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## Categorical Exemption Memorandum



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## MEMORANDUM

To: Zoning Administrator	From: Jason R. Hade, Principal Planner
Date: June 30, 2021	Re: White Rock Vineyards Use Permit #P20-00142 Categorical Exemption Determination Assessor Parcel #039-680-004

### Background

Pursuant to Section 303 of Napa County’s Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed White Rock Vineyards Use Permit Application (File No. P20-00142).

### The project proposes:

- Grant a Use Permit for a small winery established under a Small Winery Use Permit Exemption approved on March 30, 1987 for an existing 20,000 gallon per year winery to allow the following changes:
- (a) Recognition of existing visitation of a maximum of 19 visitors per day Monday through Sunday; maximum 133 visitors per week;
- (b) Recognition of existing visitation hours of operation; 10:00 AM to 5:00 PM seven days a week and existing production hours of operation; 7:00 AM to 6:00 PM seven days a week;
- (c) Recognition of existing four (4) full time employees;
- (d) Food and wine pairings are proposed with the existing visitation requested for recognition;
- (e) A marketing program with 10 events per year with a maximum of 30 guests for each event and one event per year with a maximum of 75 guests (all marketing events would be catered);
- (f) Use of the existing cave for guided tours only (Type II);
- (g) Replacement of the existing temporary structure with an approximately 575 square foot tasting room;
- (h) On-premises consumption of wines produced on site in the tasting areas (indoor and outdoor) in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- (i) Use of three outdoor satellite tasting areas;
- (j) Installation of a 5,000 gallon water tank and new well; and
- (k) Upgrading the existing process wastewater treatment system to a package treatment system plant and continue use of the existing leach field to continue to process the domestic wastewater.

### Existing Setting

The project is located on a 15-acre parcel on the north side of Loma Vista Drive. The General Plan land use designation is Agriculture, Watershed and Open Space (AWOS) and is within the Agricultural Watershed (AW) zoning district; 1112 Loma Vista Drive, Napa; APN: 039-680-004.

Development on the property includes: a temporary winery building, cave, a waste disposal system; four parking spaces, a well, and vineyards. Access to the property is from Loma Vista Drive via a paved driveway. The nearest residence to the winery is approximately 1,065 feet to the northwest. A blue line stream runs to the south of the property and two extrapolated channel network streams are present in the southern area of the subject site.

### Past Approvals

A Small Winery Use Permit Exemption was approved for the subject site on March 30, 1987 permitting a maximum production capacity of 20,000 gallons per year, a cave of approximately 3,000 square feet, one full-time and two-part time employees, hours of operation of 8:00 am to 6:00 pm five days a week, and four parking spaces. Visitation was limited to retail sales with no public tours or tastings permitted. The project scope identified above was subsequently confirmed via a Status Determination (P19-00159) issued on July 2, 2019.

### CEQA Exemption Criteria and Analysis

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. This project qualifies as an exempt activity under two sections of Article 19: CCR §15301 (Class 1, Minor Alteration to Existing Facilities), which exempts interior alterations; and §15303 (Class 3, New Construction or Conversion of Small Structures). The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.

The use of the existing cave for guided tours only (Type II) and any potential required Building and Fire Code related upgrades qualifies as an exempt activity under Article 19: CCR §15301 (Class 1, Minor Alteration to Existing Facilities), which exempts interior alterations. The replacement of the existing temporary structure with an approximately 575 square foot tasting room, installation of a 5,000 gallon water tank, new well, proposed water lines along an existing vineyard road from the proposed well to the proposed water tank, and upgraded wastewater treatment system qualifies as exempt under §15303 (Class 3, New Construction or Conversion of Small Structures) because of the limited size of these proposed improvements. No grading or construction is proposed as part of the three outdoor tasting satellite areas shown on the site plan. No grading would occur in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

Under CEQA Guidelines Section 15300.2, Class 3 and 4 Categorical Exemptions cannot be used if the project substantially affects mapped or designated environmentally sensitive areas or resources. Class 1 Exemptions are permissible within mapped and designated environmentally sensitive areas. The two extrapolated channel network streams which appear within the southern portion of the site are not mapped as an environmentally sensitive resource (source: Napa County Geographic Information System including California Natural Diversity Database layer). However, the parcel lies within a riparian buffer zone and sensitive oak woodland area. The project does not result in substantial effects to mapped or designated environmentally sensitive areas or resources. No native trees or native vegetation would be removed to construct the project. According to the County's resource maps, there are no scenic resources, hazardous waste sites, nor historic resources identified on the site. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval:

## 7.2 ARCHEOLOGICAL FINDING

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

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

As noted above, the Use Permit application also requests recognition of existing visitation, hours of operation, and employees. Although not initially permitted under the Small Winery Use Permit Exemption, these activities are already occurring at the subject site and no intensification of these activities is requested as part of this application. As described in Resolution No. 2018-164 adopted by the Napa County Board of Supervisors on December 4, 2018, the subject application was found to be substantially conforming under 1.b which outlines the status determination process. Accordingly, the County may use the winery's existing operations as the environmental baseline for the CEQA analysis related to this application. The minor expansion of current operations requested as part of this application is analyzed above.

Therefore, based upon the above analysis there is no reasonable possibility that the project would have a significant effect on the environment or damage scenic resources because there will be only minor changes to the existing site operations and minimal physical changes to the project site. Based on the proposed project as described above, the White Rock Vineyards Use Permit application meets the criteria for eligibility as a Class 1 and Class 3 Categorical Exemption from CEQA.