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## Addendum and Adopted Initial Study/Negative Declaration



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**David Morrison**  
Director

## MEMORADUM

To:	Planning Commission	From:	Charlene Gallina, Supervising Planner
Date:	November 18, 2020	Re:	Shadybrook Estate Winery Use Permit Major Modification #P20-00158-MOD Addendum to a Negative Declaration Assessor Parcel #052-170-019

**Project Title:** Shadybrook Estate Winery, Use Permit Major Modification P20-00158-MOD

**Project Location:** The 11.37 acre project site is addressed as 100 Rapp Lane, Napa and accessed via Rapp Lane, which is a gated private road located on the north end of Second Avenue at the intersection with Chateau Lane. The project is located within the Agricultural Watershed (AW) District and has a General Plan land use designation of Agriculture, Watershed, and Open Space (AWOS). APN 052-170-019.

**Project Sponsor:** Rapp Ranch Estates, LLC, David & Sue Alkosser; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; [alkovines@gmail.com](mailto:alkovines@gmail.com)

**Project Sponsor's Representative:** David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; [dbgilbreth@gmail.com](mailto:dbgilbreth@gmail.com) .

**County Contact:** Charlene Gallina, Supervising Planner; 1195 3<sup>rd</sup> Street, Suite 210, Napa, CA 94559; phone number (707) 299-1355 or email [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org).

### **Background/Introduction:**

On January 15, 2020, the Planning Commission adopted a Negative Declaration (ND) pursuant to the California Environmental Quality Act (CEQA, Public Resource Code Section 21000 et seq.) and approved a Use Permit Major Modification (P18-00450-MOD) subject to conditions of approval for the existing 30,000 gallon winery allowing the following to remedy existing violations under the County's Use Permit Code Compliance Program and some expansion beyond existing entitlements:

- a. Increase in annual wine production from 30,000 to 70,000 gallons per year;

- b. On-premises consumption of wine produced on-site within the outdoor visitation area and hospitality building designated tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- c. Employment of nine full-time and two part-time employees;
- d. Minor improvements to the existing parking area and outdoor patio and garden area;
- e. Demolition of the existing agricultural barn and replacement with four new steel buildings approximately 12,000 sq. ft. in size and the conversion of one of the steel buildings of approximately 3,001 sq. ft. into winery production space for barrel storage;
- f. The winery's new access and outdoor visitation/marketing event patio which includes a barbeque/fire pit and outdoor event garden area;
- g. The reconfigured parking area including 26 parking spaces;
- h. The winery's existing sound system for background music only utilized outside of approved, enclosed winery buildings within the existing outdoor visitation/marketing event patio area only; and
- i. Permit commercial horseback riding from APN 052-170-018 (Rapp Equestrian Center only) in the vineyards on the property.

There were no proposed changes to winery's hours of operation, which occur seven days per week from 9 am to 5 pm or to the Marketing Events, which occur seven days a week from 11 am to 10 pm.

Included in the original application and addressed in the Negative Declaration was a request for the following additional components: 1) increase daily visitation from 21 per day with a maximum of 147 per week to 50 per day with a maximum of 350 per week; and 2) amendment to the existing marketing program from eight (8) catered food and wine events per year with a maximum of 30 persons and one (1) Wine Auction event per year with a maximum of 30 people to six (6) events per year with a maximum of 30 persons, six (6) events per year with 50 visitors and six (6) events per year with 100 visitors. Events with 30 visitors or less will be catered using the winery's existing commercial kitchen. All other marketing events will be catered off site. Final action by the Planning Commission directed that the applicant bring the subject winery into compliance prior to consideration of an expansion beyond existing entitlements regarding visitation and marketing activities.

Given this, the applicant has address compliance issues and submitted a new use permit major modification application (P20-00158-MOD) requesting the Planning Commission now authorize the original requested visitation and marketing activities. Furthermore, the applicant is requesting an exception to the Napa County Road and Street Standards (RSS) for widening the existing 20.59' wide entrance gate, as set forth in the adopted conditions of approval imposed by the Engineering Division and the Fire Department.

### **Statutory Background:**

Under CEQA, an addendum to an adopted negative declaration (ND) is appropriate if minor technical changes or modifications to the proposed project occur (CEQA Guidelines Section 15164). An Addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts nor a substantial increase in the level of significance of previously identified impacts. The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]); however, the decision-making body must consider the addendum along with the previously-adopted environmental document prior to making a decision on the project (CEQA Guidelines Section 15164[d]).

This addendum demonstrates that the environmental analysis and impacts identified in the previously-adopted ND remain substantially unchanged by the circumstances described herein and supports the finding that the proposed project does not raise any new issues and does not exceed the level of significance of impacts in the previously-adopted ND.

### **Applicable Reports in Circulation:**

This memorandum is prepared as an addendum to the Shadybrook Estate Winery ND adopted by the Planning Commission on January 15, 2020. A copy of said document is available for review at the offices of the Napa County Planning, Building and Environmental Services Department, 1195 3<sup>rd</sup> Street, Second Floor, Napa, California, in the custody of the Planning Director.

### **Project Description:**

The applicant requests approval of a Major Modification (P20-00158) to an existing 70,000 gallon winery to allow the following: 1) increase daily visitation from 21 per day with a maximum of 147 per week to 50 per day with a maximum of 350 per week; and 2) amend the existing marketing program from eight (8) catered food and wine events per year with a maximum of 30 persons and one (1) Wine Auction event per year with a maximum of 30 people to six (6) events per year with a maximum of 30 persons, six (6) events per year with 50 visitors and six (6) events per year with 100 visitors. Events with 30 visitors or less will be catered using the winery's existing commercial kitchen. All other marketing events will be catered off site. There are no physical or infrastructure improvements included in this request nor no increase in production or employees. This request is a result of the Planning Commission's action taken on January 15, 2020 on Major Modification P18-00450-MOD, which required the applicant to bring the subject winery into compliance prior to reconsideration of the expansion beyond existing entitlements. The project also includes an exception to the Napa County Road and Street Standards (RSS) for widening the existing 20.59' wide entrance gate since the Winery is located in a Locally Responsibility Area (LRA) and not in a Very High Fire Hazard Severity Zone (VHFHSZ) pursuant to Section Five of the (RSS).

## Discussion:

- **Aesthetics** – The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on aesthetics. A project specific condition imposed on the project (P18-00450-MOD) as adopted required the existing string lights in the outdoor visitation area to be replaced with lighting that is shielded and directed downward (e.g., providing a cap or hat over the exposed light bulb) for compliance with the County’s standard conditions of approval on lighting. There are no physical changes associated with the revised project. No substantial change in the significance of impacts to aesthetics would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Agricultural and Forestry Resources** - The Shadybrook Estate Winery ND found that the project would have no impact on agricultural and forestry resources. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to agricultural and forestry resources would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Air Quality** - The Shadybrook Estate Winery ND found that the project would have a less than significant impact on air quality. The revised project does not contain elements that would involve new impacts. The revised project is requesting the same number of visitation and marketing events as addressed in the ND and no physical changes are included. The prior ND compared the project to screening criteria for general industrial and a high quality restaurant found within the Bay Area Air Quality Management District’s (BAAQMD) 2017 CEQA Guidelines, and found the project below the construction and operational thresholds of significance. No substantial change in the significance of impacts to air quality would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Biological Resources** - The Shadybrook Estate Winery ND found that the project would have no impact on biological resources. There are no physical changes associated with the revised project. No substantial change in the significance of impacts to aesthetics would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Cultural Resources** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on cultural resources. There are no physical changes associated with the revised project. No substantial change in the significance of impacts to cultural resources would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.

- **Energy** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on energy use. There are no physical changes associated with the revised project and the proposed visitation and marketing activities had originally been addressed in the adopted ND. No substantial change in the significance of impacts to energy uses would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Geology and Soils** - The Shadybrook Estate Winery ND found that the project would have less than significant impact on geological and soil resources. There are no physical changes associated with the revised project. No substantial change in the significance of impacts to geology and soils would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Greenhouse Gas Emissions** - The Shadybrook Estate Winery ND found that the project would have less than significant impact on greenhouse gas emissions. There are no physical changes associated with the revised project and the proposed visitation and marketing activities had been originally addressed in the adopted ND. No substantial change in the significance of impacts to greenhouse gas emissions would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Hazard and Hazardous Materials** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on hazards and hazardous materials. There are no physical improvements or wine production changes associated with the revised project. No substantial change in the significance of impacts to hazard and hazardous materials would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Hydrology and Water Quality** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on hydrology and water quality. There are no physical changes associated with the revised project and the proposed visitation and marketing activities were originally addressed in the adopted ND. With project approval of Major Modification P18-00450-MOD, the Planning Commission authorized a joint water system and wastewater system between the Shadybrook Estate Winery (APN 052-170-019; P18-00197) and Rapp Equestrian Center (APN 052-170-018). The project site is located in the designated Milliken-Sarco Tulocay (MST) Ground Deficient Area requiring groundwater use and well monitoring activities and restricted to a set amount of 3.41 af/yr and 4.16 af/yr, respectively. No substantial change in the significance of impacts to hydrology and water quality would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.

- **Land Use and Planning** - The Shadybrook Estate Winery ND found that the project would have no impact on land use and planning. The revised project remains compliant with applicable land use regulations and the existing winery footprint remains unchanged. No substantial change in the significance of impacts to land use and planning would occur with the revised project and the conclusions of the Shadybrook Estate Winery would remain the same.
- **Mineral Resources** - The Shadybrook Estate Winery ND found that the project would have no impact on mineral resources. The existing winery footprint remains unchanged and there are no physical improvements associated with the revised project. No substantial change in the significance of impacts to mineral resources would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Noise** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on noise. With project approval of Major Modification P18-00450-MOD, the Planning Commission authorized upon consideration of the noise study prepared for the project, use of an outdoor speaker system with music to be located only in the outdoor visitation area. No other changes have been requested with this application with respect to amplified sound. No substantial change in the significance of impacts to noise would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Population and Housing** - The Shadybrook Estate Winery ND found that the project would have no impact on population and housing. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to population and housing would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Public Services** - The Shadybrook Estate Winery ND found that the project would have less than significant impacts on public services. The existing winery footprint remains unchanged and there are no physical improvements associated with the revised project. No substantial change in the significance of impacts to public services would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Recreation** - The Shadybrook Estate Winery ND found that the project would have no impact or less than significant impact on recreation. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to recreation would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.

- **Transportation/Traffic** - The Shadybrook Estate Winery ND found that the project would have less than significant impact on transportation and traffic. There are no physical changes associated with the revised project and the proposed visitation and marketing activities were originally addressed in the adopted ND. Furthermore, the applicant is now requesting an exception to the Napa County Road and Street Standards (RSS) for widening the existing 20.59' wide entrance gate, as set forth in the adopted conditions of approval imposed by the Engineering Division and the Fire Department of project approval (Major Modification P18-00450-MOD). Analysis of the required gate widening was originally addressed in the adopted ND and no further analysis is required for this exception.

Subsequent to July 1<sup>st</sup>, 2020, and the requirement under SB 743 to utilize Vehicle Miles Traveled (VMT) when determining levels of significance to traffic impacts. Recognizing this upcoming deadline and as addressed in the project's Traffic Impact Study, the Planning Commission in approval of Major Modification P18-00450-MOD required the submittal of a Traffic Demand Management Plan to reduce peak hour trips and implements a program to ensure that visitors to the winery are encouraged to carpool or use a shuttle or van. Condition of Approval 4.20 (c) required submittal of this plan within 30 days of permit approval and submittal of annual reporting upon request in response to the County development of a VMT Reduction Program. With project approval, staff will be recommending a revised condition of approval to require the submittal of an annual TDM report not later than January 31<sup>st</sup> every calendar year thereafter, require a reduction in VMT by 15 percent, and to set forth penalty provisions if the winery is not in compliance.

No substantial change in the significance of impacts to transportation and traffic would occur with the revised project, condition of approval, and the conclusions of the Shadybrook Estate Winery ND would remain the same.

- **Tribal Cultural Resources** - The Shadybrook Estate Winery ND found that the project would have no impact on tribal cultural resources. The existing winery footprint remains unchanged and there are no physical improvements associated with the revised project. No substantial change in the significance of impacts to tribal cultural resources would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.
- **Utilities and Service System** - The Shadybrook Estate Winery ND found that the project would have a less than significant impact on utilities and service systems. There are no physical changes associated with the revised project and the proposed visitation and marketing activities were originally addressed in the adopted ND. With project approval of Major Modification P18-00450-MOD, the Planning Commission authorized a joint water system and wastewater system between the Shadybrook Estate Winery (APN 052-170-019; P18-00197) and Rapp Equestrian Center (APN 052-170-018). The project site



is located in the designated Milliken-Sarco Tulocay (MST) Ground Deficient Area requiring groundwater use and well monitoring activities and restricted to a set amount of 3.41 af/yr and 4.16 af/yr, respectively. No substantial change in the significance of impacts to utilities and services systems would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.

- **Mandatory Findings of Significance** - The Shadybrook Estate Winery ND found that the project would have a less than significant impact on mandatory findings of significance. The revised project is not substantially different from what was approved under the prior ND such that it would degrade the quality of the environment or generate a cumulative impact beyond what was already analyzed. No substantial change in the mandatory findings of significance would occur with the revised project and the conclusions of the Shadybrook Estate Winery ND would remain the same.

### **Summary and Findings:**

Review of the project has concluded that the proposed project will not result in new impacts beyond those analyzed in the Shadybrook Estate Winery ND adopted in 2019, as further explained in the discussion above. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent negative declaration has occurred, and thus, an Addendum to the 2019 Shadybrook Estate Winery ND is appropriate to satisfy CEQA requirements for the proposed project.

The following findings are provided in accordance with CEQA Section 15164(e) concerning the decision not to prepare a subsequent negative declaration pursuant to CEQA Guidelines Section 15162:

- 1) None of the following conditions calling for preparation of a subsequent negative declaration have occurred:
  - a) Substantial changes are proposed in the project which will require major revisions of the Shadybrook Estate Winery ND due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;
  - b) Substantial changes will occur with respect to the circumstances under which the project is being undertaken which will require major revisions of the Shadybrook Estate Winery ND due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects; or
  - c) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the Shadybrook Estate Winery ND was adopted, shows the following:
    - i. The project will have one or more significant effects not discussed in the Shadybrook Estate Winery ND;

- ii. Significant effects previously examined will be substantially more severe than previously shown in the Shadybrook Estate Winery ND;
  - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - iv. Mitigation measures or alternatives which are considerably different from those analyzed in the Shadybrook Estate Winery ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- 2) Only minor technical changes or additions are necessary to make the Shadybrook Estate Winery ND under consideration adequate under CEQA.
  - 3) The changes to the Shadybrook Estate Winery ND made by this addendum do not raise important new issues about the significant effects on the environment.

This Addendum to the Shadybrook Estate Winery ND finds that actions under the proposed project, as identified herein, will not result in any new significant environmental effects nor result in the substantial increase of any previously identified impacts in the previous ND.

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, other sources of information listed in the file, and comments received; conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary a visit to the site.

COUNTY OF NAPA  
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT  
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NAPA, CA 94559  
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Initial Study Checklist  
(form updated January 2019)

1. **Project Title:** Shadybrook Winery – Major Modification P18-00450-MOD
2. **Property Owner:** Rapp Ranch Estates, LLC, David & Sue Alkosser
3. **Project sponsor's name and address:** Rapp Ranch Estates, LLC, David & Sue Alkosser; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; dalkosser@gmailcom
4. **Representative:** David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; dbgilbreth@gmail.com
5. **County Contact Person, Phone Number and email:** Charlene Gallina, Supervising Planner; (707) 299-1075; [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org)
6. **Parcel Project Location and Assessor's Number (APN):** The project is located on an approximately 11.37 acre parcel accessed via Rapp Lane, which is a gated private road located on the north end of Second Avenue at the intersection with Chateau Lane; 100 Rapp Lane, Napa, CA 94558; APN 052-170-019.
7. **General Plan description:** AWOS (Agriculture, Watershed, and Open Space)
8. **Zoning:** Agricultural Watershed (AW) District
9. **Background/Project History:**

In June 1982, Building Permit #30443 was issued for a 9,900 sf horse-training barn. Subsequent Building Permit #30742 was issued on August 2, 1982 for additional stable offices and a laboratory in the same building.

On March 21, 2001, Erosion Control Plan #99455-ECPA was approved by the Department Director to allow earthmoving associated with vineyard conversion of 14.53 acres of moderately sloping pasture within two contiguous parcels totaling 23.34 acres (6.08 acres on APN 052-170-018 and 8.45 acres on Parcel -019).

On August 17, 1982, the Board of Supervisors approved a rezoning request to rezone three parcels of land totaling 70.5 acres from R-1:A:B-1 (Single-Family Residence with Special Agricultural Combining District) to AW (Agricultural Watershed) District approximately 1,600 feet northwest of the Second Avenue/North Avenue intersection (Assessor's Parcels 052-170-008, -018 and -019).

Due to the building permit history of the APN 052-170-018, it looks like the horse boarding and training facility use, also owned by the original applicant (Mr. Frank D'Ambrosio), was transferred from Parcel 052-170-019 to the adjacent Parcel 052-170-018 in 2004. However, no use permit authorization was found for this transfer. The use has separate road access, water meters, and other utility services.

On June 6, 2007, the Planning Commission approved Use Permit #P06-01095 establishing the 30,000 gallon D'Ambrosio

Vineyards through the conversion of an existing former horse training barn into a 10,548 sf winery (1,645 sf of office, 1,332 sf of storage/warehouse and 7,571 sf of production). The winery was authorized to conduct tours and tastings by appointment only for up to 21 visitors per day by appointment only for a maximum of 147 visitors per week and a marketing plan consisting of eight catered food and wine events per year with a maximum of 30 persons and one Wine Auction event per year with a maximum of 30 persons. No cave or tasting room was proposed. The winery was also approved with two full-time and one part-time employees and nine parking spaces. Winery operations were allowed from Monday through Sunday 9 am to 5 pm with marketing activities authorized between 11 am and 10 pm. A condition of project approval required the operator submit an application to modify the applicable horse-boarding facility use permit to eliminate such operations from the original project site (APN 052-170-019). It should be noted that staff found no record of compliance with this condition.

On July 17, 2009, the Zoning Administrator approved Use Permit Very Minor Modification (P09-00310-VMM) authorizing a one-year time extension for use of the winery use permit to June 6, 2010.

On July 22, 2011, a Use Determination (P11-00242-DET) was issued recognizing that Use Permit P06-01095-UP had been activated and building permits can be issued for the winery project since a minimum of \$50,000 had been expended prior to the June 6, 2010 permit expiration date.

On November 27, 2012, Very Minor Modification (P12-00374-VMM) was approved by the Planning Director, authorizing the following modifications: 1) conversion of approximately 1,443 sf of approved internal bottling/wine making area to barrel storage; 2) conversion of the designated internal equipment/maintenance area to an approximately 2,005 sf wine tasting/retail, prep kitchen/scullery and restroom area; and 3) replacement of the approved "surface drip disposal system for process wastewater to a hold & haul system. No changes to the 30,000 gallons per year production limit, number of employees or marketing plan was requested or approved. The winery was renamed Verismo Winery at the time and still owned by Mr. D'Ambrosio.

Given these entitlement authorizations, the Building Permit for the D'Ambrosio Vineyards Winery B12-00844 was issued on December 2012 and finalized on January 12, 2016. On May 24, 2016, a Grading Exemption (Eng16-00021) was issued for site improvements including landscape walls, pathways, improved drainage infrastructure, landscaping and an improved all weather surface vineyard road. It should be noted that the applicant never called a final for work completed with this permit.

In June 2016, the winery was purchased by the Alkossers and renamed Shadybrook Estate at Rapp Ranch. The Rapp Ranch Equestrian Center located on APN 052-170-018 was also purchased by the Alkossers. This facility is currently requesting a use permit from the County (P18-00197-UP) for recognition of existing commercial operations and construction activities conducted on the property since new ownership and to remedy existing code compliance violations as described below. A Use Permit Application was submitted on May 18, 2018.

On January 10, 2018, A Notice of Violation was issued by the County's Code Compliance Division for the Shadybrook Winery. The applicant was notified that a code violation had occurred at the property without benefit of building permits for the following: 1) four steel buildings foundations/retaining walls were being replaced; and 2) alterations to the four steel buildings, tresses, underground electrical and plumbing. Representatives of the property owners met with the Code Compliance Division to discuss the intended use of the replacement building and the submittal of a building permit. During this discussion, it had been revealed that the owners were reviewing potential business decisions concerning their winery, and discussed the potential submittal of use permit modification for winery operation expansion, as well as, the conversion of a portion of the agricultural barn into winery production space.

On December 27, 2018, a Major Modification Application (P18-00450-MOD) was submitted for Shadybrook Winery to remedy code compliance violations and a request for expansion beyond existing entitlements, as described below.

10. **Description of Project:**

Request: Approval of a Major Modification for an existing 30,000-gallon per year winery to allow the following:

A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:

- 1) recognition of the demolition of a previously existing agricultural barn which was replaced with four new steel buildings approximately 12,000 sq. ft. in size and recognition of the conversion of one of the steel buildings of approximately 3,001 sq. ft. into winery production space for barrel storage;
- 2) recognition of the winery's new access and outdoor visitation/marketing event patio which includes a barbecue/fire pit/bocce ball court area and outdoor event garden area;
- 3) recognition of the existing nine full-time employees and two part-time employees (two full-time and one part-time employees currently authorized);
- 4) recognition of the reconfigured parking area including 26 parking spaces (nine spaces currently authorized); and
- 5) recognition of the winery's existing amplified sound system or amplified music utilized outside of approved, enclosed winery buildings within the existing outdoor visitation/marketing event patio and event garden area (currently prohibited).

**B. EXPANSION BEYOND EXISTING ENTITLEMENTS:**

- 1) increase annual wine production from 30,000 to 70,000 gallons per year;
- 2) increase daily visitation from 21 per day with a maximum of 147 per week to 50 per day with a maximum of 350 per week;
- 3) amend the existing marketing program from eight catered food and wine events per year with a maximum of 30 persons and one Wine Auction event per year with a maximum of 30 people to six events per year with a maximum of 30 persons, six events per year with 50 visitors and six events per year with 100 visitors. Events with 50 visitors or less will be catered using the winery's existing commercial kitchen; larger events will be catered off site;
- 4) minor improvements to the existing parking area and outdoor patio and garden area; and
- 5) allow on premise consumption of wines produced on-site within the outdoor visitation area and hospitality building designated tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5.

There are no proposed changes to winery's hours of operation which occur seven days per week from 9 am to 5 pm or to the Marketing Events which occur seven days a week from 11 am to 10 pm.

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

The 11.37-acre, irregularly shaped lot slopes up gently to moderately from the northeast to southwest. The site is developed with an existing 10,548 sf winery, a barn, a single-family residence, and a vineyard. There are approximately 6.74 acres of vineyards that are producing grapes for the existing winery. The entire site consists of Sobrante Loam (5-30 percent slopes) with very low liquefaction potential. This soil has a medium run-off rate and erosion hazard is slight to moderate. The property has an average slope of 5%, which drains towards the northeast across existing vineyards, Rapp Lane and the Napa Valley Country Club, towards an un-named intermittent stream. The project site is located in the designated Milliken-Sarco-Tolocay (MST) Groundwater Deficient Area. The County's GIS maps indicate that there are no designated landslides, special biological or botanical habitats located in the area. No wetlands or vernal pools have been identified on the property.

Surrounding land uses include rural residential, agriculture, vineyards, the Napa Country Club and Golf Course, wineries (Italics, and Covert Estate Wineries), and Rapp Ranch Equestrian Center that offers quarter horse boarding, equestrian lessons and trail rides. The closest residence to the Winery Building is 350 feet, 430 feet from outdoor patio area and from 500 feet from the outdoor garden area (Refer to Section XIII Noise).

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

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

**Responsible (R) and Trustee (T) Agencies**

None

**Other Agencies Contacted**

Federal Trade and Taxation Bureau  
Department of Alcoholic Beverage

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 November 4, 2019, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1. To date, no comments have been received.

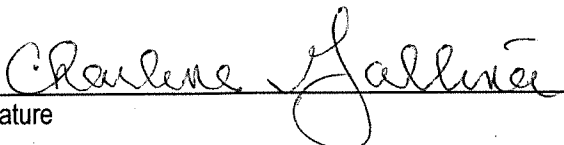
**Note:** Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the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

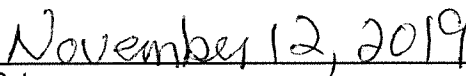
#### ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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.

  
Signature

  
Date

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

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the Environmental Setting and Surrounding Land Uses section, above, the area is defined by a mix of vineyards wineries, residential uses, and the Napa Country Club and Golf Course located in the Coombsville area.

Physical development associated with this request will be limited to the recognition of the demolition of a previously existing agricultural barn which was replaced with four new steel buildings approximately 12,000 sq. ft. in size and recognition of the conversion of one of the steel buildings of approximately 3,001 sq. ft. into winery production space for barrel storage. As proposed, the façade of the storage building will be insulated panels with metal skin. Other portions of the building will consist of Hardie Board (cement fiber) siding with translucent panels on the upper portion of the building. The building will have a metal roof ranging in height from 16' (wine barrel storage section) to 28' (ag. storage sections) based upon the slope of the pad. Colors of this structure will be required to comply with the County's required earth tone color palate.

The location of this building is directly behind the winery and is screened from Rapp Lane by vineyards and the winery. The remaining requests are associated with recognition of the winery's access and parking reconfiguration and outdoor visitation seating and barbeque/bocce ball court area in addition to an increase in wine production, daily visitation, marketing activities, and number of employees. There will be no tree removal and all proposed or foreseeable improvements will be at-grade. There is no designated scenic highway County Road in this area. Seen as a whole, nothing in this project would substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. There would be no impacts related to scenic resources.

d. Although the site is currently developed with an existing winery, the increase in production may result in additional hours of operation, and increase in marketing activities during the harvest season that may have the potential to impact nighttime views. Existing string lights were previously installed with the improvements associated with the outdoor visitation area. The closest residences are approximately 350 feet from the winery building, 430 feet from outdoor patio area, and 500 feet from the outdoor garden area. Although the project is in an area that has a certain amount of existing nighttime lighting, the installation of any additional sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval for wineries, all existing outdoor lighting will be required to be shielded and directed downward, with

only low-level lighting allowed in parking areas. Any additional lighting, if needed will be subject to the standard conditions of approval, below, the project will not have a significant impact resulting from any new sources of outside lighting. In addition, a project specific condition would require the existing string lights to be replaced with lighting that is shielded and directed downward (e.g., providing a cap or hat over the exposed light bulb) for compliance with the County's standard conditions of approval as provided below.

**6.3 LIGHTING – PLAN SUBMITTAL**

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.*

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

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

Mitigation Measures: None required.

II. AGRICULTURE AND FOREST RESOURCES. <sup>1</sup> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>

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



- 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?
- 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?

Discussion:

- a. The California Department of Conservation District map designates the property as "Prime Farmland." The proposed project would not conflict with existing zoning for agricultural uses. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. Thus, the proposed project would not result in a significant impact with respect to conversion of farmland. No vineyards will be removed for the proposed replacement of a portion of the agricultural building for winery purposes. There are no other changes included in this proposal that would result in the conversion of Farmland.
- b. The County's zoning of the property is AW (Agricultural Watershed) and the General Plan land use designation of the property is Agriculture, Watershed & Open Space (AWOS). The proposed winery is consistent with the property's zoning, as Napa County Code Sections 18.20.030 lists wineries and related, accessory uses as conditionally permitted in the AW. General Plan Policy AG/LU-20 also identify processing of agricultural products (grape crushing/winemaking) as a use that is consistent with the AWOS land use designation. There are no Williamson Act Contracts associated with vineyard production on the parcel.
- c/d. The project site is zoned AW (Agricultural Watershed), which allows wineries upon grant of a use permit or a modification. 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 lands classified as forest or timberland. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.
- a. As discussed in item "a." and "b.", above, the winery and winery accessory uses are defined as agricultural by the Napa County General Plan and are allowed under the parcel's AW (Agricultural Watershed) zoning. Neither this project, nor any foreseeable consequence thereof, would result in changes to the existing environment, which would result in the conversion of special status farmland to a non-agricultural use.

Mitigation Measures: None required.

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:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<sub>2.5</sub>, 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<sub>2.5</sub> occasionally does reach unhealthy concentrations. There are multiple reasons for PM<sub>2.5</sub> exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM<sub>2.5</sub> 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<sub>2.5</sub> levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The

criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO<sub>x</sub> and ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead and sulfur dioxide (SO<sub>2</sub>), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017.

Because the existing 10,548 sf winery is dedicated to production, storage and hospitality and the proposed expansion will consist of 3,001 sf, when compared to the BAAQMD's screening criteria of 541,000 sf for general industrial, and compared to the BAAQMD's screening criterion of 47,000 sf. 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 sf (high quality restaurant) and 541,000 sf (general light industry) for NO<sub>x</sub> (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

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

- c-d. In the short term, potential air quality impacts are most likely to result from the recognition and conversion of a 3,001 sf barrel storage building. Any minor earthmoving and construction emissions to complete the conversion would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

## 7.1 SITE IMPROVEMENTS

### c. AIR QUALITY

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

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

6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

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

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The closest residences are approximately 350 feet from the winery building, 430 feet from outdoor patio area and from 500 feet from the outdoor garden area. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None required.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:**

- a/b. According to the Napa County GIS Sensitivity Maps (Natural Diversity Data Base and US Fish and Wildlife Critical Habitat), there are no areas that indicate the presence of candidate, sensitive, or special status species on or near the project site. The project site has been developed with structures since 1980s and planted in vines, and the physical development proposed here is limited to an existing area that had been previously developed as an existing agricultural barn and would now consist of the construction of a 3,001 sf building for winery barrel storage. There would be no impacts on biological resources with this construction activity or change in winery operations.
- c/d. According to the Napa County GIS Sensitivity Maps (Biological Critical Habitat Areas - California Red-legged Frog, Contra Costa Goldfields, and Vernal Pool Fairy Shrimp; Vernal Pools; CNDDDB; Plant Surveys; and CNPS layers), there are no vernal pools or wetlands on or near the project site. All proposed improvements would occur within a previously disturbed area that is not a wildlife corridor. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. There would be no impacts associated with construction activity or change in winery operations.
- e/f. This project would not interfere with any ordinances protecting biological resources. There are no tree preservation ordinances in effect in the County. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None required.

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Discussion:

a/b. The project site is already developed with a winery. The physical development proposed here is limited to an existing area that had been previously developed as an existing agricultural barn and would now consist of the recognition and conversion of a 3,001 sf building for winery barrel storage. Therefore, it is not anticipated that any cultural resources are present on the site, and there is no potential for impact. However, if any previously undiscovered resources are found during grading of the proposed access road improvements 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 this project would encounter human remains. Most construction activities would occur on previously disturbed portions of the site. However, if resources are found during construction activity, 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.

VI. ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
  - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
  - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.
  - iv.) 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 less than five percent. Any spoils resulting from grading activities will be retained on-site and used for construction of the barrel storage building. 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 consists of Sobrante Loam (5-30 percent slopes). Based on the Napa County GIS Sensitivity Maps (liquefaction layer) the property includes areas generally subject to 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. RSA+ prepared a Wastewater Feasibility Report, dated December 26, 2018 that demonstrated that Shadybrook Winery can treat and disperse process wastewater on site and that both Shadybrook Estate Winery and the Rapp Equestrian Center can treat and disperse domestic wastewater on the winery site, meeting the Napa County Environmental Management Design Standards for treatment of processed and domestic wastewater. New improvements associated with this expansion include replacement or conversion of existing tanks located on the property and the addition of equipment for a more desirable treatment processes. The Division of Environmental Health has reviewed the application materials and determined that the proposed improvements would be adequate to serve the winery and equestrian center as proposed. Full design calculations and construction plans will be prepared in accordance with Napa County standards at the time of building permit application submittal. Potential impacts would be less than significant.
- 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.



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

Discussion:

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

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

a/b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

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

to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.) For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

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

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

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. With the existing 10,548 sf winery being dedicated to production, storage and hospitality, the propose expansion will consist of 3001 sf of space dedicated to barrel storage uses, compared to the BAAQMD's GHG screening criteria of 121,000 square feet for general industrial, and compared to the BAAQMD's screening criterion of 9,000 square feet for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO<sub>2</sub>e/yr GHG threshold of significance.

Furthermore, the applicant intends to implement the following GHG reduction strategies at the winery: vehicle miles traveled reduction plan – events over 30 persons will require group transportation; energy conserving lighting, energy star/living roof/cool roof; connection with recycled water; install water efficient fixtures; water efficient landscaping; planting of shade trees within 40 feet of the south side of the building elevation; limit the amount of grading and tree removal – improvements were limited to previously developed areas; use of recycled materials; local food production; education to staff and visitors on sustainable practices; use of 70-

80% cover crop; and retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site.

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

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. A business plan would be filed with the Environmental Health Division should hazardous materials

reach reportable levels. Impacts would be less than significant.

- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of a recognition and conversion a 3,001 sf barrel storage building and increase in wine production that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed winery building.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur, as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur, as the project site is not located within an airport land use plan or within two miles of a public airport or public use airport.
- f. The project's access driveway meets Napa County Road and Street Standards. Therefore, the winery would not obstruct emergency vehicle access. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.
- 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. Impacts would be less than significant.

Mitigation Measures: None required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.

In general, recent studies have found that groundwater levels in the Napa Valley Floor exhibit stable long-term trends with a shallow depth to water. Historical trends in the Milliken-Sarco-Tulucay (MST) area, however, have shown increasing depths to groundwater, but recent stabilization in many locations. Groundwater availability, recharge, storage and yield are not consistent across the County. More is known about the resource where historical data have been collected. Less is known in areas with limited data or unknown geology. In order to fill existing data gaps and to provide a better understand of groundwater resources in the County, the Napa County Groundwater Monitoring Plan recommended 18 Areas of Interest (AOIs) for additional groundwater level and water quality monitoring. Through the well owner and public outreach efforts of the Groundwater Resources Advisory Committee (GRAC,) approximately 40 new wells have been added to the monitoring program within these areas. Groundwater Sustainability Objectives were developed and recommended by the GRAC and adopted by the Board. The recommendations included the goal of developing sustainability objectives, providing a definition, and explaining the shared responsibility for Groundwater Sustainability and the important role of monitoring as a means to achieving groundwater sustainability.

In 2009, Napa County began a comprehensive study of its groundwater resources to meet identified action items in the County's 2008 General Plan update. The study, by Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district". Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Cameros region (mostly salinity). The subject property is located within the Western Mountains subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013.

Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States

Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project, which reduces water usage, or any water usage, which is at or below the established threshold, is assumed not to have a significant effect on groundwater levels.

A Water Availability Analysis for the project was completed by RSA+, dated July 9, 2018. The project site is located in the designated Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area. The parcel has an area of 11.37 acres and there is an existing well on the property. A Groundwater Permit # 90-00069 was granted in 2003 for water storage tanks and 5.9 acre feet/year (af/yr) water use. In 2007, this ground water permit was revised pursuant to Use Permit Modification P06-01095-MOD to 3.41 af/yr. The winery has an approved Domestic Water Supply Permit for a Public Water System with State ID# 28-00046. The parcel is also participating in the MST recycled water community facilities district in which irrigation demand is met with recycled water.

Rapp Equestrian Center on the adjacent parcel (APN 052-170-018) under common ownership has an area of 11.97 acres and the benefit of a groundwater usage of 4.16 af/yr per Napa County Groundwater Permit 90-00051. The Equestrian Center currently irrigates with the existing well water on the property.

The applicant, who owns both parcels, requests consolidation of the required public water system for Shadybrook Estate Winery with Rapp Equestrian Center.

- a/b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. According to the Wastewater Feasibility Report prepared by RSA+, dated December 26, 2018, the project site and proposed system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

As noted above the applicant submitted a Water Availability Analysis (WAA) completed by RSA+ showing that the projected overall water demand for the project site is 1.0 af/yr

USAGE TYPE	EXISTING WELL WATER USAGE [AF/YR]	PROPOSED WELL WATER USAGE [AF/YR]
<b>EQUESTRIAN CENTER:</b>		
Residential – Domestic (2 units)	0.83	0.83
Equestrian Center - Employees, Visitors, Events, Horses, & Landscaping	1.80	1.80
Irrigation – Vineyard	1.53	1.53
<b>EQUESTRIAN CENTER TOTAL</b>	<b>4.16</b>	<b>4.16</b>
<b>SHADYBROOK WINERY:</b>		
Residential: Domestic (1 unit)	0.50	0.50
Winery:		
• Process	0.46	1.07
• Domestic	0.11	0.33
• Landscaping	0.32	0.32
Irrigation:		
Vineyard	2.02	2.02
Irrigation from MST	0	-1.83
<b>WINERY TOTAL</b>	<b>3.41</b>	<b>2.41</b>

The proposed modifications to Shadybrook Winery will result in a net decrease in the use of the groundwater by 1.0 af/yr for

a total water demand at the Winery to be 2.41 af/yr. This reduction is proposed to be achieved through the use of recycled water for most of the vineyard irrigation. The proposed modifications to the Rapp Equestrian Center will result in no change in the use of groundwater. The resultant groundwater demand for both parcels will be less than the associated ground water permits and use permit allocation. The winery, as part of its entitlement would include the County's standard condition of approval noted below requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

#### 4.9 GROUND WATER MANAGEMENT - WELLS

*This condition is implemented jointly by the Public Works and PBES Departments:*

*The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence<sup>1</sup> indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.*

*In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.*

*In the event that changed circumstances or significant new information provide substantial evidence<sup>1</sup> that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.*

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<sup>1</sup> *Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.*

Furthermore, the Public Works Department has reviewed the proposed project for compliance with the parcel's groundwater permit and has recommended a condition to ensure use of best available technology and best management water conservation practices, as well as, continued metering of groundwater usage, and to limit the parcel for all groundwater consuming activities to 2.41 acre-feet per year.

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

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

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

- 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 have 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 proposed winery development area is not located within the designated floodplain area. 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.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-b. The project would not result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW zoning district, which allow wineries and uses accessory to wineries subject to use permit modification approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.



Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS, which allow "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is consistent with the Napa County General Plan. The use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. Physical development associated with this request will be limited to the recognition of the demolition of a previously existing agricultural barn which was replaced with four new steel buildings approximately 12,000 sq. ft. in size and recognition of the conversion of one of the steel buildings of approximately 3,001 sq. ft. into winery production space for barrel storage. As proposed, the façade of the storage building will be insulated panels with metal skin. Other portions of the building will consist of Hardie Board (cement fiber) siding with translucent panels on the upper portion of the building. The building will have a metal roof ranging in height from 16' (wine barrel storage section) to 28' (ag. storage sections) based upon the slope of the pad. Colors of this structure will be required to comply with the County's required earth tone color palate. As such, the architectural design of the project would not degrade the existing character of the site and its surrounding and impacts would be less than significant.

The proposed project is in compliance with the Napa County General Plan, the Napa County Zoning Ordinance and related applicable County Code section, and all other applicable regulations. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. No impacts would occur.

Mitigation Measures: None required.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The project would result in a temporary increase in noise levels during construction of the new 3,001 sf barrel storage building for the winery. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise impacts or operational impacts. Because the nearest residence to the existing winery is approximately 350 feet to the west, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

8.3. CONSTRUCTION NOISE

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

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

effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Winery operations would occur between 9:00 a.m. and 5:00 p.m. (excluding harvest). The nearest off-site residence to the existing winery is approximately 350 feet to the west. Existing production activities will continue on the east side of the new winery storage building and facing south overlooking an existing vineyard. Any new outdoor equipment would be subject to the following standard conditions requiring that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance.

6.6 *OUTDOOR STORAGE/SCREENING/UTILITIES*

c. *Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.*

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

b. *All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.*

As proposed, the applicant is requesting an increase in wine production, number of employees, and visitation and marketing events. Daily visitation would continue to conclude at 5:00 pm, as well as, marketing events would continue to conclude by 10:00 p.m., with clean-up conducted afterwards. A site visit conducted in July 2018 revealed that the winery operators had installed an outdoor speaker system which music is played during visitation and marketing activities within the winery building, outdoor patio and garden area. The applicant's representative was notified that this system was in violation of the Winery's Use Permit and that a request could be submitted to maintain this system provided a noise assessment was conducted providing evidence that such system would not impact the surrounding neighbors of the winery.

Existing Condition of Approval #14 Noise for establishment of the winery (Use Permit P06-01095-UP) provided that "...There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings." The applicant has requested that this prohibition be removed thereby allowing the winery to maintain this outdoor speaker system for background music and to permit amplified and non-amplified music performances or speech in the outdoor patio and garden area during visitation and/or marketing events.

To support this request, the applicant submitted an Environmental Noise Assessment prepared by Illingworth & Roadin, Inc dated August 19, 2019. The analysis quantified the existing noise levels near the property lines of the closest noise sensitive residential uses by monitoring ambient noise consisting of two long-term and one short term noise measurement conducted between 1 pm on Wednesday, August 7<sup>th</sup> and 11 am on Monday, August 12<sup>th</sup>, 2019 extrapolating the results into future noise generated by increase in winery activity. The closest noise sensitive uses to the winery selected were four non-applicant owned residences located to the west, south and east. The noise analysis identified four types of operations associated with wine production and events at the winery that would continue to produce noise at existing levels or as requested in this modification request: project traffic, winery operations and seasonal production activities, maintenance and forklift operations and marketing event noise. Of the first three types of activities, the analysis revealed that all four residences would not experience elevated and/or exceed levels of noise beyond the County's Noise Ordinance Standards and, therefore, no mitigation would be required. Daytime Noise Limits for project traffic (automobile parking and traffic and truck traffic) is 60 dBA or 65 dBA respectively; projected exposure levels were below this standard. Daytime Noise Limits for winery operations (mechanical equipment, crush related, bottling, and maintenance/forklift operations noise) is 50 dBA; projected exposure

levels were below this standard. Daytime Event Noise Limits for marketing event noise is 50 dBA; projected exposure levels were below this standard for all four residences in which distances range between 350 feet to 840 feet from the winery patio and garden area and within the winery building. No mitigation would be required; thereby impacts would be less than significant.

Given these results, staff would recommend that background music, amplified music and/or sound systems be permitted at marketing events only which would occur only 24 times per year. Staff would also recommend that only background music be utilized during daily visitation activities which would occur 7 days per week 9 am to 5 pm. It should be noted that continuing enforcement of Napa County's Noise Ordinance would be conducted by the Division of Environmental Health and the Napa County Sheriff, including the use of amplified music, if authorized by the Planning Commission, to ensure that marketing events and other winery activities do not create a significant noise impact beyond the County's noise limits. Marketing events and background music, amplified music and/or sound systems would be, excluding quiet clean-up required to finish by 10:00 p.m. Temporary events would be subject to County Code Chapter 5.36, which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

- c. The proposed winery would not expose people to excessive noise levels associated with air traffic. No private landing facility is proposed with the requested modification, and the winery is neither within the boundaries of an airport land use compatibility planning area nor within two miles of any public or private airport or airstrip.

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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%. The submitted application materials indicate that this project will not result in a change of full-time or part-time equivalent jobs as originally approved in February 2002.
- b. The proposed staffing to be remedied at the winery includes an increase in full-time employees from two to nine employees and part-time employees from one to two employees. This increase could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee with the construction of the new barrel storage building, 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 modification would facilitate conversion and completion of a new storage building and expand operations at an existing winery. Other than on-site wastewater treatment improvements to serve the winery's and equestrian center operations, no new infrastructure is proposed that might induce growth by extending service outside of the boundaries of any of the winery owner's properties.

- 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.

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

**Discussion:**

- a. Public services are currently provided to the project area 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 winery 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 or accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the winery. 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. Also see discussion under Section XVI, below.

Mitigation Measures: None required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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. This application proposes modifications to an existing winery, including an increase in wine production, visitation and marketing activities, recognition of the existing number of employees and the completion of construction on the conversion of a barrel storage building. The proposed project includes no new residential units or 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.

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-38, which seeks to maintain an	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?   | <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"/> |
| 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-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Shadybrook winery would continue to be accessed via the existing Rapp Lane, which is a gated private road located at the north end of Second Avenue. The Rapp Lane approach to the intersection with Second Avenue and Chateau Lane includes a stop sign for vehicles exiting the site. Chateau Lane is another private road, which provides access to three existing single family residences and the Covert Estate Winery (formerly known as Chateau 15)

- a. Level of service standards for roads in the unincorporated areas has been established by the County in its General Plan (2008). Level of service (LOS) is a measure of how well an intersection or roadway is able to carry traffic. LOS is usually designated with a letter grade A-F, where 'A' is best and 'F' is worst." General Plan policy CIR-38 establishes the County's desired LOS on all County roadways as LOS D, which represents the level where traffic nears an unstable flow. Intersections still function, but short queues develop and cars may have to wait through one cycle during short peaks. In situations where the County determines that achieving LOS D would cause an unacceptable conflict with other goals and objectives, minimizing collisions and the adequacy of local access will be the County's priorities.

The applicant submitted a Traffic Impact Study (TIS) prepared by W-Trans, dated September 11, 2019. This study was prepared for both the Shadybrook Estate Winery and the Rapp Equestrian Center. The County is also processing a Use Permit application for the Rapp Equestrian Center (P18-00197-UP). It should be noted that a separate environmental analysis would be prepared for the establishment of the existing equestrian center in recognition of existing activities (staffing, visitation and marketing events for commercial horse boarding, riding and lessons) and to resolve a code violation for illegal building activities.

The study area for this TIS analyzed the intersections of First Avenue and Second Avenue and North Avenue and Coombsville Road. The study revealed that all four intersections currently operate at acceptable service levels overall (LOS A or B) and on the minor street approaches during peak hours and would be expected to continue doing so with the proposed project. Under anticipated future volumes with and without project-generated traffic, the intersections are expected to operate acceptably at LOS A and B overall and on the stop-controlled approaches during both peaks. Access to the site occurs via Rapp Lane. Sight lines along Second Avenue from the project access roadway have been determined adequate. Left-turn lanes have been determined not warranted, and therefore, not recommended at the project's access on Second Avenue. Using the County's winery trip generation assumptions, the proposed project would be expected to generate an

average of 46 new weekday trips, with 17 trips during the p.m. peak hour, and 44 net new weekend trips, with 25 trips during the weekend peak period. The Rapp Equestrian Center currently generates 64 daily trips, with 24 trips during the p.m. peak hour and 36 trips during the weekend peak hour; this would not change as result of the Conditional Use Permit being requested at this time.

- b. There is currently no bus service in the Coombsville area; the proposed project would therefore 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 Coombsville Avenue as an existing Class II bicycle facility (on-street bike lane) from the City of Napa to the Silverado Middle School; currently the road includes eight-foot wide, striped and paved lanes on both sides of the roadway. A Class III (non-stripped lane) is planned to continue on Coombsville toward First Avenue. Once on First Avenue, this proposed Class III route would then loop back to Hagen Road at which time would revert back to proposed Class II on-street bike lane heading back to Silverado Trail. As planned, the existing winery has no existing or proposed bicycle facility or public transit service in close proximity. Therefore, any shuttle service would have to be provided by a private shuttle service.
- c. The transition to VMT is not required of lead agencies until July 1, 2020. However, in anticipation of the transition, the Circulation Element includes new policies that reflect this new regulatory framework for transportation impact assessment, along with a draft threshold of significance that is based on reduction of VMT compared to the unmitigated project rather than the regional average VMT (Policies CIR-7 through CIR-9). Staff believes this alternative approach to determining the significance of a project's transportation impacts would be better suited to Napa County's rural context, while still supporting the efforts of the County to achieve the greenhouse gas emissions goals of its pending Climate Action Plan. The reduction in VMT and, correspondingly, GHG emissions from the transportation sector, is also necessary for Napa County, the region, and the state to achieve long-term, statewide mandates targeted toward reducing GHG emissions. Such mandates include, but are not limited to Executive Orders S-3-05 and B-16-12, which respectively, set a general statewide GHG emissions reduction target of 80 percent below 1990 levels by 2050, and an 80 percent GHG emissions reduction below 1990 levels (also by 2050) specifically for the transportation sector. Although the TIS prepared for the project did not reveal any significant impacts in traffic generation as a result of increase winery activity, it was recommended and the applicant has incorporated into the project the following: when reservations are made for a group, staff should encourage the guests to carpool or use a shuttle or van. Additionally, it was recommended that the winery implement TDM plan that may reduce peak-hour vehicle trips by promoting employee carpooling, implementing Guaranteed Ride Home (GHR) program and potentially providing lunch on-site. To ensure that these activities are conducted, staff will be adding a project specific condition.
- d/e. Shadybrook winery would continue to be accessed via the existing Rapp Lane, which is a gated paved private road commencing at the north end of Second Avenue and Chateau Lane. Existing site access and minor winery parking improvements and access between Rapp Equestrian Center was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department.
- f. Shadybrook Winery was originally approved for nine (9) parking spaces. Currently, there are a total of 25 parking spaces available to accommodate current winery operations. The applicant is requesting one additional space for a total of 26 spaces and requesting recognition of the current parking configuration to accommodate the winery's existing and proposed business plan, visitation, marketing activities, and number of employees. It should be noted that events over 30 persons would require group transportation as proposed by the applicant.

Mitigation Measures: None required.



**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:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 November 4, 2019, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1. To date, no comments have been received.

Mitigation Measures: None required.

**XIX. UTILITIES AND SERVICE SYSTEMS.** Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 type="checkbox"/>            | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a-c. The project would not require the construction or relocation of a new or expanded water or storm water drainage, electric power, natural gas or telecommunications facilities of which could cause significant environmental effects. Only the existing wastewater treatment system will warrant minor upgrades to accommodate an increase in wine production and an expansion in employees, visitation and marketing events. There is an existing well on the property serving the existing winery that is capable of producing a reliable pumping capacity of 35 gallons per minute (gpm). The property is also participating in the MST recycled water community facilities district. The project well will continued to be used to satisfy the existing winery activities and the 40,000 gallons per year increase in wine production, as well as employee, visitation and marketing activity increases. As noted above, the applicant submitted a Water Availability Analysis (WAA) completed by RSA+ demonstrating the projected overall water demand for the project site is 2.41 af/yr representing a 1.0 af/yr decrease from the existing water demand of 3.41 af/yr. The parcel water demand can be met with the existing project well and in compliance with existing the Groundwater Permit No. 90-00069 which limits the parcel to 3.41 af/yr. Similarly, all of the wastewater generated by the winery (process wastewater and sanitary wastewater) would be treated on-site using the existing treatment systems with minor improvements. With water and wastewater treatment facilities provided on-site, the proposed project requires no determination of service or will-serve letters from water or wastewater treatment service providers. The winery is proposed to include self-treating and self-retaining areas, as well as, bioretention areas that in combination would serve as both stormwater quality and runoff management measures. The project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities, which would cause a significant impact to the environment. Work areas of the existing winery are covered with a roof and plumbed to discharge runoff into the on-site wastewater treatment system, also with the intent to preserve stormwater quality. Grading for construction of the new agricultural barn and winery barrel storage building would be subject to the dust suppression measures listed in Section III, Air Quality, of this initial study.
- d/e. The project would be served by Keller Canyon Landfill, which has a capacity, which exceeds current demand. As of January 2004, the Keller Canyon Landfill had 64.8 million cubic yards of remaining capacity and has enough permitted capacity to receive solid waste through 2030. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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. The proposed project is located within a moderate fire hazard severity zone and in the Napa County Local Responsibility Area (LRA district). 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 in Coombsville with access from Rapp Lane directly to Second Avenue out to Coombsville Road and/or left onto North Avenue and right onto First Avenue and left onto Hagen Road to Silverado Trail. There are currently overhead power lines along the south side of Rapp Lane frontage. The existing overhead lines will not be affected by the project. 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.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 proposed project site has been previously developed and disturbed as a result of construction of the existing winery and vineyard and the project will primarily consist of the replacement of an existing agricultural barn into four new buildings where one building will be converted into winery production space used for barrel storage. The project proposal will also include an increase in wine production, number of employees, visitation and marketing activities. The project would have a less than significant impact on wildlife resources. No sensitive resources or biologic areas will be converted or affected by this project. Also as analyzed above, the project would not result in a significant loss of native trees, native vegetation, or important examples of California's history or pre-history.
- b. As described in the sections above, air quality, transportation/traffic impacts, and population and housing, the proposed project which consists primarily of a new barrel storage building, increase in production, employees, visitation and marketing activities 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 outdoor patio and garden area.

Mitigation Measures: None required.

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