Element, figure CC-1: Napa County Airport Projected Noise Levels (dBA CNEL), the project site is located outside of the airport area projected to have levels of 55 dbA or less, which is less than the maximum allowed in the Industrial area. Therefore the location of the project within the airport land use area will have a less than significant impact on people working in the project area. The nature of the uses allowed in the Industrial Park (IP) zoning is not sensitive to increased noise levels from aircraft, and is considered compatible with aircraft operations.

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. 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%. 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.

The proposed use permit would facilitate construction and operation of a new winery. The project site is currently vacant and located in a developing industrial area with frontage on an existing County maintained roadway/cul-de-sac. The project site will receive water and sewer by the City of American Canyon and Napa Sanitation District, respectively. No new infrastructure is proposed that might induce growth by extending service outside of the boundaries of the project site.

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

Mitigation Measures: None required.

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

Discussion:

- a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. The property is located within the service areas of both the Napa County Sheriff's Department as well as the Napa County Fire Department. The proposed improvements, if approved, would be inspected by County building inspectors and fire officials in order to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of any requisite building permit application. The proposed project does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the project site. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed use permit. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

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/b. The proposed project is a request to establish and operate a new winery, including wine production, a hospitality program, marketing activities, new employees, and various other site improvements. The proposed project includes no new residential units nor accompanying introduction of new residents that would utilize existing parks in the area, potentially accelerating those recreational facilities' deterioration. The proposal would include new employees at the winery and visitors to the property, some of whom might visit recreational facilities in the area during breaks, before or after work, or on the way to or from other wineries. However, given that the purpose of employees' and guests' trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. No new parks or other public recreational amenities are proposed to be built with the proposed winery.

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 signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

- a. Weekday traffic volumes within the project vicinity consist primarily of commute traffic within the peak traffic periods, with residential flows from nearby communities and commercial, tourist, and industrial park traffic occurring throughout the day. Southern Napa County is characterized by two distinct commute traffic patterns: a Napa to Bay Area commute and a Solano County to Napa commute. The existing traffic congestion and potential cumulative impacts are primarily the result of regional growth impacts.

The Metropolitan Transportation Commission (MTC) serves as the transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. The MTC created and maintains the Metropolitan Transportation System (MTS), a multimodal system of highways, major arterials, transit service, rail lines, seaports and airports. MTS facilities within the vicinity of the project site include State Routes 12, 29, 121, and 221, and Airport Boulevard. The State routes are maintained and operated by the California Department of Transportation (Caltrans.) The MTS is incorporated into MTC's 2001 Regional Transportation Plan (RTP), and is used as a guideline in prioritizing for planning and funding of facilities in the Bay Area.

Major improvements to both Highway 29 and Highway 12 are necessary to address existing and cumulative regional traffic congestion. According to information from the California Department of Transportation traffic counts taken in 2017 indicate the traffic volume at the State Highway 12/29 intersection was approximately 44,000 to 65,000 average annual daily vehicle trips. Peak hour trips were approximately 3,800 to 6,400 vehicles. The RTP and the Napa County General Plan 2008 update identify roadway improvements in South Napa County to address potential cumulative impacts. These improvements include construction of a double roundabout at SR 12/29/221 intersection, construction of a new interchange at SR 12/Airport Blvd/SR 29 intersection, widening Jamieson Canyon (SR 12) to four lanes (which has been completed), widening SR 29 to six lanes between south Airport Blvd and the south County line (in coordination with the City of American Canyon), and extending Devlin Road south to Green Island Road. These improvements are not yet fully funded, except as noted above, but are expected to be in place by 2030 addressing potential cumulative impacts in the southern part of the County.

As mandated by Napa County, projects that are located within the boundaries of the Napa Valley Business Park Specific Plan (NVBPSP) area are required to pay traffic mitigation fees (TMF) to fund road and circulation improvements within this southern, industrial area of the county. The fair share contribution to circulation improvements, through payment of the TMF, serves as mitigation for the proposed project's traffic impacts. The TMF is further described in Board of Supervisor's Resolution 08-20. For this project, a TMF based on PM peak hour vehicle trips will be imposed and collected prior to issuance of a building permit as determined by the Director of Public Works.

- b. There is currently bus service on Devlin Road, with a bus stop on the east side of Devlin Road, approximately 374 feet from Delvin's intersection with Gateway Rad East. The proposed project would not impair use of public transit facilities in its vicinity. The Napa Countywide Bicycle Plan, adopted by the Board of Supervisors in June 2012, identifies Devlin Road as an existing Class II bicycle facility (on-street bike lane) and a proposed Class I multi use path, which includes a segment of the Vine Trail. The proposed project would maintain existing bicycle facilities in its vicinity.
- 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 (Draft 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 this 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.

- d/e. The project includes construction of two driveways on Gateway Road East. The new driveways have been designed to comply with all County standards including emergency vehicle access. The project will not result in any changes to levels of service or cause any new safety risks.
- f. Based on the proposed floor area of the building (76,287 sq. ft. of warehouse and 10,106 sq. ft. office/retail/tasting) 89 parking spaces would be required in accordance with the requirements of the NVBPSP based on the floor area and proposed use(s). The project has been designed with to meet the parking requirements of the NVBPSP, by providing 77 with 12 spaces deferred. The project will not result in inadequate parking.

Mitigation Measures: None

	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 June 6, 2019, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. A response was received from the Yocha Dehe Wintun Nation that indicated that the project site was located within their aboriginal territories and that they have a cultural interest in the proposed project area. Although the response was received after the prescribed 30-day consultation period, the requested additional information was provided to the tribal representative. No further consultation was requested and the consultation period closed on August 14, 2019.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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-c. The project would not require the construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The project site is located in an area planned for industrial development and existing water and wastewater treatment facilities have been sized to accommodate the proposed project.

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. 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 project will receive water from the City of American Canyon. On October 23, 2007, the City of American Canyon adopted a Zero Water Footprint (ZWF) Policy which defines a ZWF as "no net loss of water service reliability or increase in water rates to the City of American Canyon's existing water service customers due to requested increase demand for water within the City's water service area." The City prepared a Water Supply Report (WSR) dated April 30, 2019, incorporated herein by reference, to determine if the requested water service is consistent with City ordinances, policies and practices; whether the City's water supply is sufficient to grant the request; and, establish a water allocation for the property. The WSR indicates the property has a baseline water footprint of zero gallons per day (gpd) because the project site is undeveloped and has no historic water use. The request includes an anticipated water demand of 3,354 gpd annualized average-day demand (AADD) and 6,977 gpd maximum day demand (MDD.) The City has determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant must offset the new AADD. According to the WSR, the applicant has committed to a financial contribution to the City's Zero Water Footprint Mitigation Fund which is the primary funding source for the City's Water Conservation Program. Payment of the mitigation funds offset the property's increased AADD. In accordance with the WSR, the City has issued a will-serve letter for water service subject the ZWF offset described above and other conditions outlined in the City's letter received May 8, 2019, and incorporated as conditions of project approval.

The project will occur within an urbanized area and connect to a publicly maintained wastewater treatment system. The wastewater provider, Napa Sanitation District, has provided a Will Serve letter and has found the project to be in compliance with district master plans. The District's wastewater treatment plant complies with all water quality discharge requirements, and therefore the project will comply with regional water quality control standards and therefore has a less than significant impact.

The proposed project includes self-treating and self-retaining areas, as well as bioretention areas that in combination would serve as both stormwater quality and runoff management measures. Work areas of the proposed winery would be covered with a roof and plumbed to discharge runoff into the on-site wastewater pretreatment system, also with the intent to preserve stormwater quality. Grading for construction of the bioretention basins, storm drain pipelines and wastewater pretreatment system improvements would occur concurrently with site grading associated with the winery construction, which would be subject to the dust suppression measures listed in section III, Air Quality, of this initial study. The new drainage system will be designed by a qualified engineer and is subject to review and approval by the Engineering Services Division. The Engineering Services Division has included conditions of approval requiring that the drainage system be designed to avoid diversion or concentration of storm water runoff onto adjacent properties.

d/e. Non-recyclable and non-organic waste generated on the property is collected by Napa Recycling and Waste Services (NRWS) and ultimately deposited at the Keller Canyon Landfill (located in unincorporated eastern Contra Costa County), which, having reached roughly 15 percent of its capacity in the first 12 years of its approximated 50 years of operation (which began in 1992), and extrapolating that same rate of material to date, has adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from the proposed winery. Beginning in 2016, all establishments that would generate organic waste (such as food waste from wine/food pairings or food service at the proposed winery's marketing events) are required to participate in NRWS's food composting program, as a means to support efforts to achieve State mandates for reductions of greenhouse gas emissions generated from decomposition of material into landfills.

	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-d. There are no project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is generally flat with slopes ranging from 0-5% and is located within the business park area near the Napa County Airport, less than one mile from a fire station. There are currently no overhead power lines within the vicinity of the project site, nor will any new overhead power lines be constructed in the area. The proposed driveway improvements would provide adequate access to the site from Gateway Road East. 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
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. The site has been previously disturbed and does not contain any known listed plant or animal species. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed in Section IV above, although no special-status species were found during site surveys, a mitigation measure is proposed to conduct pre-construction surveys in the event that special-status species utilize the site prior to construction. All potential biological related impacts would be less than significant, with mitigation. As identified in Section V above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory. In the event archaeological artifacts are found, a standard condition of approval and mitigation measure would be incorporated into the project. Impacts would be less than significant.

- b. The project does not have impacts that are individually limited but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The analysis determined that all potential impacts were less than significant and would not contribute significantly to cumulative impacts. The project does not propose new development that would have a significant impact on the environment or substantially change the existing conditions. With the imposition of standard and project specific conditions of approval, the project does not have impacts that are individually limited, but cumulatively considerable.
- c. There are no schools or hospitals housing sensitive receptors within a quarter-mile of the winery site. Noise from construction that would occur with construction and installation of the proposed site improvements would be temporary, lasting approximately nine to 10 months, would be limited to day time hours, and would be subject to best management practices intended to limit fugitive dust and protect stormwater quality. Ongoing operations of the winery are also anticipated to have less than significant noise impacts on nearby residences due to distance between those residences and the proposed tasting room patio and partially enclosed work area.

Mitigation Measures: None Required.

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
Biological Resources (IV)			
<p>BIO-1: If construction would commence anytime during the nesting/breeding season of the Swainson's hawk, other raptors, or other bird species listed in the Migratory Bird Treaty Act (typically February 1 through September 30), a preconstruction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified biologist (experienced with the nesting behavior of bird species of the region) within 14 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey will be to determine if active nests are present within or adjacent to the construction zone within approximately 250 feet (300 feet for raptors). The survey shall also be conducted in accordance with the protocol of the Swainson's Hawk Technical Advisory Committee's (TAC) <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>. The survey shall commence early in the Swainson's hawk nesting season (late March to early April) and surveys will be conducted within a minimum 0.25-mile radius of the Project area. The surveys shall be timed such that the last survey is concluded no more than two weeks prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities. If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. If any active Swainson's hawk nests are found during the survey, CDFW recommends a disturbance buffer of at least a 0.25 mile to avoid a "take" or adverse impacts to Swainson's hawk. No trees or vegetation shall be removed from the project site during the breeding period. The size of the buffer zones and types of construction activities restricted within them should be determined through consultation with the CDFW depending on the species, taking into account factors such as the following:</p> <ul style="list-style-type: none"> • Noise and human disturbance levels at the construction site at the time of the survey and the 	<p>Planning Division</p>	<p>The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from February 1 through September 30. The survey shall also be conducted in accordance with the protocol of the Swainson's Hawk Technical Advisory Committee's (TAC) <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting Swainson's hawk which may include preservation of potential foraging habitat.</p>	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p>noise and disturbance expected during the construction activity;</p> <ul style="list-style-type: none"> • Distance and amount of vegetation or other screening between the construction site and the nest; and • Sensitivity of individual nesting species and behaviors of the nesting birds. <p>The buffer zone around an active nest should be established in the field with orange construction fencing or another appropriate barrier and construction personnel should be instructed on the sensitivity of nest areas. The qualified biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special status bird species to ensure that no impacts on these nests occur.</p>			