

Attachment M
Initial Study MND

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

Initial Study Checklist
(form updated October 2016)

1. **Project Title:** Anthem Winery, Major Modification Use Permit #P14-00320-MOD including Viewshed Application, Variance #P14-00321-VAR, Agricultural Erosion Control Plan #P14-00322-ECPA, and a Road Exception
2. **Property Owner:** Julie and Justin Arbuckle, 3454 Redwood Road, Napa CA 94558, Trustees of the Arbuckle Family Trust
3. **Project Sponsor's Name and Address:** Julie Arbuckle, 3454 Redwood Road, Napa CA 94558
4. **Representative:** Rob Anglin, Holman Teague Roche Anglin, LLP., 1455 First Street, Suite 217, Napa, CA 94559; (707) 927-4280
5. **County Contact Person:** Donald Barrella, Planner III; (707) 299-1338; donald.barrella@countyofnapa.org
6. **Project Location and APN:** The approximate 44.8 acre project site consists of two parcels owned by the applicant/Permittee: i) the Winery Parcel (3454 Redwood Road, APN 035-470-046) an approximate 27.23 acre parcel is located within the AW zoning district on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the Access Parcel (3123 Dry Creek Road, APN 035-460-038) an approximate 17.54 acre parcel located within the AW zoning district on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road.
7. **General Plan Description:** AWOS (Agriculture, Watershed, and Open Space)
8. **Zoning:** AW (Agricultural Watershed) District
9. **Background/Project History:** On December 18, 1996, Use Permit #96006-UP was approved by the Planning Commission on the Winery Parcel for a 30,000 gallon per year winery that included a 1,600 square foot cut and cover/sub-surface barrel storage facility (or cave), a 240 sq.ft. fermentation tank pad, and two fermentation tanks. This use permit only allowed fermentation, aging, bottling (via mobile/portable facility), and storage: crush activates, office, case good storage would occur off-site. One part-time employee from 9:00 AM to 5:00 PM was identified under this permit, and other than infrequent wine trade visits for tasting occurring up to one day per week with a maximum of five persons, no public tours, tasting, or retail wine sales were allowed under this use permit. Access to the winery under this use permit was provided by an existing private access drive off Redwood Road, which was found to be adequate with the addition of turn outs for vehicles to pass.

A modification to the Use Permit (#99033-MOD) was subsequently approved by the Planning Commission on December 19, 2001, which authorized on-site crushing activates and a third fermentation tank. No visitation or marketing events, other than the occasional wine trade visits identified in #96006-UP were allowed under this modification. On May 2, 2012, a subsequent very minor modification (#P12-00084-VMM) was approved by the Planning Director allowing case good storage at the winery.

Vineyard located on the Winery Parcel was originally approved by the Planning Director on May 6, 1999, under Agricultural Erosion Control Plan (ECPA) #98301-ECPA. This ECPA was subsequently modified by the Planning Director on March 11, 2009 (#P08-00345-ECPA), to augment the location and design of erosion and runoff control features specified in #98301-ECPA (such as detention basins, check dams and diversions ditches, and subsurface drain lines), adjust vinerow directions, and adjust the bounds of approved vineyard blocks, resulting in an approximate 0.65 acre increase in vineyard development from approximately 6.8 gross acres (± 5.5 planted acres) to 7.5 gross acres (5.9 planted acres).

On April 24, 2013, #P12-00401-ECPA was approved by the Planning Director for approximately 3.7 acres of additional new vineyard (± 2.8 planted acres) located on both the Winery and Access Parcels. Approximately 1 acre of this ECPA occurs on the Winery Parcel, with the remaining ± 2.7 acres of vineyard occurring on Access Parcel. Initiation of #P12-00401-ECPA commenced in June 2016, consisting of tree and understory removal. No additional activities associated with implementation of this ECPA (such as land ripping, vineyard infrastructure installation, or planting) has occurred since 2016.
10. **Project Description:** The proposed project includes further modification of #96006-UP, #99033-MOD, and #P12-00084-VMM to allow: 1) the construction and operation of a larger winery facility; 2) the increase in annual wine production; and 3) the addition of tours and tastings by appointment, and conduct retail sales and marketing including marketing events, as follows:

1. Approval of a Use Permit Major Modification to an existing 30,000 gallon per year winery to allow the following:
 - a) An increase in production from 30,000 gallons to 50,000 gallons annually;
 - b) Construction of a new 10,388 square foot Winery Facility (that includes two 4,000 square foot Fermentation Buildings that will also house two crush pads, and a 2,833 square foot Bottle Room that also contains lab, restroom and service/mechanical areas; a new 1,508 square foot Tasting Room; a new 1,724 square foot Office, Catering and Conference Room Building; three outdoor marketing event areas totaling approximately 4,600 square feet, and 29,053 square feet of caves (that includes 18,331 square feet of barrel storage, 2,645 square feet of water storage to store 400,000 gallons of water, 1,282 square feet of hospitality/tasting area, 6,092 square feet of extensions (4,158 sq.ft Cave Extension and 1,934 sq.ft. House Cave Extension); and 703 square feet of mechanical space), and a 1,257 square foot cave terrace (not inclusive of overall cave area) and associated portal, resulting in the following;
 - i. Removal of approximately 60 trees (mostly oak, and bay laurel);
 - ii. Earth-disturbing activities covering approximately 3.35¹ acres, with spoils (approximately 23,300 cubic yards) being utilized on-site for site and access drive development, with the remaining being stored on-site;
 - c) Daily tours and tastings by appointment only between 10:00 AM to 6:00 PM with a maximum of 32 persons per day Monday through Friday, and a maximum of 48 persons per day on weekends, with an overall maximum of 256 persons per week;
 - d) A Marketing Program as follows:
 - i. Twenty four (24) events per year with a maximum of 30 guests (no more than one of these events would be in the evening);
 - ii. Ten (10) events per year with a maximum of 100 guests;
 - iii. One (1) event per year with a maximum of 200 guests;
 - iv. One (1) event per year with a maximum of 300 guests;
 - v. All food to be catered; and
 - vi. Time of day: 11:00 AM to 10:00 PM weekdays, 11:00 AM to 12:00 AM weekends with events over 30 guests moving indoors by 10:00 PM;
 - e) On-premises consumption of wines produced on-site within in the facility's designated indoor and outdoor hospitality/tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
 - f) Hours of operation: 8:00 AM to 8:00 PM (10:00 AM to 6:00 PM. tasting, and 8:00 AM to 8:00 PM non-harvest production) 7 days a week;
 - g) Employee increase from one part time employee up to a maximum of seven (7) full-time employees and five (5) part time employees;
 - h) Employee hours: 8:00 AM to 8:00 PM, 1 shift;
 - i) Construction of 22 parking spaces (21 standard spaces and one ADA space);
 - j) Improvement of approximately 1,700 to 2,000 feet of the existing driveway from Dry Creek Road, in addition to the construction of approximately 650 feet of new driveway including a ±60 foot long clear span bridge over a drainage channel to provide adequate access the Winery Facility (i.e. Driveway Entry Option 2) which would include the following;
 - i. Approximately 3,400 cubic yards of cut and fill balanced on site (inclusive of the spoils identified in 1.b.ii);
 - ii. ±950 lineal feet of wood retaining walls ranging in height from 2 to 6 feet, and;
 - iii. Removal of approximately 68 trees (mostly oak and bay laurel);
 - k) Installation of landscaping;
 - l) Installation of a wastewater treatment system;
 - m) Construction of eight 10,000 gallon water storage tanks (20,000 gallons for domestic water, 10,000 gallons for process water, 30,000 gallons for irrigation water, and 20,000 gallons for process waste water/irrigation water), and use of three existing wells, and demolition of one existing well;
 - n) Construction of a rainwater harvesting system, and a winery process wastewater recycling/reuse system as part of the winery facility;
 - o) A temporary tasting room located within the existing 1,600 square foot winery cave that also utilizes approximately 200 square feet of the existing crush pad as an outdoor tasting and marketing event area; and,
 - p) The temporary removal of approximately 1 acre of existing vineyard to accommodate on-site spoils placement/storage: removed vineyard would reestablished/replanted after the Winery Facility is constructed.
2. Approval of a Variance (#P14-00321-VAR) to allow construction of the proposed Winery Facility a minimum of 65 feet from the centerline of the Applicant's private access drive located on the abutting parcel to the north (i.e. the Access Parcel, Lands of Arbuckle, 3123 Dry Creek Road, APN 035-460-038) where 300 feet is required. A majority of the proposed Winery Facility would be located within the minimum 300-foot winery setback, pursuant to Napa County Code (NCC) Section 10.104.230(2), from this private access drive. The only proposed winery structures and/or features located outside the winery setback include the Winery Office, Catering, Conference Room Building and associated terraces; two of the outdoor tasting/hospitality areas, and cave patio.

¹ Overall, approximately 4.75 acres of earth-disturbing activities, consisting of approximately 3.35 acres for the Winery Facility, approximately 0.2 acres for new driveway segment, and approximately 1.2 acres for the vineyard. This disturbance area also includes the temporary removal of approximately 1 acre of vineyard.

- 3 Approval of an exception request to the Napa County Road and Street Standards (NCRSS) to allow the Anthem Winery Use Permit Modification to be approved without meeting the commercial driveway standards for approximately 1,700 lineal feet of the access drive, as measured from Dry Creek Road. Generally, this section of the access drive would consist of a 16 to 18 foot wide paved travel way (14 foot wide travel way for the bridge segment) that requires exceptions to the following: the two 10 foot wide traffic lanes and 22 feet of horizontal clearance, the 22 foot wide turnouts, and slope exception for road grades exceeding 18% without the required transition zones of 10% in two driveway sections. The exception requests are necessitated by the physical constraint presented by the 20.5 foot wide flagpole section of the Access Parcel's connection with Dry Creek Road, and an easement constraint located within the northwest corner of the abutting parcel to the east (Lands of Rowe, 3109 Dry Creek Road, APN 035-460-024) due to the abutting owner's objection to utilizing this access easement. The remaining 650 feet of proposed access drive located west/southwest of the proposed clear span bridge would meet applicable NCRSS standards.
- 4 Approval of a Viewshed Application pursuant to Napa County Code Chapter 18.106 to address construction of the proposed Winery Facility on slopes of 15% or greater.
- 5 Approval of an Agricultural Erosion Control Plan (#P14-00322-ECPA) for the clearing of vegetation (annual Grassland) and earthmoving, and installation and maintenance of erosion control measures associated with the development of approximately 1.19 acres of new vineyard (1.01 net planted acres) within two (2) vineyard blocks located on the project parcels (Block C, ± 1.14 gross acres located on the Access Parcel; and Block D, ± 0.05 gross acres located on the Winery Parcel). No trees would be removed as part of this ECPA.

As proposed, the construction of the Anthem Winery will be completed in three phases. The first phase includes construction of the driveway, parking, septic system, winery production structures, bottle room, outdoor tasting area, and cave storage tanks for harvested rainwater. The second phase includes construction of the caves, and the third includes building the tasting room and office structures.

11. **Environmental setting and surrounding land uses:** The 44.8 acre project site consists of two parcels owned by the applicant/Permittee located approximately 1 mile northwest of the City of Napa within the Alston Park area of Napa County: i) 3454 Redwood Road, APN 035-470-046, an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with at the intersection with Browns Valley Road, hereinafter referred to as the "Winery Parcel"; and ii) 3123 Dry Creek Road, APN 035-460-038, an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road, hereinafter referred to as the "Access Parcel". Both parcels are mapped within Township 6 North, Ranges 4 and 5 West, Sections 25 and 30 of the U.S. Geological Survey (USGS) 7.5-minute "Napa, California" topographic quadrangle, and located within the Agricultural Watershed (AW) zoning district.

The Winery Parcel (3454 Redwood Road) is located approximately 450 feet east of Redwood Road because it is accessed by a ± 0.25 mile long 10 foot wide paved private access drive leading from Redwood Road. The Winery Parcel is developed with a single-family residence and associated accessory structures (a car port, four sheds and a propane tank, two $\pm 10,000$ water tanks, four wells), a winery consisting of a 1,600 square foot cave and associated 240 square foot tank and crush pad²; a ± 0.5 acre landscape orchard, and approximately 7.5 acres of vineyard (6 planted acres) developed under #98301-ECPA as modified by #P08-00345-ECPA. This parcel also contains approximately 1 acre of vineyard currently being developed under #P12-00401-ECPA³, and approximately 0.05 acres of vineyard proposed under #P14-00322-ECPA.

The Access Parcel (3123 Dry Creek Road), a flag lot with its body located approximately 1,700 feet west of Dry Creek Road that is accessed by an approximate 0.5 mile long ± 8 foot wide paved access drive leading from Dry Creek Road to the existing residence located on the parcel. A portion of the access drive crosses over the northwest corner of the abutting parcel to the east (Lands of Rowe, 3109 Dry Creek Road, APN 035-460-024): a residential access easement currently encumbers this portion of the access drive. The Access Parcel is developed with a single-family residence, a guest cottage, propane tank, four wells. This parcel contains approximately 2.7 acres of vineyard currently being developed under #P12-00401-ECPA, and almost the entirety of the vineyard proposed under #P14-00322-ECPA: approximately 1.14 acres. The parcels existing access drive would be modified as described above (**Section 10 – Project Description**) to provide access to the proposed Winery Parcel and Winery Facility⁴.

Neither of the driveways serving the Winery Parcel or Access Parcel, in their existing configurations, conform with current NCRSS requirements or provide adequate emergency access.

The project site is situated in the eastern foot-slopes of the Mayacamas Mountains generally where the terrain transitions from the Napa Valley Floor located to the east to the intervening hills, valleys and ridges associated with Mt Veeder located to the northwest. Topography in the vicinity of the project area and the project site generally consist of gentle to very steeply sloping east and southeast facing

² Developed under #96006-UP (as modified).

³ Initiation of #P12-00401-ECPA commenced in June 2016, consisting of tree and understory removal. No additional activities associated with implementation of this ECPA, such as land ripping, vineyard infrastructure installation, or planting has occurred since 2016.

⁴ The applicant/Permittee has also provided plans as part of the referenced applications to utilize the easement located on the Rowe Parcel for winery access; however, the owner has not agreed to modify the easement to allow non-residential or winery use. This plan is referred to as *Anthem Winery Driveway Entry Option 1* (RSA+, January 12, 2018). Because of the infeasibility of this access option due to easement constraints, this Initial Study will focus its evaluation on *Anthem Winery Driveway Entry Option 2* (RSA+, June 5, 2018).

ridgelines, hills and valleys, and the flatter Napa Valley to the west. Topography of the project site generally consists of varied, moderately to severely sloped, southeast facing hilltops and valleys, with slopes within the project area generally ranging from 10% to 30%. Elevations in the project area ranging from approximately 375 feet to 450 feet above mean seal level (msl). Geology of the project site and immediate area consists of sedimentary bedrock units of the Great Valley Sequence. Soils of the project site and area consist of Fagan Clay Loam, 30-50 percent slopes (Soils Series #133), and Felton Gravelly Loam, 30-50 percent slope (Soil Series #136) (Soil Survey of Napa County, USDA 1978; and Napa County GIS, Soil types layer).

Vegetation types of the area and the project site predominately consist of Oak woodlands and Semi-natural Annual Grassland (California Annual Grassland and/or Wild Oats Grassland), interspersed with vineyard (Napa County GIS Vegetation layer; and MUSCI Natural Resource Assessment, August 2014). There are patches of Coniferous Forrest within the area; however, no Coniferous Forrest occurs on the project site.

The project site is located in both the Redwood Creek and Salvador Channel Drainages. Generally, a majority of each project parcel (i.e. the Winery Parcel and the Access Parcel) is located within the Redwood Creek Drainage, with northeastern portions of each parcel occurring within the Salvador Channel Drainage. Redwood Creek generally abuts the western periphery of each of the project parcels. Redwood Creek generally drains southeast to Napa Creek, thence to the Napa River located approximately 5.25 miles to the southeast. Within the Salvador Channel Drainage, there are two unnamed blue-line tributaries to the Napa River, which are located approximately 0.25 miles to the northeast and southeast of the project site, these tributaries ultimately drain to the Napa River approximately 4 mile to the east (USGS maps and Napa County GIS Streams layer). Other than Redwood Creek, there are no other identified or known definitional streams⁵ located within the project area. The project site is not a FEMA designated flood zone (Napa County GIS Flood Zone layer).

Surrounding land uses consist predominantly of semi-rural residential and agricultural uses, predominately consisting of vineyard, and occasional wineries. The project site falls within a transitional area between the Agricultural Preserve (AP) zoning designation of the Napa Valley floor to the east, and the Agricultural Watershed (AW) zoning designation associated with the Mt Veeder area to the west. Therefore, there is a various mix of parcels sizes ranging from ±0.75 acres to ±250 acres in the immediate vicinity (i.e. within approximately one-half mile of the project site). The nearest residences to the winery site (two residences) are located approximately 500 feet the west, the next closest residences (approximately four) are located approximately 1,000 feet to the north, south and west of the winery site. The nearest residences to the Access Parcel and proposed winery access (two residences) are within 35 feet and 100 feet to the north, the next closet is approximately 200 feet to the south. Many of the surrounding properties to the east also contain vineyards.

There are four wineries within the immediate vicinity, the Frisinger Vineyards Winery and Olney Family Winery located approximately 0.5 mile to the southeast, the Matthiasson Family Winery (formerly Chateau Phoenix Vineyard) located approximately 0.25 miles to the northeast, and the Woolls Ranch Winery located approximately 0.5 miles to the west. It should be noted that Matthiasson Winery, which was approved under a Small Winery Exemption, is currently requesting a use permit to increase production and establish a daily visitation and a marketing program (Application #P17-00394-MOD). Alston Park is located approximately 0.5 miles to the south of the project site, and the closest schools to the project site are Salvador Elementary and Justin-Siena High School located approximate 1.5 miles to the east within the City of Napa (Napa County GIS: Schools Layer).

12. **Other agencies whose approval may be 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. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies

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

Other Agencies Contacted

Federal Trade and Taxation Bureau
Department of Alcoholic Beverage Control

13. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Assembly Bill 52 (AB 52) Public Resources Code section 21080.3.1? If so, has consultation begun?**⁶ On January 9, 2017, the County notified pursuant to Public Resources Code section 21074 (AB-52: Gatto) the Mishewal-Wappo Tribe of Alexander Valley, the Yocha Dehe Wintun Nation, and the Middletown Rancheria of the proposed project. None of these Tribes has requested consultation. Also see **Section V (Cultural Resources)** and **Section XVII (Tribal Cultural Resources)** of this Initial Study for additional information and disclosures regarding Tribal notification and response.

⁵ Napa County Code Section 18.108.025 (General provisions – Intermittent/perennial streams) and Section 18.108.030 (Definitions), and site inspections conducted by Napa County Staff on October 13, 2014, May 13, 2015; February 29, 2016; and, September 12, 2017.

⁶ 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 21083.3.2.) 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.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant in conjunction with applications #P14-00320-MOD and #P14-00321-VAR, and associated NCRSS exception request and Viewshed Application, and Erosion Control Plan #P14-00322-ECPA identified below, and the environmental background information contained in the permanent file on this project. The documents and information sources identified below are incorporated herein by reference and are available for review at <https://www.countyofnapa.org/670/Anthem-Winery> or the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559:

- Anthem Winery, Project Statement, August 29, 2017, and associated Use Permit Application (#P14-00320-MOD) dated June 15 2018.
- Backen Gillam Kroeger, June 5, 2018, Use Permit Architectural Plans and Viewshed Plans
- RSA+, June 5, 2018, Coverage and Development Exhibit and Calculations, Anthem Winery
- Anthem Winery Applicant and Backen Gillam Kroeger, dated July 31, 2017, Variance Application P14-00321-VAR
- RSA+, June 5, 2018, Use Permit Civil Plans, Anthem Winery
- RSA+, June 5, 2018, Cave Exhibit, Anthem Winery
- RSA+, December 1, 2015, Cave Spoils Placement Letter, Anthem Winery
- Claudia Schmidt Landscape Design, June 5, 2018, Landscape and Lighting Plan Anthem Winery and Vineyards
- RSA+, June 5, 2018, Anthem Winery Driveway Entry Option 2 Plans
- RSA+, January 12, 2018, Emergency Ingress/Egress Plan Option 2, Anthem Winery
- RSA+, January 12, 2018, Exception to Road and Street Standards for Existing Driveway Option 2, Anthem Winery
- RSA+, January 12, 2018, Type 1 Engine and Delivery Truck Passing on Type A Driveway Exhibit, Anthem Winery
- Ryan Geological Consulting Inc., February 7, 2015, Fault Investigation Report Anthem Winery and Vineyards.
- Ryan Geological Consulting Inc., June 30, 2018, Supplemental Fault Investigation Report Anthem Winery and Vineyards.
- MUSCI Natural Resource Assessment, August 31, 2014, Biological Resources Survey and Special Status Plant Reconnaissance, Anthem Winery
- MUSCI Natural Resource Assessment, May 21, 2015, Addendum to the August 2014 Biological Resources Survey and Special Status Plant Reconnaissance, Anthem Winery
- Firstcarbon Solutions, October 13, 2017, Biological Resources Assessment, Anthem Winery and Vineyards, Road Project.
- Richard C. Slade & Associates (RCS), April 10, 2017, Aquifer Test and Tier 1 Water Availability Analysis (WAA), Anthem Winery
- Richard C. Slade & Associates, October 19, 2017, Addendum to the April 2017 WAA, Response to Luhdorff & Scalmanini August 2017, WAA Peer Review comments on the RCS April 2017 Anthem Winery Aquifer Test and Tier 1 Water Availability Analysis,
- Richard C. Slade & Associates, March 23, 2018, Response to L&S January 2018 Peer Review Comments of the RCS April 2017 Aquifer Test and Tier 1 Water Availability Analysis,
- Luhdorff & Scalmanini Consulting Engineers, August 10, 2017, Peer Review of the Slade & Associates April 2017 Aquifer Test and Tier 1 Water Availability Analysis (WAA) for Anthem Winery
- Luhdorff & Scalmanini Consulting Engineers, January 22, 2018, Peer Review Comments on the of the Slade & Associates October 2017 Peer Review Response of the Aquifer Test and Tier 1 Water Availability Analysis (RCS April 2017)
- RSA+, June 5, 2016, Tier 1 Water Use Calculations, Anthem Winery
- W-Trans, March 7, 2018, Amended Final Traffic Analysis for Anthem Winery
- Illingworth & Roddick, Inc., July 10, 2017, Anthem Winery Use Permit Modification Environmental Noise Assessment
- RSA+, August 28, 2018, Agricultural Erosion Control Plan (#P14-00322-ECPA) and associate application forms.
- RSA+, June 5, 2018, Water System Feasibility Study for a Regulated System, Anthem Winery
- RSA+, June 5, 2018, Hydrology Report, Anthem Winery
- RSA+, June 5, 2018, Winery Wastewater Feasibility Report, Anthem Winery
- RSA+, June 5, 2018, Stormwater Control Plan for a Regulated Project, Anthem Winery
- Tom Origer & Associates, September 11, 2012, Cultural Resources Survey Arbuckle Vineyard.
- Site inspections conducted by Napa County Staff on: October 13, 2014; February 2, 2015; May 13, 2015; February 29, 2016; April 12, 2017; and, September 12, 2017.
- Napa County Geographic Information System (GIS) Sensitivity Maps/layers.

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.



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

August 30, 2018
Date

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|--------------------------|
| I. AESTHETICS. Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and woodlands, and other elements that make up the natural and human landscape. Scenic vistas are typified by publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of esthetically pleasing or important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, this area is defined by a mix of semi-rural residential and intensive agricultural uses.

Because the project site occurs on slopes of 15% or greater and is visible from a designated scenic roadway candidates as identified in the Community Character Element of the Napa County General Plan and/or a designated area under the Viewshed Protection Program (Chapter 18.106 of the Napa County Code), which includes Dry Creek Road, the proposed project is subject to the County's Viewshed Protection Program. The Community Character Element includes a policy that new development projects located within view of a scenic corridor shall be subject to site and design review to ensure that such development does not destroy the scenic quality of the corridor. In conformance with this policy, the County's Viewshed Protection Program provides for review of projects in locations such as the project site, and establishes standards that must be met prior to project approval.

Structures are required to be located and/or screened from view such that visual impacts are reduced. Use of existing natural vegetation, new landscaping, topographical siting, architectural design, and colortone are mentioned in the Viewshed Protection Program as viable ways to reduce the visual impact, and these techniques must be applied to effectively "screen the predominant portion" (including architectural features likely to be silhouetted against the sky) of the proposed structures, or the applicant must seek an exception pursuant to Code Section 18.106.070. Whether or not an exception is needed, the proposed project cannot be approved unless the County finds it to be in conformance with the Viewshed Protection Program, which is designed to protect the scenic quality of the County and to promote architecture and designs that are compatible with hillside terrain and minimize visual impacts (See Code Section 18.106.010). For this reason, the project that is ultimately approved for this site must be one, which has addressed potentially significant visual impacts. Furthermore, by definition, such a project -- while noticeable from surrounding areas --- would not substantially degrade scenic views or visual quality pursuant to the California Environmental Quality Act (CEQA). Additionally, prior to the issuance of a building permit, the owner shall be required to execute and record in the County recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with County Code, Chapter 18.106.050(B).

The project site is currently developed with residential uses, vineyards, and winery facilities (crush and tank pad and 1,600 square foot cave). The surrounding area is also typified by parcels developed with residential and agricultural uses. Overall, the project would remove between approximately 119 to 128 trees encompassing approximately 1.1 acre of woodland (approximately 0.9 acres for the Winery Facility and approximately 0.2 acres of the access drive improvements).

The Project's Viewshed Analysis⁷, and Variance Application (#P14-00321-VAR) includes a visual analyses depicting how the proposed Winery Facility would be viewed from off-site. While the project would remove woodland the siting, orientation, and design of the Winery Facility, which includes partially setting its larger elements (i.e. the fermentation buildings and bottling room) into the hillside would reduce height and visual mass of these elements on the landscape and ensure that it will not be silhouetted against the sky. This design feature also maximizes the ability of adjacent trees and woodland to remain as part of the project to screen the Winery Facility by placing it partially below the surrounding tree canopy, as exhibited in the Project's Viewshed Analysis. While the Facility's Tasting Room and Office/Catering/Conference Room Buildings would not be substantially screened by existing vegetation, their small size (1,508 square feet and 1,724 square feet, respectively) and single story design (16 foot overall height) would not introduce large structural features into the

⁷ Backen Gillam Kroeger, June 5, 2018, Use Permit Architectural Plans and Viewshed Plans.

natural and human landscape. As designed over 50% of the Winery Facility would be screened from off-site views by existing vegetation; thereby providing substantial screening of the Winery Facility in compliance with the screening requirements of the Viewshed Protection Program. The visual analysis also shows, for comparative and variance purposes, a similar facility located on the Winery Parcel that does not include design elements such as setting it into the hillside and utilization of existing vegetation for screening. Furthermore, design features that include horizontal wood siding, integral color concrete, corrugated metal roof, and earth tone colors, in addition to the landscape plan that provides for additional screening trees around the Winery Facility, would further assist in blending the Winery Facility into its surroundings further reducing its prominence within the larger landscape.

The proposed water tanks and septic field are located approximately 200 to 250 feet west of the Winery Facility in an area that would not require tree removal and where existing vegetation would provide screening from surrounding views. In relation to Redwood Road, while the tanks would be located at an elevation (approximately 415 feet above sea level) above Redwood Road (approximately 300 feet above sea level) in this area, the existing vegetation associated with Redwood Creek and along Redwood Road would screen these tanks from Redwood Road.

Because the ability to design a site access, that incorporates recommendations of the Viewshed Protection Manual (such as contouring to the existing terrain to minimize extensive cuts and fills and the use and height of retaining walls) is constrained by the property's configuration (i.e. flag lot with 20.5 foot wide access stem), the proposed access will need to include cut and fill slopes and retaining walls to construct. While some of these walls would be visible from off-site locations, the limited height (generally up to 6 feet) and construction material (wood), would assist in minimize their effect on the on the landscape.

The proposed 1.19-acre vineyard (#P14-00322-ECPA) almost exclusively occurs within the central portion of the Access Parcel on moderately sloping annual grassland. Only minor topographic modifications would be necessary and no trees would be removed to install the proposed vineyard, and there are no significant rock outcroppings or geologic features within the proposed vineyard area. The proposed vineyard area is located in an area that is not visible for adjacent roadways because of intervening woodlands and topography, except for the abutting parcel to the north. There are existing vineyards located on the project site as well as parcels in the immediately vicinity. The reaming portion of the proposed vineyard (± 0.05 acres) is located immediately adjacent to the Facility's proposed hospitality and tasting room and other existing vineyard, and therefore would be minimally visible in the larger landscape. Given these factors, the proposed vineyard would be consistent with the surrounding visual character of vineyards and semi-rural residential uses, and therefore would not substantially degrade the existing visual character or quality of the site or its surroundings resulting in a less than significant impact.

For these reasons, the project, while noticeable from surrounding areas, would not result in substantial damage to scenic resources or vistas, or substantially degrade the visual character or quality of the site and its surroundings resulting in a less than significant impact, and compliance with the Viewshed Protection Program.

Additionally, the project site is not visible from a state scenic highway, as there are no scenic highways in the area (CA Department of Transportation website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm).

- d. The construction of the Winery Facility and associated infrastructure may result in the installation of additional lighting that may have the potential to impact nighttime views. Although the project is in an area that has existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As designed, and as subject to the standard conditions of approval identified below (if approved), the project would not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

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

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.*

With respect to the proposed vineyard, earth-disturbing activities, erosion control plan installation, and vineyard installation does not involve the introduction of nighttime lighting. However, subsequent vineyard operation and maintenance may require seasonal operation of equipment using small downward directional lights during harvest and the application of sulfur. Furthermore, this level of activity is consistent with the level of nighttime activity already occurring on the project site to maintain and operate the sites existing vineyard. The periodic seasonal use of lighting to maintain the proposed vineyard does not introduce a new source of substantial light or glare, and will therefore would result in a less than significant impact.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|-------------------------------------|
| II. AGRICULTURE AND FOREST RESOURCES.⁸ Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a. The Napa County Important Farmland 2016 map prepared by the California Department of Conservation, Division of Land Resource Protection identifies the project site as a combination of Grazing Land with existing on-site vineyard identified as Unique Farmland. Expansion and installation of the proposed winery and vineyard is an agricultural use in keeping with the farmland designations. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, resulting in no impact.
- b. The project site has a General Plan designation of Agriculture, Watershed and Open Space (AWOS), and is zoned Agricultural Watershed (AW). 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. Therefore, the modification and expansion of the existing winery and the establishment of vineyard is consistent with the State's mapping designation as described above, and the property's land use and zoning designations. The project site is not currently subject to Williamson Act Agricultural contracts. Therefore, there are no conflicts between the land use or zoning designations of the property (including State mapping designations) or Williamson Act contract, and the proposed project, resulting in no impact on farmland within Napa County or Williamson Act contracts.
- c-d. The project site is not zoned timberland and the project does not cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Based on the Napa County Geographic Information (GIS) vegetation layers and the Biological Resource Survey (MUSCI Natural

⁸ "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.

Resource Assessment, August 2014), the project site consists primarily of annual grassland and oak woodland, and do not contain coniferous forest or timberland. Therefore, there will be no impact to forest land or timberland as a result of the project.

- e. The proposed project does not include the construction of roadways or other infrastructure that would result in the conversion of existing farmland or forestland in the area to non-agricultural or non-forestland uses. As indicated in the project description, approximately 1 acre of existing vineyard would be temporarily removed to accommodate on-site spoils placement/storage, however the removed vineyard would be replanted after the Winery Facility is constructed, if approved. As such, the proposed project will not result in other changes that would convert Farmland, and therefore will have no impact.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|--------------------------|
| III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors 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-c. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the

valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM_{2.5}, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM_{2.5} levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

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

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. The entire project includes up to 43,798 square feet of enclosed floor area (including caves). When compared to the BAAQMD's operational criteria pollutant screening size of 541,000 square feet for general light industrial use, and compared to the BAAQMD's screening criterion of 47,000 square feet for a high quality restaurant use, 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 entire project (approximately 43,798 square feet of enclosed floor area including caves and tasting/hospitality uses), when compared to the BAAQMD's aforementioned screening criterion (47ksf high quality restaurant use, and 541ksf general light industry use) for NO_x (oxides of nitrogen) the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating and disclosing 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; and therefore are considered appropriate and adequate for project impact disclosure and assessment.)

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

With respect to the proposed vineyard development, because the BAAQMD Guidelines do not include a screening criteria for agricultural projects, three certified Environmental Impact Reports (EIR) have been utilized to evaluate and potential air quality emissions associated with vineyard construction and operation. These EIRs include Suscol Mountain Vineyards⁹ for an approximate 560-acre vineyard development, Walt Ranch Vineyard¹⁰ for an approximate 507-acre vineyard development, and Circle-S Ranch Vineyards¹¹ for an approximate 400-acre vineyard development¹². Based on vineyard development phasing and operational acreage analyzed in these EIRs (generally 150-acres from a construction perspective, and 400 net/planted acres from an operational perspective), it was disclosed that development of 150 acres of vineyard could result in construction emissions of up to 11.4 pounds per day of ROG (reactive organic gas), up to 52.2 pounds per day of NO_x, up to 4.5 pounds per day of PM_{2.5} (particulate matter of two and one half micrometers in size), and up to 14.5 pounds per day of PM₁₀. These EIRs disclosed that penitential operational emissions (for a 400 acre vineyard) could be up to 7.8 pounds per day for ROG, up to 2.9 pounds per day for NO_x, up to 0.8 pounds per day for PM_{2.5}, and up to 4.2 pounds per day for PM₁₀. The BAAQMD construction and operational thresholds for ROG, NO_x and PM_{2.5} is 54 pounds per day, and 82 pounds per day for PM₁₀.

⁹ #P09-00176-ECPA, Analytical Environmental Services March 2012, SCH #2009102079 certified February 3, 2013.

¹⁰ #P11-00205-ECPA, Analytical Environmental Services March 2016, SCH #2008052075, certified August 1, 2016.

¹¹ #P06-01508-ECPA, AES April 2011, SCH #2007062069 certified December 22, 2011.

¹² These Environmental Impact Reports are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services permanent files.

Because the proposed vineyard development (approximately 1.2-acres) is substantially smaller than 150-acres from a construction perspective, and substantially less than 400 net acres from an operational perspective, construction and operational emissions from the proposed vineyard development that could negatively affect air quality are expected to be substantially less than those identified herein, and below identified thresholds resulting in a less than significant impact. Additionally, the implementation of Air Quality BMPs identified in the conditions of approval identified below (7.1.c Site Improvements- Air Quality) is anticipated to further reduce any adverse air quality effects associated with construction and operation of the proposed project.

- d. Land uses such as schools, playgrounds, child care centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be at home for extended periods of time. Land uses adjacent to the project site consist of semi-rural residential and intensive agriculture. The closest residential area is the City of Napa located approximately 1 mile to the east, and closes schools (Salvador Elementary and Justin-Siena High School) are located approximate 1.5 miles to the east within the City of Napa (Napa County GIS: Schools Layer).

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

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

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

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

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

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

- e. 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 500 feet to the west of the proposed Winery Facility. Construction-phase pollutants would be reduced to a less than significant level by the

above-noted standard condition of approval, should the project be approved. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|-------------------------------------|
| IV. BIOLOGICAL RESOURCES. Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a/b. According to the Biological Resource Reconnaissance Surveys conducted for the proposed project (MUSCI Natural Resource Assessment, August, 2014 and May 2015; and Firstcarbon Solutions, October, 2017), and the Biological Resource Reconnaissance Survey prepared for #P12-00401-ECPA (Kjeldsen Biological Consulting, September 2012, Arbuckle Vineyard), no special status plant species or preferred habitats for many of the special-status plant species known to occur within the vicinity of the project site are present within the project site. However, small pockets of native grassland, primarily containing purple needle grass, have been identified within the project site. These pockets of grassland are not located within the proposed winery development area. They are located primarily in the norther portion of the site in areas adjacent to the proposed vineyard. Native grasslands are considered sensitive in Napa County due to their limited distribution. The proposed project has been designed to avoid areas containing native grasslands. Therefore, no direct impacts to special status plant species are anticipated; however, the inadvertent removal of these plant species is considered a potentially significant impact associated with the project. To avoid and minimize potential indirect impacts to special status plant species Mitigation Measure BIO-1 shall be implemented Implementation of this measure reduce this potential impact to a less than significant level.

No special-status animal species or habitat that could support special-status animal species (other than special status bird and bat species) that are known to occur in the area were observed or identified within the project site. While no special-status bird or bat species were observed within the project site, habitat that could support special-status bird and bat species, in particular the woodlands and associated trees that could be utilized for nesting and roosting, is found within the project area and immediate vicinity. Potential direct impacts resulting from tree removal would include loss of individuals and nests and roosts. Potential indirect impacts include disturbance generated through vegetation removal, land preparation and construction, which could potentially result in mortality as a result of nest abandonment or loss and death of young, and loss of reproductive potential at active nests or roosts. These impacts are consider potentially significant impacts to special status animal species. To avoid and minimize potential impacts to special status bird and bat species as a result of the project Mitigation Measures BIO-2 and BIO-3 shall be implemented. Implementation of these measures would reduce these potentially significant impacts to a level of less than significant.

According to the Napa County GIS Sensitivity Maps (Owl Habitat layer), Northern spotted owl (NSO) activity centers may be located within approximately 1.5 to 2 miles northwest of the project site. NSO are typically found in dense, multi-layered old growth conifer, redwood and

fir forest habitats for nesting and roosting. The NSO usually requires multi-layered forest for breeding, and tree or snag cavities, or broken tops of large trees for nesting. The NSO is also highly sensitive to habitat disturbance. Because the project site lies on fringe of NSO activity centers, the on-site woodlands do not provide the features necessary for suitable NSO habitat (such as, multi-layered forest, tree or snag cavities, and broken tops of large trees, and the amount of human disturbance on adjacent on the project site and in the immediate vicinity (consisting of residential and intensive agricultural) it is highly unlikely the NSO is, or would be present, within the project site or immediate vicinity. Therefore, potential impacts to NSO or its habitat are expected to be less than significant.

With regard to riparian areas the only riparian area in the immediate area is associated with Redwood Creek that borders the western periphery of the project site, which is located over 500 feet to the west of the project area and is not being effected by the project. Regarding the proposed clear span bridge would be located just below the existing driveway and an associated culvert. While the drainage course the bridge will span contains some features consistent with a defined stream, such as trees greater than ten feet in height and hydrophilic vegetation, this drainage course does not have a well-defined channel with a depth of four feet and banks steeper than 3:1. Therefore, this drainage course is not considered a riparian area or county definitional stream.

- c/d. According to the Biological Resource Reconnaissance Surveys conducted for the proposed project (MUSCI Natural Resource Assessment, August, 2014 and May 2015; and Firstcarbon Solutions, October, 2017), the Biological Resource Reconnaissance Survey prepared for #P12-00401-ECPA (Kjeldsen Biological Consulting, September 2012, Arbuckle Vineyard), and Napa County GIS Environmental Resource Maps (Wetlands & Vernal Pools, and Sensitive Biotic Vegetation Groups Layers) no wetlands have been identified on or near the project site or within the project area. Therefore, there would be no impacts to wetlands.

According to the aforementioned biological resource surveys, no wildlife movement corridors or native wildlife nursery sites have been identified within the project site. The likely wildlife movement corridor that occurs in the area would be Redwood Creek and associated riparian vegetation that borders the western periphery of the project site, which is located over 500 feet to the west of the project area and not being effected by the project. The project site falls within a transitional area between the Napa Valley east and hills and valleys associated with the foot slopes of Mt. Veeder to the west/northwest. Therefore there is various mix of parcels sizes ranging from ± 0.75 acres to ± 250 acres in the immediate vicinity, which accommodate semi-rural residential and intensive agricultural uses (primarily vineyard), many of which have been fenced with wildlife exclusion fencing or other types of residential and agricultural fencing, which have affected wildlife movement and corridors in the area. Furthermore, the proposed project does not include the installation of new wildlife exclusion fencing. Given the lack of wildlife movement corridors within the project site, that likely corridors in the immediate area are not being affected by the project, and that the project is not proposing any new fencing, impacts to wildlife movement and wildlife nursery sites are expected to be less than significant.

- e. Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained and/or improved to the extent feasible to provide for oak woodland and wildlife habitat, slope stabilization, soil protection, and species diversity, General Plan Conservation Element Policy CON-24c specifically provides for the preservation of oak woodland (on an acreage basis) at a 2:1 ratio. Based on Napa County GIS mapping Vegetation Layer, there is approximately 26.5 acres of oak woodland located on the project site. The project would remove up to approximately 130 trees covering approximately 1.1 acres of oak woodland (approximately 0.9 acres for the winery facility and approximately 0.2 acres of the access drive improvements¹³), retaining approximately 25.4 acres of the project site's 26.5 acres of oak woodlands consistent with Policy CON-24.

Specific to the ECPA, no trees are proposed to be removed as part of proposed vineyard development. Additionally the northern portion of this vineyard is located within a Tree Easement granted to the abutting property to the north (Lands of Damery, APN 035-460-034, 3185 Dry Creek Road), that affects the applicant's/Permittee's ability to remove trees in this area.

While, impacts to oak woodlands and individual trees is anticipated to be less than significant given the minimal amount of oak woodland that would be removed as part of the project, the inadvertent removal of oak woodland and trees located adjacent to the project area is considered a potentially significant indirect impact. To ensure that no oak woodland or trees are inadvertently affected or removed as part of the project, Mitigation Measure BIO-4 will be implemented. Implementation of this measure would reduce this potentially significant impact to a less than significant level.

¹³ The applicant/Permittee has also provided plans as part of this application to utilize the easement located on the Rowe Parcel for winery access; however, the owner has not agreed to modify the easement to allow non-residential or winery use. This plan is referred to as *Anthem Winery Driveway Entry Option 1* (RSA+, January 12, 2018). Because of the infeasibility of this access option due to easement constraints, this Initial Study has focused its evaluation on *Anthem Winery Driveway Entry Option 2* (RSA+, June 5, 2018). However, should the owner/Permittee be able to secure a modified access easement to allow winery access through the driveway located there in, the proposed bridge would not need to be constructed resulting in approximately 30 fewer trees being removed and less and a reduction in grading of approximately 1,000 cubic yards. As such, implementation of the *Anthem Winery Driveway Entry Option 1*, would result in fewer impacts than implementation of the *Anthem Winery Driveway Entry Option 2*. While not thoroughly vetted, *Entry Option 1* would appear to provide to provide adequate emergency access and achieve the same overall practical effect of the Road and Street Standards.

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

Mitigation Measures:

MM BIO-1: Prior to commencement of any earthmoving activities, a qualified wildlife biologist shall conduct preconstruction to accurately identify the locations of special status plant species (i.e. native grassland) within the project site. Temporary fencing shall be installed along the outer boundary of native grassland identified through the preconstruction survey. No disturbance, including grading, placement of fill material, storage of equipment, shall occur within the designated areas for the duration of project construction. All fencing shall be maintained for the duration of winery and vineyard construction.

Monitoring: The precise locations of the protection fencing shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities.

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

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

MM BIO-3: Tree trimming and/or removal should only be conducted during seasonal periods of bat activity; August 31 through October 15, when young bats would be able to fly and forage independently, and March 1 to April 15 to avoid hibernating bats, and prior to formation of maternity colonies. Any trees proposed for removal containing suitable bat roost habitat shall be removed using a two-day phased removal method. On day one (in the afternoon), limbs and branches would be removed using chainsaws only. Limbs with cavities, crevices, and deep bark fissures would be avoided. On day two, the rest of the tree would be removed under the supervision of a qualified bat expert. If tree removal must occur outside of the seasonal activity periods mentioned above, i.e., between October 16 and February 28/29, or between April 16 and August 30, a qualified bat expert should conduct preconstruction surveys within 14 days of starting construction. Survey methods, timing, duration, and species should be reviewed and approved by CDFW prior to starting construction. If bats or evidence of their presence is found during the survey then the qualified bat expert should develop a plan for removal and exclusion, in conjunction with CDFW.

Monitoring: If trees are to be removed outside of the dates listed above, the pre-construction bat survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-4: Prior to any earthmoving activities, temporary fencing shall be placed at the edge of the dripline of oak woodland and trees to be retained that are located within 50-feet of the project area. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated area for the duration of winery facility development and vineyard installation. All fencing shall be maintained for the duration of winery and vineyard construction. Trees of 5+ inches in diameter at 4.5 feet from natural grade that are removed during the winery and vineyard construction and that are not within the boundary of the project and/or not identified for removal as part of #P14-00320-MOD or #P14-00322-ECPA, shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the director, or replaced with small trees at a higher ratio to be determined by the director or designee. Replacement trees shall be native species consistent with those removed or occurring within the parcel. Furthermore, the Permittee shall refrain from severely trimming trees to be retained that are adjacent to the winery development areas and vineyard conversion areas, other than that necessary to provide defensible space in accordance with CalFire recommendations and requirements.

Monitoring: The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|-------------------------------------|
| V. CULTURAL RESOURCES. Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

On January 9, 2017, the County notified pursuant to Public Resources Code section 21074 (AB-52: Gatto) the Mishewal-Wappo Tribe of Alexander Valley, the Yocha Dehe Wintun Nation, and the Middletown Rancheria of the proposed project.

No response was received from the Mishewal-Wappo Tribe of Alexander Valley, and on April 19, 2017, the County sent notification to the Mishewal-Wappo Tribe closing the consultation invitation because more than 30 days had elapsed since confirmed receipt of the County's January 9, 2017 consultation invitation.

The Middletown Rancheria replied in a letter dated January 17, 2017, indicating that they had no specific comments; therefore, consultation was not requested or initiated.

The Yocha Dehe Wintun Nation replied to the County's notification, in a letter dated January 24, 2017, stating that the project is within the aboriginal territories of the Tribe, and therefore the Tribe has a cultural interest and authority in the proposed project area and requested a site inspection. On April 12, 2017, members of the Tribe, the applicant/owner, agent and county staff inspected the project site. In a letter dated April 21, 2017, in response to the site inspection and supporting documentation, the Tribe based on the site inspection and known cultural resources near the project site requested that a Tribal Cultural Monitor be present during initial earth-disturbing and grading activities. The applicant/Permittee and their Counsel have been working with the Tribe to enter into a Monitoring Agreement for the project. Because Yocha Dehe did not request formal consultation, consultation was not initiated.

- a. According to the Napa County Environmental Resource Maps (Napa County GIS, Historical sites) no historic sites are identified on the project site. The Cultural Resources Survey conducted for a portion of the project site (Tom Origer & Associates, September 2012) also did not identify any historic sites on the project site. Additionally, no structures (other than a concrete water tank) would be removed as part of the project. Therefore, it is anticipated that no impacts to historical resources would occur as part of the project. Furthermore, project approval, if granted, would be subject to the standard conditions identified below, that would avoid and reduce potential impacts on historical resources.
- b. The closest known archeological site occurs approximately 1 mile to the west of the project site, the next closest known sites are located approximately 1.5 miles to the south and west of the project site (Napa County GIS Sensitivity Maps/layers, Arch Sensitive Areas, Archaeological Surveys, and Arch Sites). Additionally, the Cultural Resources Survey conducted for a portion of the project site (Tom Origer & Associates, September 2012) also did not identify any archeological sites in the Survey's Study Area. Therefore, potential impacts to archeological resources as a result of the project are anticipated to be less than significant.

However, as indicated in the discussion section above, the Yocha Dehe Wintun Nation, based on their site inspection, and known resources located in the vicinity of the project site, and their cultural interest and authority in the project area, have requested that a Tribal Cultural Monitor be present during initial earth-disturbing and grading activities, particularly during trenching and excavation activities. Therefore, project approval, if granted, would be subject to the following project specific conditions to ensure tribal resources are not adversely affected and to address the Yocha Dehe recommendation.

7.5.a OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL – HISTORICAL, CULTURAL, AND ARCHEOLOGICAL FINDING

- i. In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark,

friable solids, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching or other on-site excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), as determined necessary.

- ii. Prior to the commencement of construction of the Winery Facility (#P14-00320-MOD) or vineyard (#P14-00322-ECPA), owner/Permittee shall provide documentation to the Napa County Planning Department that a Monitoring Agreement with the Yocha Dehe Wintun Nation has been entered into. Should the owner/Permittee be unsuccessful in entering into a monitoring agreement with the Yocha Dehe Wintun Nation, the owner/Permittee shall provide, for review and approval by Napa County, a Cultural Monitoring Plan prepared by a professional archaeologist certified by the Registry of Professional Archeologists (RPA). The Cultural Monitoring Plan shall outline monitoring requirements including but not limited to, sensitivity training for site workers, identification of project activities and project site areas requiring an on-site monitor, find procedures, and monitoring documentation and reporting procedures.
- iii. If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission will be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.
- iv. In the event that a discovery of a breas, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the fined shall be temporarily halted of diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find.
- v. All persons working on-site shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

c. There are no unique geologic features on the project site¹⁴. Due to the nature of the soils and geology in the project site, the probability of encountering paleontological resources within the project area is minimal. Furthermore, project approval, if granted, would be subject to the standard conditions described above, that would avoid and reduce potential paleontological resource impacts. Therefore, impacts to geologic features and paleontological resources are anticipated to be less than significant.

d. The Cultural Resources Survey did not locate any human remains in its study and did not anticipate the discovery of human remains due to the proposed project, and no information has been produced or identified that would indicate that this project would encounter human remains. Therefore, impacts on human remains are anticipated to be less than significant. Furthermore, project approval, if granted, would be subject to the standard conditions above (as modified), which would ensue that potential impacts on human remains would continue to be less than significant.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|--------------------------|
| VI. GEOLOGY AND SOILS. Would the project: | | | | |
| a) Expose people or structures to 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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"/> |

¹⁴ Site inspections conducted by Napa County Staff on: October 13, 2014; February 2, 2015; May 13, 2015; February 29, 2016; April 12, 2017; and, September 12, 2017.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil creating substantial 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 checked="" type="checkbox"/> | <input 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"/> |

Discussion:

- a. On August 24, 2014, a magnitude 6.0 earthquake occurred within the northern San Francisco Bay Area. The epicenter was located about 6 miles southwest of the City of Napa along the West Napa fault, this event is referred to as the "South Napa Earthquake". Because of the of formation of several ground cracks on the project site as a result of the South Napa Earthquake, the applicant/Permittee prepared a Fault Investigation Report (Ryan Geological Consulting Inc., February 7, 2015, Fault Investigation Report Anthem Winery and Vineyards) to address the potential for surface fault rupture (SFR)¹⁵ at the proposed winery site.

At the time of the 2015 Investigation the site was not located within a State of California designated Earthquake Fault Zone for active faults, referred to as an Alquist-Priolo Earthquake Fault Zones (or A-P Zones). However due to the formation of ground cracks the 2015 Investigation was conducted as if the project site were within a State designated A-P Zone. On January 11, 2018, the California Geological Survey released new A-P Zone designations for the West Napa fault¹⁶. The new A-P Zone designations include splays of the West Napa fault that pass along the west side of Napa Valley. While the southern portions of the fault appear to be well defined and accurately located, the north end of the fault is inferred and uncertain. The northernmost fault splays are generally located along the ridgeline between Redwood Road to the west and Dry Creek Road to the east. The Anthem project site is located at the northern extent of the new western A-P zone (Ryan Geotechnical, February 2015).

At the project site, the A-P zone bounds two (2) possible fault splays of the West Napa fault that are inferred faults, meaning they have not been confirmed adding uncertainty with respect to their presence and location. These two possible fault splays were presumed to have branched off the active trace fault identified to the south of the site. The eastern inferred splay crosses through the northeastern corner of the Winery Parcel in the vicinity of the proposed winery buildings passing through the Access Parcel and terminates about ¼ mile north of the site. The western inferred fault splay mapped at the site enters the Winery Parcel near the southeastern corner near the lawn area and terminates approximately in the center of the Winery Parcel.

Because of the new A-P Zone designation, Ryan Geotechnical supplemented its previous investigation to evaluate the potential for surface fault rupture, and how it could impact the proposed site improvements and to satisfy the requirements of the new A-P Zone (Ryan Geological Consulting Inc., June 30, 2018, Supplemental Fault Investigation Report Anthem Winery and Vineyards). The Ryan Fault Investigation Reports (February 2015 and June 2018) are incorporated by reference, and utilized in potential impact disclosure, analysis and mitigation.

The Ryan Geological Consulting Fault Investigations, which included six (6) exploratory trenches located within and immediately adjacent to the winery development area and geophysical surveys to supplement the exploratory trenches, did not encounter evidence of an active fault crossing through the proposed winery improvements. Therefore, the geologic hazard of SFR at the proposed winery site are considered low, and the proposed winery improvements are considered feasible from a geologic hazard perspective. The ground cracks observed following the 2014 South Napa Earthquake are not the result of SFR as they are not the result of a fault propagating up from below and rupturing the ground surface. The ground cracks from the South Napa Earthquake are less than 3-foot-deep lateral separations in unconsolidated surface soils and do not extend down into the underlying bedrock, and therefore are not classified as SFR (Ryan Geological Consulting February 2015 and June 2018). The results of the site-specific investigations performed by Ryan Geological Consulting to evaluate the potential for SFR at the planned development do not support the presence of the inferred faults identified in the California Geological Survey, A-P Zone Fault Evaluation Report (January 2018).

¹⁵ Where a fault ruptures to the ground surface, the line created by their intersection is referred to as surface fault rupture (SFR). The goal of the A-P Act is to mitigate the hazard of SFR by preventing construction of structures intended for human occupancy across the surface trace of an active fault.

¹⁶ California Geological Survey, January 11, 2018, Fault Evaluation Report FER-256, West Napa fault in the Napa and Cuttings Warf 7.5-minute Quadrangles, Napa and Solano Counties, California.

Ryan Geotechnical Consulting, based on their investigations, have also concluded that a fault may be located along the base of the hillside above Redwood Creek that may cross through the western periphery of the project site, beyond the area of their investigation and the project area.

- i.) As discussed above, while the project site is within recently mapped Alquist-Priolo Earthquake Fault Zone as a result of the 2014 South Napa Earthquake, site specific investigations have determined that there are no faults within the project area and the potential for surface fault ruptures are low. As such, the proposed project would result in a less than significant impact with regards to fault ruptures.
- ii.) While there are no faults within the project area the potential for ground cracks to develop during seismic ground shaking at the project site, as experienced/evident during the 2014 South Napa Earthquake, is considered a potentially significant impact. The project Geologist has recommended minimum 25 foot building setbacks from two of the exploratory trenches utilized in their investigations, and geotechnical ground improvements to isolate the building foundations from areas of potential ground cracks. With respect to building setbacks, the project as proposed and sited would observe these recommend setbacks. To mitigate for the potential ground cracks in the soil from opening beneath the building foundations during an earthquake, the project Geologist has recommend over-excavating building pads a minimum of 5 feet deep (to penetrate through the unconsolidated soil layer into relatively competent bedrock), and restoring the excavation with compacted engineered fill reinforced with geogrid: the over-excavation should also extend a minimum of 5-feet beyond building footprints. Major dilations during larger earthquakes could damage foundations that cross ground cracks, this design is intended to buffer building foundations from dilations along sub-straight below. Implementation of **Mitigation Measure GEO-1** would reduce potentially significant impacts as a result of seismic ground shaking to a less than significant level. Furthermore, construction of the project would be required to comply with the latest building standards and codes, including the California Building Code that would further reduce potential impacts associated with geologic conditions.
- iii.) The project is not in an area subject to high liquefaction potential. The Napa County GIS liquefaction layer identifies the project site in an area of very low liquefaction potential; therefore potential impacts associates with liquefaction are considered to be less than significant. As indicated above, while the proposed winery improvements are feasible from a geologic hazard perspective, implementation of **Mitigation Measure GEO-1** is necessary to minimize potential impacts as a result of seismically induced ground cracks to a less than significant level. Additionally, compliance with the latest edition of the California Building Code for seismic stability would further reduce potential impacts associated with seismically induced ground failure.
- iv.) Landslides, landslide deposits, and areas of instability have not been identified within the project site (Napa County GIS: Landslide Polygon and Landslide Lines layers). The project geologist has not identified the potential for seismically induced landslides and has concluded that the proposed winery improvements are feasible from a geologic hazard perspective. Therefore, potentially significant impacts as a result of seismically induced landslides are not anticipated as a result of the project. Furthermore, implementation of **Mitigation Measure GEO-1** would further reduce potential impacts associated with seismically induced ground failure such as landslides.

Specific to the vineyard development the project consists of earthmoving activities associated with the installation of erosion control measures for vineyard development and the subsequent operation of vineyard, it does not include the construction of new residences or other facilities (i.e., enclosed areas where people can congregate) that would be subject to seismic forces. Therefore, there is no potential for the proposed vineyard project to expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, ground shaking, liquefaction, and landslides resulting in no impact.

- b. The proposed improvements would generally occur on moderate to steep slopes ranging from 10% to 30%. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance, which would require the implementation of runoff, and sediment and erosion control measures, as applicable, during construction activities and post construction. Typically these include implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction and implementation of a Stormwater Control Plan for a Regulated Project (RSA+ June 2018) for operational activities. For the vineyard development, erosion and runoff would be controlled through the implementation of an Agricultural Erosion Control Plan that applies to both construction and operational activities. For these reasons, the project would not result in substantial soil erosion or sedimentation resulting in a less than significant impact.
- c/d. Soils of the project site and area consist of Fagan Clay Loam, 30-50 percent slopes (Soils Series #133), and Felton Gravelly Loam, 30-50 percent slope (Soil Series #136). These soil series generally exhibit rapid runoff potential, high erosion hazard potential, and a moderate shrink-swell potential (Soil Survey of Napa County, USDA 1978; and Napa County GIS, Soil types layer). The project site is located in an area of very low liquefaction potential (Napa County GIS, Liquefaction layer). Landslides, landslide deposits, and areas of instability have not been identified within the project site (Napa County GIS: Landslide Polygon and Landslide Lines layers). While these geologic and soil type features and characteristics do not indicated the project would result in potentially significant impacts associated with unstable slopes, the proximity of the project area to faults and potential instability caused by seismic ground shaking as described in **subsection a** above, may result potentially significant impacts. Implementation of **Mitigation Measure GEO-1** and compliance with the latest building standards and codes, including the California Building Code, would reduce potentially significant impacts to a level of less than significant.

- e. According to the Project's Winery Wastewater Feasibility Report prepared by RSA+ (June 5, 2018), the project site and proposed system has adequate disposal capacity to serve the project. The Report concluding that that enough dispersion area is available to make the sub-surface drip system a feasible option for treating domestic wastewater, and that it is feasible to treat the winery process wastewater for distribution to the vineyard via drip irrigation. As such, impacts associated with waste water disposal would be less than significant.

Mitigation Measure

MM GEO-1: Building and/or grading permit application(s) and plans shall include ground improvements such as over-excavation of building pads a minimum of 5 feet deep (to penetrate through the unconsolidated soil layer into relatively competent bedrock) and that extend a minimum of 5-feet beyond building footprints, and restoring the excavation with compacted engineered fill reinforced with geogrid, as recommended by Ryan Geological Consulting (February 2015 and June 2018). Geogrid shall be biaxial in tensile strength and cover the entire excavation. Three layers of geogrid shall be spaced 12-inches vertically with the lowest layer at the base of the excavation. Fill placed in the excavation shall be engineered to a minimum of 3 percent over optimum moisture content and a minimum of 90% relative compaction. The upper 12-inches of the excavations shall be restored with ½ to ¾ inch diameter rounded gravel covered with two (2) layers of 15-mil smooth plastic and 2-inches of clean sand. Building and/or grading permit application(s) shall also be accompanied by documentation that a professional geologist has reviewed the plans and concurs with the ground improvements identified therein.

All site excavations for structural components of the winery shall be evaluated by an engineering geologist during site development. The engineering geologist shall observe all building pad over-excavations to check for indications of unidentified faults or any other adverse geologic conditions that may affect safe development of the site. If unidentified faults or other adverse geologic conditions are encountered during building pad over-excavation the engineering geologist shall provide recommendation(s) to address the identified condition to the Planning Department for review and approval prior to implementing of corrective measures. Should the recommended corrective measures result in a substantial deviation for the approved plan a use permit modification may be necessary to implement the corrective measures.

Monitoring: The owner/Permittee shall provide adequate documentation to the Planning Department as part of building and/or grading permit review and issuance, that engineering geologist has review the plans and appropriate geotechnical ground improvements per the engineering geologist, have been incorporated into the design. The owner/Permittee shall also provide adequate documentation to the Planning Department during project construction to demonstrate that site excavations have been observed by an engineering geologist. Said documentation shall be required to issue a Certificate of Occupancy to the winery.

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

Discussion:

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

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

a/b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

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

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

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

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

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explain human effects on the atmosphere). Carbon Dioxide (CO₂) gas, the principal greenhouse gas (GHG) being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions (http://www.climatechange.ca.gov/glossary/letter_c.html). Equivalent Carbon Dioxide (CO₂e) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG (BAAMD CEQA Air Quality Guidelines, May 2017). In this case, carbon dioxide (CO₂) is used as the reference atom/compound to obtain atmospheric carbon CO₂ effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO₂e) by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (<http://www.nciasi2.org/COLE/index.html>).

One time "Construction Emissions" associated with a winery development project include: i) the carbon stocks that are lost (or released) when existing vegetation is removed and soil is graded or ripped in preparation for a new winery structures and associated infrastructure and the development of vineyard; and ii) emissions associated with the energy used to develop and prepare the project area and construct a winery and vineyard, including construction equipment and worker vehicle trips (hereinafter referred to as Equipment Emissions). These emissions also include underground carbon stocks (or Soil carbon) associated with any existing vegetation that is proposed to be removed. As detailed in the **Project Description section** of this Initial Study (Pages 1 through 3) the project includes the construction of an expanded winery facility including wine caves totaling 43,673 square feet (13,620 square feet of structures/buildings and 29,053 square feet of caves) and associated components (i.e. parking areas and water tanks), and improvements to an existing private driveway to access the Winery Facility from Dry Creek Road.

In addition to the one time Construction Emissions, "Operational Emissions" of the winery and vineyard 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 and vineyard, 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 and vineyard would be the primary source of emissions over the long-term when compared to one time construction emissions.

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. Because approximately 46,673 square feet of floor area is proposed (13,620 square feet of structures/buildings of which 3,232 square feet are utilized for hospitality and facility office use, and 29,053 square feet of caves) when 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 sf. for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO₂e/yr GHG threshold of significance.

Specific to vineyard operational emissions, because the BAAQMD Guidelines do not include a screening criteria for agricultural operations, three County Certified EIRs¹⁷ are utilized to assess and disclose ongoing vineyard operation emissions associated with vehicles and equipment. Utilizing the most conservative emissions results from these EIRs it was estimated that there is approximately 0.67 MT CO₂e of operational emissions per acre of vineyard. Using this emission factor it is anticipated that Operational Equipment Emissions associated with the proposed 1.19-acre vineyard development would be approximately 0.78 MT CO₂e (1.19-acres times 0.67 MT CO₂e), which is well below the 1,100 MT of CO₂e/yr GHG threshold. Furthermore, the grapevines and cover crops in the existing and proposed vineyard, because they are photosynthetic plants and therefore have value in terms of carbon capture, tend to result in less soil CO₂ loss from vineyard soils¹⁸ which would assist in offsetting and minimizing potential GHG emissions.

Furthermore, the applicant proposes to incorporate the following GHG reduction methods into the project: installation of rooftop solar panels; installation of electric vehicle parking/charging space and bike racks; processing of wastewater on-site as opposed to hold and haul; installation of energy efficient winery equipment; installation of energy conserving lighting (CFD LED lighting where practical); a design that features the use of significant north facing windows in the fermentation building to provide natural lighting; solar hot water heating; energy star cool roof on the fermentation buildings; installation of rainwater harvesting system for irrigation, recycling winery process water for irrigation; installation of water efficient landscaping consistent with the Water Efficient Landscape Ordinance (WELO), recycling 75% of all waste; implementation of sustainable purchasing and shipping programs; certification of the winery and vineyard under the Napa Green Winery and Napa Green Land programs (the existing on-site vineyards are already certified Napa Green Land), among other BMPs.

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

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

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

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|------------------------------------|-----------|
| VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project: | | | | |

¹⁷ Suscol Mountain Vineyards #P09-00176-ECPA, Analytical Environmental Services March 2012, SCH #2009102079 certified February 3, 2013, Walt Ranch Vineyard #P11-00206-ECPA, Analytical Environmental Services March 2016, SCH #2008052075 certified August 1, 2016, and Circle-S Ranch Vineyards #P06-01508-ECPA, AES April 2011, SCH #2007062069 certified December 22, 2011. These EIRs is incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services permanent files.

¹⁸ See Carlisle et al., Effects of Land Use on Soil Respiration: Conversion of Oak Woodlands to Vineyards, *J. Environ Qual* 2006; 35: 1396-1404. Pierce, D.L., Steenwerth, K.L., Harris, D., Smart, D.R. 2005. Vineyard management methods for carbon sequestration in soil: a stable isotope approach. Soil Science Society of America Annual Meeting. Carlisle, Eli A. et al., The Influence of Land Conversion on Carbon Mineralization and CO₂ Emissions from Vineyard and Adjacent Oak Woodland in the Napa Valley, Department of Viticulture and Enology, University of California, Davis.

| | 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 for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, 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 for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery and vineyard operations. A Hazardous Materials Business Plan would be filed with the Environmental Health Division should hazardous materials reach reportable levels. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of an expanded winery and nominal vineyard expansion 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 facility. The closest schools to the project site are Salvador Elementary and Justin-Siena High School located approximate 1.5 miles to the east within the City of Napa (Napa County GIS, Schools Layer). No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites (Napa County GIS, Hazardous Facility layer: and Napa County Baseline Data Report, Map 7-2, Version 1, Nov., 2005:). 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. The closest public use airport subject to an airport land use plan (Napa County Airport) is located over eight (8) mile to the south of the project site (Napa County GIS, Airport, Airport Clear Zone, and USGS map layers).
- f. No impact would occur as the project site is not located within the vicinity of any private airports. There are no known private airstrips within two (2) miles of the project site (Napa County GIS, Airport, Airport Clear Zone, and USGS map layers).

- g. As discussed in **Section XVI (Transportation/Traffic)**, the project includes an Exception to the Napa County Roads and Street Standards (NCRSS) to allow for a reduced commercial driveway widths and exceptions to the minimum slope requirements, as described and detailed in associated application materials¹⁹. The Project's Traffic Assessment included review the Emergency Ingress/Egress Plan and Anthem Winery Driveway Entry Option 2 plans. Their review concluded the proposed access in combination with the Emergency Ingress/Egress Plan would provide sufficient emergency access to the project site. The proposed road design and Emergency Ingress/Egress Plan has also been reviewed by the County Division of Engineering Services and the Fire Marshal who have determined that the propped driveway design, given its physical and legal constraints and incorporation of the Emergency Ingress/Egress Plan, has been designed to the maximum extent practical to provide adequate emergency access to the project site. Therefore, the project would not obstruct emergency vehicle access. Also see **Section XVI (Transportation/Traffic)** for additional details.
- h. The proposed project site is located within a moderate fire severity zone and the State Responsibility Area (SRA) district (Napa County GIS: Fire Hazard Severity Zones, and Fire Protection Responsibility Areas Layers), which will potentially increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The Napa County Fire Marshall has reviewed this application and recommends approval of the project subject to recommended conditions of approval which require a minimum of 100 feet of defensible space out from all portions of the structure, 10 feet of defensible space fire hazard reduction on both side of all roadways serving the facility, and other conditions to ensure that fire apparatus will have access to all buildings, including emergency responder radio coverage in new buildings, including the Road & Street Standards Exception request. Therefore, the potential for impacts associated with wild-land fires is considered less-than-significant.

Mitigation Measures: None required.

| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-----|--|-----------------------------------|--|-------------------------------------|-------------------------------------|
| IX. | HYDROLOGY AND WATER QUALITY. Would the project: | | | | |
| a) | Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <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, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or 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"/> |
| e) | 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"/> |
| f) | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) | Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹⁹ RSA+, June 5, 2018, Anthem Winery Driveway Entry Option 2 Plans; RSA+, January 12, 2018, Emergency Ingress/Egress Plan Option 2, Anthem Winery; RSA+, January 12, 2018, Exception to Road and Street Standards for Existing Driveway Option 2, Anthem Winery; and, RSA+, January 12, 2018, Type 1 Engine and Delivery Truck Passing on Type A Driveway Exhibit, Anthem Winery.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|--------------------------|
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and town across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The County of Napa had not adopted or implemented any additional mandatory water use restrictions. The County requires all Use Permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In 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)²⁰ 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, provided a definition, explained the shared responsibility for Groundwater Sustainability and the important role monitoring as a means to achieving groundwater sustainability.

In 2009 Napa County began a comprehensive study of its groundwater resources to meet identified action items in the County's 2008 General Plan update. The study, by Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district". Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Carneros region (mostly salinity). The project site is within the Western Mountains subarea of Napa County (Napa County Groundwater Monitoring Plan, January 2013): more specifically the project site is situated in the eastern foot-slopes of the Mayacamas Mountains where the terrain transitions from the Napa Valley Floor to the east to the intervening hills, valleys and ridges associated with Mt Veeder to the northwest. The County is aware of potential groundwater supply issues in this area based on the processing of a recent winery use permit application in the vicinity located northwest of the Anthem Winery project site.

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. Based upon current County Water Availability Analysis (WAA) policies²¹ the project site location is categorized as "all other areas". Therefore, water criteria is parcel specific and a Tier 2 WAA is necessary to adequately assess the proposed water supply, document anticipated water use, and assess potential impacts particularly on groundwater and surrounding wells. In cases where no known non-project wells are located within 500 feet of the project well(s), the *Well and Spring Interference Criterion* of a Tier 2 WAA is presumptively met and is not necessary.

A Tier 2 WAA analysis was completed by Richard C. Slade & Associates (RCS) on March 23, 2018, which included a project specific recharge evaluation and water use analysis that encompassed the project site (i.e. the Winery Parcel and Access Parcel). To meet proposed (or future) water demands at the project site as a result of the proposed project, owner/Permittee proposes to utilize a combination of groundwater, recycled/reclaimed winery process water, and harvested rainwater, as further described in **subsection b** below. Because there are no known off-site wells within 500

²⁰ On June 28, 2011 the Board of Supervisors approved creation of a Groundwater Resources Advisory Committee (GRAC). The GRAC's purpose was to assist County staff and technical consultants with recommendations regarding groundwater, including data collection, monitoring, and well pump test protocols, management objectives, and community support. The County completed a county-wide assessment of groundwater resources (Napa County Groundwater Conditions and Groundwater Monitoring Recommendations Report, February, 2011) and developed a groundwater monitoring program (Napa County Groundwater Monitoring Plan 2013, January 2013). The County also completed a 2013 Updated Hydrogeologic Conceptualization and Characterization of Groundwater Conditions (January 2013).

²¹ Napa County, Water Availability Analysis (WAA) guidance document, Adopted May 12, 2015.

feet of the project wells (RCS April 2017), as further described below, the Tier 2 WAA requirement has been presumptively met pursuant County WAA policies.

Due to potential groundwater supply issues that the County has recently become aware of in this area, and the components involved in the proposed water supply system for the proposed Winery Facility, the Public Works Department requested the County's groundwater consultant (LSCE) conduct the adequacy review of the Project WAA. Below is a listing of the Project WAA documents prepared by RCS that make up the Final Project WAA. Also listed for reference are the review and comment memos prepared by the County in conjunction with LSCE as part of the WAA adequacy review (these documents are incorporated by reference, and available for review at <https://www.countyofnapa.org/670/Anthem-Winery> or the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559).

- Richard C. Slade & Associates (RCS), April 10, 2017, Aquifer Test and Tier 1 Water Availability Analysis (WAA), Anthem Winery.
- Richard C. Slade & Associates, October 19, 2017, Addendum to the April 2017 WAA, Response to Luhdorff & Scalmanini Consulting Engineers August 2017, WAA Peer Review comments on the RCS April 2017 Anthem Winery Aquifer Test and Tier 1 Water Availability Analysis.
- Richard C. Slade & Associates, March 23, 2018, Response to L&S January 2018 Peer Review Comments of the RCS April 2017 Aquifer Test and Tier 1 Water Availability Analysis.
- Luhdorff & Scalmanini Consulting Engineers (LSCE), August 10, 2017, Peer Review of the Slade & Associates April 2017 Aquifer Test and Tier 1 Water Availability Analysis for Anthem Winery.
- Luhdorff & Scalmanini Consulting Engineers, January 22, 2018, Peer Review Comments on the Slade & Associates October 2017 Peer Review Response of the Aquifer Test and Tier 1 Water Availability Analysis (RCS April 2017).

On August 14, 2018, the Public Works Department in cooperation with LSCE, determined the WAA was adequate and provided recommended project specific conditions of approval for the proposed project, should the project be approved (Napa County Public Works Memo Dated August 14, 2018).

a/b. The project would not violate any water quality standards or waste discharge requirements. According to the Project's Winery Wastewater Feasibility Report prepared by RSA+ (June 5, 2018), the project site and proposed wastewater system has adequate disposal capacity to serve the project. The Report concluded that that enough dispersion area is available to make the sub-surface drip system a feasible option for treating domestic wastewater, and that it is feasible to treat the winery process wastewater for distribution to the vineyard via drip irrigation. The Division of Environmental Health has reviewed this report and concurred with its findings. As such, impacts associated with water quality standards or wastewater discharge are expected to be less than significant.

Water sources for the project, as disclosed and analyzed in the Project's WAA (RCS April 2017, October 2017, and March 2018), would consist of a combination of three (3) existing on-site groundwater wells (i.e. project wells – Identified as Well 3, Well 6, and Well 8 in the WAA), recycled/reclaimed winery process water, and harvested rainwater. Two of the project wells, Well 3 and Well 6, are located on the Access Parcel (3123 Dry Creek Road – Identified as Parcel 1 in the WAA), the third well, Well 8, is located on the Winery Parcel (3454 Redwood Road - Identified as Parcel 2 in the WAA). The proposed rainwater harvesting system and recycled/reclaimed winery process water system would be located on the Winery Parcel and would be developed in conjunction with the Winery Facility. Five (5) other existing wells located on the project site (Identified as Wells 1, 2, 4, 5, and 7) will not be utilized to supply the project and are identified as non-project wells in the WAA. These non-project wells will continue to be utilized to supply current groundwater demand at the project site. The current water demand has been calculated to be approximately 4.39 acre-feet per year (AF/yr²²) as identified in the table below. It should be noted that Wells 3, 6, and 8 are currently utilized to supply a small portions of the existing groundwater demand on the project site.

According to the Project's WAA *Estimate of Groundwater Recharge* evaluation, which is the percentage of rain that has the potential to infiltrate into the local groundwater aquifer based on various site factors and available climatological data (such as average annual rainfall, parcel size and slope, rates of evaporation and transpiration, and soil type and geology), the project site has the potential to yield up to approximately 11.01 AF/yr of groundwater recharge during an average rainfall years and 5.29 AF/yr during dry rainfall years. The proposed rainwater harvesting system is estimated to yield between 0.75 AF/yr to 1.55 AF/yr, and reclaimed/recycled process water could provide up to 0.77 AF/yr of water that can be diverted to storage for irrigation purposes (RSA+, June 2018, Tier 1 Water Use Calculations). The table below (Existing and Proposed Water Use for the Anthem Winery Parcel) shows the amount of water amount that the Project's proposed water harvesting and recycling systems are anticipated to yield, as well as existing and proposed water use.

The Project's Tier 1 Water Use Calculations also detail existing and proposed water use at the project site, and for comparative purposes, water use calculations based on implementation and operation of the full extent approved/entitled uses on the project site. The entitled uses include approximately 2.7 acers of vineyard approved under #P12-00401-ECPA that has not been planted yet, and operation of the existing winery approved under #96006-UP (as modified) at full capacity. Presently wine produced from the existing project site vineyards is occurring off-site.

²² One Acre-feet (AF) of water equals 325,851 gallons.

The water use calculations indicated that the long-term groundwater demand for both existing and proposed uses occurring on the project site (i.e. the Winery and Access Parcels) is estimated to 5.51 AF/yr during a drought year and 4.71 AF/yr during an average water year, presuming the rainwater harvesting and winery process water recycling systems are operating at optimal levels. Without these alternate sources, total groundwater demand could be up to approximately 7.04 AF/yr during normal or drought years.

Existing and Proposed Water Use for the Anthem Winery Parcels

| Usage Type | Existing [af/yr] | Approved [af/yr] | Proposed [af/yr] |
|--|---------------------|---------------------|---------------------|
| Parcel 1 – Vineyard/Access Parcel (APN: 035-460-038) | | | |
| Residential | 0.75 | 0.75 | 0.75 |
| Vineyard | 0.00 | 0.96 | 0.62 |
| Parcel 1 Water Use | 0.75 | 1.71 | 1.37 |
| Parcel 2 – Winery Parcel (APN: 035-470-046) | | | |
| Residential | 0.75 | 0.75 | 0.75 |
| Vineyard | 2.89 | 3.39 | 3.00 |
| Winery | | | |
| Process Water | 0.00 | 0.46 | 0.77 |
| Landscaping | 0.00 | 0.15 | 0.82 |
| Employees | 0.00 | 0.02 | 0.10 |
| Visitors | 0.00 | 0.01 | 0.12 |
| Events | 0.00 | 0.00 | 0.11 |
| Parcel 2 Water Use | 3.64 | 4.78 | 5.67 |
| Additional Water Supply (Average Rainfall Year) | | | |
| Reclaimed Process Wastewater | 0.00 | 0.00 | -0.77 |
| Harvested Rainwater | 0.00 | 0.00 | -1.55 |
| Total Groundwater Use (Average Rainfall Year) | 4.39 | 6.49 | 4.71 |
| Additional Water Supply (Drought Year) | | | |
| Reclaimed Process Wastewater | 0.00 | 0.00 | -0.77 |
| Harvested Rainwater | 0.00 | 0.00 | -0.75 |
| Total Groundwater Use (Drought Year) | 4.39 | 6.49 | 5.51 |

Source: RSA+, June 5, 2018, Tier 1 Water Use Calculations for Anthem Winery

To assist in disclosing and evaluating potential groundwater impacts occurring as a result of drought conditions, the Project's WAA includes an estimation of groundwater storage at the project site and potential recharged during an extended period of below average precipitation. RCS has estimated that there could be up to 58.1 AF of groundwater currently in storage beneath the project site (as of September 2015).

While the average annual rainfall utilized in the recharge and storage analysis conducted by RCS includes times of below-average and above-average rainfall, and therefore inherently includes drought year conditions, the Project WAA includes an analysis of prolonged periods of below average rainfall and how that may affect potential groundwater recharge and storage. Currently there is no universal or specific definition of when a drought begins or ends. Therefore, the WAA reviewed and considered periods that the Department of Water Resources has identified as significant historical statewide droughts in determining the amount (or percent) of rainfall that would occur during drought periods and the number of years that these conditions could occur. These significant historical statewide droughts lasted between two to six years and average measured rainfall ranged from 70% to 85% of normal. Based on length and rainfall during these periods and other factors, the WAA conservatively represented drought conditions as 48% of average annual rainfall for a six year period. Taking 48% of the anticipated annual recharge (11.01 AF/yr), results in an annual recharge of 5.29 AF/yr during a theoretical drought period. Extrapolating drought condition recharge over a six year period results in a total recharge of approximately 31.7 AF. Over that same six year period proposed water use is anticipated to be approximately 33.1 AF. Therefore, assuming a theoretical six-year drought during which only 48% of the average annual rainfall might occur, there may be a total recharge deficit of up to 1.4 AF over the 6-year drought period (31.7 AF of groundwater recharge minus 33.1 AF of groundwater use), which represents approximately 2% of the volume of groundwater in storage. Water to meet this deficit could be available during drought periods from the 58.1 AF of groundwater currently estimated to be in storage beneath the subject property.

While the annual amount of water necessary for existing and proposed uses on the project site of approximately 7.04 AF/yr is below the project site's anticipated groundwater recharge potential of 11.01 AF/yr, which would result in a less than significant to groundwater resources, the applicant/Permittee is committed to minimizing ground use as part of the project. With the implementation of the rainwater harvesting system and winery process water recycling/reuse system the proposed project is anticipated to reduce its use of groundwater to 4.71 AF/yr during an average water years and 5.51 AF/yr during drought years, thereby further reducing potential impacts associated with groundwater use. Furthermore, the proposed project may result in a theoretical reduction in groundwater use when comparing potential groundwater use expected as a result of implementation and operation of existing entitlements on the project site (6.49 AF/yr) to the proposed projects groundwater use (4.71 to 5.51 AF/yr). This commitment would also result in groundwater use commensurate with anticipated recharged potential during drought conditions (5.29 AF/yr).

The Project WAA did not identify any off-site wells or seeps/spring within 500 feet of the project wells (i.e. Wells 3, 6, or 8). Therefore, the WAA Tire 2 criteria requirement has been presumptively met pursuant County WAA policies.

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.

To ensure groundwater use is minimized, and that anticipated groundwater use does not exceed the use envisioned by the project as a result of the installation of supplemental water sources (i.e. the rainwater water harvesting and winery process water recycling systems), the Department of Public Works has recommended project specific conditions of approval. The conditions include, among other provisions: limiting overall ground water use to 4.71 AF/yr; demonstration of adequate on-site water storage prior to issuance of Certificates of Occupancy; and the recordation of "Agreements for Grant of Easement and Water Right" to ensure that water transfers between the Winery and Access Parcels that are necessary to operate the project are secure. These project specific conditions would be in addition to the County's standard condition of approval requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

For the reasons identified above the proposed project, with implementation of standard conditions and project specific conditions, is not anticipated to result in potentially significant impacts to groundwater supplies, groundwater recharge, local groundwater aquifer levels, and well interference or drawdown effects on nearby wells.

- c-d. The project would not substantially alter the drainage patterns on-site or off-site in a manner that would cause flooding or a significant increase in erosion or siltation on or off the project site. The proposed project involves the installation of a limited number of on-site storm water drainage features, and as detailed in the Project's Hydrology Report (RSA+, June 5, 2018) the project would not result in increases in peak runoff as compared to existing conditions (i.e. there will be no net increase in post-construction runoff). Furthermore, the project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance, which would require the implementation of runoff and sediment and erosion control measures, as applicable, during construction activities and post construction operations. Typically, these include implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction and implementation of a Stormwater Control Plan for a Regulated Project (RSA+ June 2018) for operational activities.

For the vineyard development, erosion and runoff would be controlled through the implementation of an Agricultural Erosion Control Plan that applies to both construction and operational activities. Based on the soil loss and runoff calculations in the ECPA (RSA+, August 2018) it has been designed to result in no net increase in both soil loss and runoff as compared to existing conditions, and is shown to slightly decrease soil loss and runoff. Additionally, pursuant to County Code Section 18.108.135 "Oversight and Operation" the ECPA plan preparer (RSA+), is required to inspect the site annually and certify in writing to the director that all of the erosion control measures required at that

stage of agricultural development have been installed in conformance with the plan and related specifications and are function properly, until the ECPA project has received a final inspection from the county²³.

For these reasons the proposed project as planned, with implementation of standard conditions and conformance with applicable code requirements, would result in less than significant impacts associated with on and off site drainage, Anthem Winery Impacts would be less than significant.

- e-f. The project site is not located in an area of a planned stormwater drainage system. As discussed in **subsection c-d** above, an increase in runoff is not anticipated to occur in relation to existing conditions as a result of the project, and the project would be subject to the County's Stormwater Ordinance, which would require implementation of a SWPPP and post construction best management practices to minimize the potential for sediment or polluted runoff from leaving the project site. The preliminary grading and drainage plan for the project proposal has been reviewed by the Engineering Division and they have not identified any potential impacts associated with the plan. Therefore, the project would not contribute a substantial amount of additional runoff to an existing stormwater drainage system or result in substantial additional sources of polluted or sediment laden runoff, resulting in less than significant impacts to water quality.
- g/h. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones (Napa County GIS, FEMA Flood Zone layer). Therefore, no impact would occur.
- i/j. Potential impacts would be less than significant because the parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows (Napa County GIS, Dam Levee Inundation Areas and Liquefaction Layers: and Napa County General Plan - Safety Element. Pages SAF-13 to SAF-15).

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|-------------------------------------|
| X. LAND USE AND PLANNING. Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a. The project would not occur within an established community, nor would it result in the division of an established community. Therefore there would be no impact.
- b. The project complies with the Napa County Code and all other applicable regulations except for a Variance application (#P14-00321-VAR) requested to allow construction of a majority of the Winery Facility within the minimum 300-foot winery setback²⁴, and an exception request to the Napa County Road and Street Standards (NCRSS). See **Section XVI (Transportation/Traffic)** for a detailed discussion of the NCRSS exception request.

The variance, requests to allow construction of the proposed Winery Facility a minimum of 65 feet from the centerline of an existing private access drive located on the abutting parcel to the north (i.e. the Access Parcel, Lands of Arbuckle, 3123 Dry Creek Road). The proposed Winery Facility would be located in the northeast corner of the Winery Parcel, immediately north of the existing winery improvements (i.e. cave and crush pad). This location places a majority of the Facility within the minimum 300-foot winery setback from the private access drive. Proposed winery structures and/or features that would be located outside the required winery setback include the Winery Office, Catering, Conference Room Building and associated terraces; one of the outdoor tasting/hospitality areas, and a cave patio. As described in the variance application and associated exhibits²⁵ the strict application of required winery setbacks to a similar facility (in terms of wine

²³ Conformance with the provisions of Section 18.108.135 is achieved by including it as a condition of approval for the project, if granted.

²⁴ Napa County Code Section 18.104.230(2).

²⁵ Anthem Winery, July 31, 2017, Variance Application #P14-00321-VAR

production amount, and fermentation and storage), in combination with site constraints (such as steep slopes, existing residential development and wells, and existing vineyard) would result in a development that is more visibly prominent from surround views, and would utilize more energy to operate, thereby generating more GHG emissions than the proposed facility.

Based on the topography and locations of existing residential and vineyard development on the Winery Parcel, a compliant facility would need to be located within the southern end of the Winery Parcel. This area of the Winery Parcel contains less existing vegetation to screen the facility, and would necessitate a larger structure to accommodate proposed production and storage needs, which would be more visually prominent within the larger landscape. This location would also necessitate the permanent loss of approximately 2 acres of existing vineyard. Because this location may not necessarily afford the ability to develop an associated wine cave, temperature control of wine storage areas would be necessary, which would increase the operational GHG emissions associated with increased energy use.

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

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” The property’s General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows “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 continued use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) and the development of vineyard 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. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. No impacts would occur.

- c. There are no habitat conservation plans or natural community conservation plans applicable to project site or adjacent parcels. Therefore, there will be no impact.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|------------------------------------|-------------------------------------|
| XI. MINERAL RESOURCES. Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a/b. The project does not take place in the area of a known mineral resource of value to the region or state or within the area of a known mineral resource recovery area (Napa County Baseline Date Report, Figure 2-2 and Map 2-1, Version 1, November 2005; Napa County General Plan Map, December 2008; Special Report 205, Update of Mineral Land Classification, Aggregate Materials in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin and Southwestern Solano Counties, California Geological Survey, 2013). The nearest known mineral resource area in Napa County is located over six (6) miles southeast of the project site. Therefore, no impacts to mineral resources would occur.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|-------------------------------------|
| XII. NOISE. Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 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"/> |
| f) For a project within the vicinity of a private airstrip, 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 grading and construction of the winery facility and caves, driveway/access improvement activities, and ECPA installation. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise, including groundborne noise, and groundborne vibration generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts or operational impacts. Because the nearest residences to the project site are approximately 500 feet to the west of the proposed Winery Facility and the next closest are located 1,000 feet or more to the north, south and west, many of which contain agricultural uses (predominately vineyard), there is a low potential for impacts related to construction noise and vibration to result in a significant impact. The nearest residences to proposed driveway improvements are located approximately 35 feet to the north the next closest residence is located approximately 200 feet to the south, which may result in a short-term impact to these neighbors during construction activities. However, construction activities would occur during the period of 7:00 a.m. – 7:00 p.m. 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. Condition of approval 7.3 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.

7.3. **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.

c/d. Community noise is commonly described in terms of the “ambient” noise level which is defined as the all-encompassing noise level associated with a given noise environment. The Napa County General Plan EIR indicates the average, or equivalent, sound level (L_{eq})²⁶ for winery activities is generally between 51dBA in the morning and 41dBA in the afternoon. As characterized in the Project’s Environmental Noise Analysis (Illingworth & Rodkin, Inc. July 2017), noise levels in the vicinity of the winery site ranged from 33 dBA to 63dBA throughout the day with an Day/Night Noise Level (L_{dn})²⁷ of approximately 45 L_{dn} . Noise sources contributing to the ambient noise level in the project vicinity include distant road noise from Redwood Road and Dry Creek Road, aircraft overflight, vineyard operations, and wind in trees and animal/insect noises associated with adjacent woodlands.

²⁶ The average A-weighted noise level during a noise measurement period.

²⁷ The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 pm and 7:00 am.

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 in the project vicinity include agricultural (predominately vineyards) and semi-rural residential: residential land uses are considered the most sensitive to noise. The nearest residence to the Winery Facility (including outdoor marketing areas) is located approximately 500 feet to the west, the next closest are located within 1,000 feet or more to the north, south and west. 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.), or Daytime L_{50} ²⁸. In other words noise impacts of the proposed project would be considered bothersome and result in potentially significant impacts if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). The Nighttime L_{50} for residential uses is 45 decibels.

Noise generated from winery operations is generally limited and intermittent, meaning the sound level can vary over the course of the year, depending on seasonal production activities occurring at a winery. The primary noise-generating activities associated with winery operations include refrigeration equipment, bottling equipment, barrel washing, de-stemmer and press activities occurring during the harvest crush season, delivery vehicles, and other operational vehicles such as forklifts. Noise generated from winery visitation and marketing activities typically include guests/speech, music, automobiles including larger passenger van/shuttles, delivery vehicles, and event clean up.

As proposed operational activities of the winery including crushing and bottling would occur inside the proposed fermentation buildings, and the fermentation buildings and caves include dedicated service and mechanical areas to house or otherwise fully enclose operational and mechanical equipment within the Winery Facility to the maximum extent practical to minimize noise impacts of the winery. Cooling compressors will likely need to be located outside of winery structures due to air flow considerations. However, standard conditions of approval require that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code.

As detailed in the Project's Environmental Noise Assessment (Illingworth & Rodkin, Inc. July 2017) noise generated from the proposed Winery Facility as a result of typical winery operations including mechanical equipment, crush activities, bottling activities, facility maintenance and forklift operation, as well as noise generated from the Facility's parking and shipping/delivery areas and traffic on its access road, would not exceed prescribed noise standards at the closest residences to the Winery Facility, resulting in a less than significant impact with respect to a permanent increase in the ambient noise level in the project vicinity. Additionally, 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.

The proposed visitation and marketing program includes up to 36 tasting and marketing events on an annual basis with the largest event permitting up to 300 guests. In addition to indoor tasting and marketing areas, the proposed project includes the establishment and use of three outdoor marketing areas, two located immediately adjacent to the Fermentation Buildings to the west and southwest, and adjacent to the Hospitality Tasting Room building. These outdoor marketing areas range in size from approximately 500 square feet to approximately 1,500 square feet and total approximately 4,600 square feet, more or less, the largest (or Main Outdoor Area) being located west of the Fermentation Buildings. These outdoor tasting and marketing areas have the potential to generate higher noise levels, compared to existing conditions and to indoor marketing event areas, as a result of being outdoors. These outdoor marketing areas are located between 500 feet and 1,000 more or less to the north and east. Marketing events are proposed to occur from 11:00 AM to 10:00 PM on weekdays, and from 11:00 AM to 12:00 AM weekends with marketing events over 30 guests moving indoors by 10:00 PM.

As detailed in the Project's Environmental Noise Assessment (Illingworth & Rodkin, Inc. July 2017) noise generated from marketing activities located inside the Winery Facility would not exceed prescribed Daytime or Nighttime noise standards at the closest residences to the Winery Facility. The Environmental Noise Assessment also shows that marketing events being held outside, except for the 300 person marketing event, are not expected to exceed prescribed Daytime or Nighttime standards provided they ended or moved inside by 10:00 PM. As indicated the proposed marketing plan, marketing events would end or move them inside by 10:00 PM. Regarding the 300 person event, the Environmental Noise Assessment has concluded that this event would exceed the Daytime standard, which is considered a potentially significant impact. Implementation of **Mitigation Measure NOI-1**, which will require the design of this event area to include solid 6 foot barriers/panels that can be installed to reduce noise generation from this area during the 300 person marketing event below identified Daytime standards, which would reduce this potential impact to a less than significant level. The use of demountable solid surface barrier panels are expected to reduce event noise generated by the 300 person event by 7 dBA at the closest off-site residence, resulting in an L_{50} sound level of 40 dBA.

Additionally, continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impacts. Events and non-amplified music, including clean up are required to finish by 10:00 p.m. Amplified music or sound

²⁸ The A-weighted noise levels that are exceed 50% of the time during a measurement period.

systems would not be permitted for outdoor events as identified in standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36, which regulates proposed temporary events.

Utilizing information from the Napa County Baseline Data Report, Noise Section (Version 1, November 2005) and distances to the closest residences to the proposed vineyard development area construction activities, which are temporary in nature, could be up approximately 70 to 85 dBA at the closest off-site residence and approximately 65 dBA at the next closest residence. Vineyard operational activities, which are seasonal and temporary in nature could be up to approximately 80 dBA at the closest existing off-site residence and approximately 60 dBA at the next closest residence. These noise sources and levels are considered typical and reasonable for agricultural development and operational activities consistent with the County's 'Right to Farm' (NCC Chapter 2.94 and General Plan Agricultural Preservation and Land Use Policy AG/LU-15), and are exempt from compliance with the noise ordinance: NCC Section 8.16.090.E (Exemptions to noise regulations) exempts agricultural operations from noise regulations.

As such, the proposed project as designed with implementation of **Mitigation Measure NOI-1** and standard conditions of approval would not result in short-term or long-term significant noise impacts.

4.10 **AMPLIFIED MUSIC**

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

- e/f. The project site is not located within an airport land use plan area or the vicinity of a private airstrip. The closest public use airport subject to an airport land use plan (Napa County Airport) is located over eight (8) mile to the south of the project site and there are no known private airstrips within two (2) miles of the project site (Napa County GIS, Airport, Airport Clear Zone, and USGS map layers). Therefore, no impact would occur.

Mitigation Measures:

- MM NOI-1: The building permit plans for the Winery Facility shall include design features/components at the Main Outdoor Marketing Event Area so that demountable solid surface 6 foot high wall/barrier panels can be installed between vertical supports on the north and west sides of the developed area as shown in Figure 5 of the Anthem Winery Environmental Noise Assessment. The panels should have a minimum surface weight of 2.5 lbs. per sq. ft., and be capable of installation at vertical supports without perimeter gaps exceeding more than 1% of the face area. Acceptable materials for this wall include ½" thick visually clear acrylic (e.g. Plexiglas or Lexan) panels, or wood fence built with a double layer of 1" nominal thickness boards with the second layer of boards installed to cover the joints of the first layer. Examples of the appearance of temporary clear acoustical barrier panels are shown in Figure 6 of the Anthem Winery Environmental Noise Assessment. The use of demountable solid surface barrier panels are expected to reduce event noise levels by 7 dBA at Residence 1, resulting in an L₅₀ sound levels from 300 person event of 40 dBA

Monitoring: County Planning Division Staff shall review and approve building permit plans for the project. Planning Division staff will inspect the facility prior to final occupancy. County Code Enforcement Staff through winery use permit compliance audits, such that future use of the sound barrier for outdoor 300 person events will be monitored. Code Enforcement staff will respond to any noise complaints.

| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|-------|---|-----------------------------------|--|-------------------------------------|-------------------------------------|
| XIII. | POPULATION AND HOUSING. Would the project: | | | | |
| | a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a. Staffing for the winery would include an increase from one part time employee to up to seven (7) full-time employees and five (5) part time employees. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections

by approximately 15%. The seven new full-time employees and four new part time employees, which are part of this project could lead to minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

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

b/c. This application would not displace a substantial volume of existing housing or a substantial number of people and would not necessitate the construction of replacement housing elsewhere. No impacts would occur.

Mitigation Measures: None required.

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

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to Napa County Fire Marshall conditions and there would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and provided recommend conditions of approval. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal and issuance, should the project be approved. The proposed project would have minimal impact on public parks as no residences are proposed. For these reasons, impacts to public services would be less than significant.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|------------------------------------|-----------|
| XV. 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. As discussed in Sections **XIII Population and Housing** and **XIV Public Services** the project based on its limited scope does not result in substantial or significant population growth which would increase the use of recreational facilities, or require the construction or expansion of recreational facilities. Impacts would be less than significant..
- b. No recreational facilities are proposed as part of the project. No impact would occur.

Mitigation Measures: None required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|-------------------------------------|
| XVI. TRANSPORTATION/TRAFFIC. Would the project: | | | | |
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the Napa County Transportation and Planning Agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a/b. The project site consists of two parcels located in between Dry Creek Road and Redwood Road :i) the Winery Parcel (3454 Redwood Road, APN 035-470-046) located approximately 450 feet east of Redwood Road and approximately 1.5 miles north of its intersection with Browns Valley Road, and ii) the Access Parcel (3123 Dry Creek Road, APN 035-460-038) located approximately 1,700 feet west of Dry Creek Road and approximately 1.7 miles north of its intersection with Redwood Road. These parcels lie between Dry Creek Road and Redwood Road because the Winery Parcel is currently accessed by a ±0.25 mile long 10 foot wide paved private access drive leading from Redwood Road, and the Access Parcel is flag lot with its body located approximately 1,700 feet west of Dry Creek Road and is accessed by a an approximate 0.5 mile long 8 foot wide paved access drive leading from Dry Creek Road that currently provides access to this parcel. The Project as proposed is requesting access be provided to the Winery Parcel and proposed Winery Facility via the Access Parcel (i.e. 3123 Dry Creek

Road), because the existing Redwood Road access would not be able to improved to a sufficient level to provide adequate emergency access to the proposed Winery Facility. The proposed access and upgrades, and exception request to the Napa County Road and Street Standards (RSS) associated with this access are discussed in greater detail in **subsection e** below.

A focused Traffic Analysis was prepared by W-Trans (March 7, 2018, Amended Final Traffic Analysis for Anthem Winery) in accordance with the criteria established by the Napa County, and is consistent with the standard traffic engineering techniques. Operating conditions along Dry Creek Road and Redwood Road in the vicinity of the project area were evaluated for future plus the future plus project scenarios based upon recently updated significance criteria utilized in all recent County traffic studies. Additionally, the Traffic Analysis evaluated: the project's access intersection with Dry Creek Road for sight line adequacy; potential construction traffic impacts; and the Project's Emergency Ingress/Egress Plan (RSA+, January 12, 2018, Emergency Ingress/Egress Plan Option 2, Anthem Winery) associated with the requested RSS exception. The Traffic Analysis also focused on trips generated by the proposed project in addition to trips generated by the Woolls Ranch Winery located at 1032 Mount Veeder Road (#P13-00087-UP). While the Anthem Winery and Woolls Ranch wineries would be accessed from different roads some traffic from both wineries could pass through the Redwood Road/Dry Creek Road intersection located approximately 1.7 miles to the south of the project site.

The Traffic Analysis study area consists of the project site and segments of Dry Creek Road from Orchard Avenue to Redwood Road and Redwood Road from Browns Valley Road to Dry Creek Road. Dry Creek Road is a two-lane undivided roadway running in a north-south direction consisting of 12-foot wide travel lanes in each direction with a posted speed limit of 40 miles per hour (mph). Redwood Road is a two-lane undivided roadway generally running in an east-west direction consisting of 10.5-foot wide travel lanes in each direction with a posted speed limit of 30 mph (W-Trans, May 2018). Peak hours for the project area are generally considered to occur Monday through Friday 7:15 AM to 8:15 AM, and 4:30 PM to 5:30 PM; during the weekends the peak hours generally occur midday from anywhere between 11:00 AM to 3:30 PM. Additionally, based on data from the Napa-Solano model traffic volumes on Dry Creek Road drop substantially north of Wine Country Avenue and remain at about the same level continuing north of Orchard Avenue (W-Trans, May 2018). The closest schools to the study area, Salvador Elementary and Justin-Siena High School, are located approximate 1.5 miles to the east within the City of Napa.

Traffic conditions on roads and at intersections are generally characterized by their "level of service" or LOS. LOS is a convenient way to express the ratio between volume and capacity on a given link or at a given intersection, and is expressed as a letter grade ranging from LOS A through LOS F. Each level of service is generally described as follows:

LOS A- Free-flowing travel with an excellent level of comfort and convenience and freedom to maneuver.

LOS B- Stable operating conditions, but the presence of other road users causes a noticeable, though slight, reduction in comfort, convenience, and maneuvering freedom.

LOS C- Stable operating conditions, but the operation of individual users is substantially affected by the interaction with others in the traffic stream.

LOS D- High-density, but stable flow. Users experience severe restrictions in speed and freedom to maneuver, with poor levels of comfort and convenience.

LOS E- Operating conditions at or near capacity. Speeds are reduced to a low but relatively uniform value. Freedom to maneuver is difficult with users experiencing frustration and poor comfort and convenience. Unstable operation is frequent, and minor disturbances in traffic flow can cause breakdown conditions.

LOS F- Forced or breakdown conditions. This condition exists wherever the volume of traffic exceeds the capacity of the roadway. Long queues can form behind these bottleneck points with queued traffic traveling in a stop-and-go fashion. (2000 Highway Capacity Manual, Transportation Research Board)

As calculated by the Applicant's Traffic Consultant, the proposed project is expected to generate an average of 56 daily trips, 19 weekday PM Peak hour trips, and 29 Saturday midday peak hour trips²⁹. According to the Traffic Analysis, because the project only included larger events up to twice per year and would likely occur during non-peak (or off-peak) traffic hours, this scenario was not considered appropriate for evaluation purposes. For disclosure purposes, potential trips associated with the largest marketing events (i.e. having between 200 and 300 attendees per event) could be expected to generate between approximately 163 to 248 round trips (*W-Trans, September 21, 2017, Traffic Impact Study for Cuvaison Winery: and Crane Transpiration Group, January 7, 2018, Traffic Impact Report BV Winery 2017 Use Permit Modification*).

Cumulative operating conditions were determined by the calculating the project's percentage contribution to the total growth in traffic from existing conditions and compared with growth projected and modeled in the horizon year (2030) of the General Plan. Horizon year conditions were evaluated both with project and without project generated traffic to determine the project's contribution to cumulative conditions. General Plan horizon year cumulative growth analysis accounts for traffic increases resulting from forecasted development in both unincorporated Napa County as well as the cities of Napa County and neighboring counties. Based on the analysis and conclusions detailed and provided in the Project's Traffic Analysis, the Levels of Service within the project area is not expected to effect the existing or future LOS

²⁹ The Project Traffic Engineer has also provided calculations that take into account trips associated with the existing winery located on the Winery Parcel. Under this modeling assumption new trips (or net new trips) associated with the proposed project would be approximately 50 net new trips daily, including 17 net new trips during the PM Peak hour and 27 net new trips during the Saturday midday peak hour (W-Trans, March 2018).

on roadways within the immediate vicinity of the project site area as shown in the table below. Regarding trips associated with operation of the proposed vineyard, because the owner/Permittee operates other vineyard on-site, it is anticipated that existing employees (or vineyard management company contracted to manage existing vineyards) would be utilized to manage the new vineyard, which is anticipate to result in no new or additional trips associated with vineyard operations.

Future and Future plus Project PM Peak Hour Roadway Segment Levels of Service³⁰

| Study Segments | Future – No Project | | Future Plus Project | |
|-----------------------|---------------------|-----|---------------------|-----|
| | v/c | LOS | v/c | LOS |
| Dry Creek Road | | | | |
| Northbound | 0.77 | C | 0.78 | C |
| Southbound | 0.72 | C | 0.74 | C |
| Redwood Road | | | | |
| Eastbound | 0.61 | B | 0.65 | B |
| Westbound | 0.87 | D | 0.89 | D |

Source: W-Trans March 2018

Note: v/c = volume to capacity ratio

The need for a left-turn lane on Dry Creek Road at the Project's driveway intersection with Dry Creek Road was evaluated on the criteria contained in the Napa County RSS. The Project Traffic Analysis found that Dry Creek Road near the project access, between Orchard Avenue and Linda Vista Avenue, has an approximate Average Daily Traffic (ADT) volume of 850 vehicles. Based on this volume and the 56 new daily new trips the project is expected to generate a left-turn lane is not currently warranted on Dry Creek Road at the Project's access point³¹. Under the Traffic Analysis, future projected traffic volumes modeling scenario/predictions, a left-turn lane is still not warranted, even during the harvest season. While a turn lane is not warranted to accommodate traffic generated by the project, the potential traffic conditions during marketing events was considered in the Traffic Analysis. Because the project only included larger events up to twice per year and would likely occur during non-peak (or off-peak) traffic hours, this scenario was not considered appropriate for evaluation purposes. Lastly, the Traffic Analysis predicts that there would be up to approximately 29 trips associated with marketing events with up to 30 attendees, which also does not warrant a left-turn lane. The potential for vehicles to queue in Dry Creek Road was also considered in the Traffic Analysis. Under the worst case scenario (all inbound traffic during the peak hour coming from the south and making a left turn into winery facility) one vehicle would be expected to queue on Dry Creek Road. Furthermore, the owner/Permittee operates other vineyard on the project-site and it is anticipated that a number of existing employees would be utilized to develop and manage the vineyard, thereby potentially overstating the increase in traffic disclosed above.

Additionally, the *Matthiasson Winery Traffic Impact Study* (W-Trans, April 17, 2018) included in its analysis anticipated traffic generated by both the Anthem Winery and the Woolls Ranch Winery in it baseline conditions. Their analysis also concluded that the LOS is not anticipated to change or effect the existing or future LOS on roadways within the area when considering these projects in addition to the Matthiasson Winery proposal.

Sight distances were evaluated based on the Criteria contained the most recent *Highway Design Manual* published by Caltrans. Dry Creek Road is a two-lane undivided roadway 24 foot wide (two 12-foot wide travel lanes in each direction) with a posted speed limit of 40 mph. For 40 mph, the minimum stopping sight distance is 305 feet. Based on site investigations conducted by the Project Traffic Engineer, there are site lines exceeding 500 feet in both travel directions from the driveway. Therefore site distances are adequate for the project.

The Project Traffic Analysis also analyzed potential construction traffic impacts and the Project's Emergency Ingress/Egress Plan (RSA+, January 12, 2018, Emergency Ingress/Egress Plan Option 2, Anthem Winery) associated with the requested NCRSS exception. Regarding project construction trips, the Traffic Analysis has concluded given the general development phasing described by the applicant³² in combination with trips associated with the requested temporary use of the project sites existing winery facilities (i.e. cave and crush pad) for visitation/marketing purposes, that construction and temporary visitation could result in approximately 58 to 62 daily trips, slightly higher than the 56 daily trips predicted/modeled under the project scenario. Therefore, construction trips are not anticipated to negatively affect the LOS or traffic volumes in the vicinity of the project or result in potentially significant impacts.

Regarding the Emergency Ingress/Egress Plan, the Project's Traffic Analysis reviewed the Ingress/Egress Plan and associated driveway plans (RSA+, June 5, 2018, Anthem Winery Driveway Entry Option 2 Plans) submitted in combination with the requested RSS exception (as further described in **subsection d** below). That review has concluded that the Emergency Ingress/Egress Plan in combination with the proposed access improvements would provide sufficient emergency access to and from the project site.

³⁰ W-Trans, March 2018, Table 3 (Future and Future plus Project PM Peak Hour Roadway Segment Levels of Service), Amended Final Traffic Analysis for the Anthem Winery.

³¹ The Amended Final Traffic Analysis for Anthem Winery (W-Trans, March 2018) conservatively included 10 daily trips in this modeling analysis in the event an second dwelling unit were developed on 3123 Dry Creek Road.

³² Phase 1, construction of the driveway, parking, septic system, winery production structures, bottle room, outdoor tasting area, and cave storage tanks for harvested rainwater; Phase 2, construction of the caves; and Phase 3, building the tasting room and office structures. Excerpted from the Anthem Winery Project Statement dated August 29, 2017 and associated Use Permit Application Forms (#P14-00320-MOD) dated June 5, 2018, and as described in the Project Description (Section 10) of this Initial Study.

County Public Works Traffic Engineering staff has reviewed the proposal and the Project's Amended Final Traffic Analysis (W-Trans, March 7, 2018) and concurred within its methodology and conclusions. For these reasons it is anticipated that the proposed project would have a less than significant impact on traffic volumes and LOS at nearby intersections and road segments. The project would also be consistent with General Plan Traffic and Circulation Policy CIR-16 by maintaining a LOS of D or better on county roadways. Additionally, the use of designated off-site parking and shuttle service for larger marketing events would likely reduce potential traffic increases associated periodic marketing events.

- c. No air traffic is proposed and there are no new structures proposed for this project that would interfere with or require alteration of air traffic patterns. No impact would occur.
- d-e. The project includes an Exception to the Napa County Roads & Street Standards (NCRSS) to allow for a reduced commercial driveway widths including periodic exceptions to the minimum slope requirements from its intersection with Dry Creek Road to the western end of the proposed clear span bridge, as further described below, and as described and detailed and described associated applicant materials³³. As discussed in **Section IV (Biological Resources)** the bridge is located just below the existing driveway and an associated culvert, this drainage course does not have a well-defined channel with a depth of four feet and banks steeper than 3:1, therefore, this drainage course is not considered a definitional stream.

The proposed NCRSS request proposes an exception to allow the Anthem Winery Use Permit Modification to be approved without meeting the commercial driveway width and slope standards within approximately 1,700 lineal feet of the access drive, as measured from Dry Creek Road. Generally, this section of the access drive would consist of a 16 to 18 foot wide paved travel way (14 foot wide travel way for the bridge segment) that requests exceptions to the following: the two 10 foot wide traffic lanes and 22 feet of horizontal clearance, the 22 foot wide turnouts, and slope exception for road grades exceeding 18% without the required transition zones of 10% in two driveway sections. The remaining 650 feet of proposed access drive located west of the proposed clear span bridge has been designed to meet applicable NCRSS standards.

The exception requests are necessitated by physical and legal constraints presented by the 20.5 foot wide flagpole section of the Access Parcel's connection with Dry Creek Road, and the easement located within the northwest corner of the abutting parcel to the east (Lands of Rowe, 3109 Dry Creek Road, APN 035-460-024) which currently contains a portion of the existing driveway that provides access to the residence located at to 3123 Dry Creek Road, due to the abutting owner's objection to utilize this access easement.

As discussed in **Section IV Biological Resources**, potential biological impacts associated with the proposed driveway configuration would be less than significant with implementation of mitigation measures and standard conditions. As discussed in **subsection a** above the Project's Traffic Assessment included review the Emergency Ingress/Egress Plan and Anthem Winery Driveway Entry Option 2 Plans. Their review concluded the proposed access in combination with the Emergency Ingress/Egress Plan would provide sufficient emergency access to the project site. The proposed road design and exception, including the Emergency Ingress/Egress Plan, has also been reviewed by the County Division of Engineering Services and the Fire Marshal who have determined that the proposed driveway design, given its physical and legal constraints and Emergency Ingress/Egress Plan, has been designed to the maximum extent practical to provide adequate emergency access to the project site, and can support grant of the exception as currently designed. To grant a Road Exception the Planning Commission must find that the alternative design meets the same overall practical effect as a project that complies with the standard. As proposed, the Division of Engineering Services and the Fire Marshal have concluded that the design meets the same overall practical effect.

- f. The project is proposing 22 parking spaces (21 standard spaces and one ADA space). Staff believes this number of parking spaces is commensurate with the proposed number of employees and visitation. The proposed parking will meet the anticipated parking demand and will avoid providing excess parking, and will therefore have no impact. Additionally the applicant is intending to provide shuttle bus service from a preauthorized location for the larger marketing event (i.e 100 or more attendees) to minimize on-site parking demand and associated parking issues.
- g. As proposed, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation. The project proposes the installation of bicycling parking facilities. No impact would occur.

Mitigation Measures: None Required.

³³ RSA+, June 5, 2018, Anthem Winery Driveway Entry Option 2 Plans; RSA+, January 12, 2018, Emergency Ingress/Egress Plan Option 2, Anthem Winery; RSA+, January 12, 2018, Exception to Road and Street Standards for Existing Driveway Option 2, Anthem Winery; and, RSA+, January 12, 2018, Type 1 Engine and Delivery Truck Passing on Type A Driveway Exhibit, Anthem Winery.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|-------------------------------------|
| XVII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a. According to the Napa County Environmental Resource Maps (Napa County GIS, Historical sites) no historic sites are identified on the project site. The Cultural Resources Survey conducted for a portion of the project site (Tom Origer & Associates, September 2012) also did not identify any historic sites on the project site. Additionally, no structures (other than a water tank) would be removed as part of the project. Therefore, it is anticipated that no impacts to historical resources would occur as part of the project. Furthermore, project approval, if granted, would be subject to the standard conditions identified below, that would avoid and reduce potential impacts on historical resources.
- b. On January 9, 2017, the County notified pursuant to Public Resources Code section 21074 (AB-52: Gatto) the Mishewal-Wappo Tribe of Alexander Valley, the Yocha Dehe Wintun Nation, and the Middletown Rancheria of the proposed project. No response was received from the Mishewal-Wappo Tribe of Alexander Valley, and on April 19, 2017, the County sent notification to the Mishewal-Wappo Tribe closing the consultation invitation because more than 30 days had elapsed since confirmed receipt of the County's January 9, 2017 consultation invitation. The Middletown Rancheria replied in a letter dated January 17, 2017, indicating that they had no specific comments; therefore, consultation was not requested or initiated.

The Yocha Dehe Wintun Nation replied to the County's notification, in a letter dated January 24, 2017, stating that the project is within the aboriginal territories of the Tribe, and therefore the Tribe has a cultural interest and authority in the proposed project area and requested a site inspection. On April 12, 2017, members of the Tribe, the applicant/owner, agent and county staff inspected the project site. In a letter dated April 21, 2017, in response to the site inspection and supporting documentation, the Tribe based on the site inspection and known cultural resources near the project site requested that a Tribal Cultural Monitor be present during initial earth-disturbing and grading activities. The applicant/Permittee and their Counsel have been working with the Tribe to enter into a Monitoring Agreement for the project. Because Yocha Dehe did not request formal consultation, consultation was not initiated.

The closest known archeological site occurs approximately 1 mile to the west of the project site, the next closest known sites are located approximately 1.5 miles to the south and west of the project site (Napa County GIS Sensitivity Maps/layers, Arch Sensitive Areas, Archaeological Surveys, and Arch Sites. Additionally, the Cultural Resources Survey conducted for a portion of the project site (Tom Origer & Associates, September 2012) also did not identify any archeological sites in the Survey's Study Area. Therefore, potential impacts to tribal cultural resources as a result of the project are anticipated to be less than significant.

However, as indicated, the Yocha Dehe Wintun Nation, based on their site inspection, known resources located in the vicinity of the project site, and their cultural interest and authority in the project area, have requested that a Tribal Cultural Monitor be present during initial earth-disturbing and grading activities, particularly during trenching and excavation activities. Therefore, project approval, if granted, would be subject to the following project specific standard conditions (as modified) to ensure tribal resources are not adversely affected and to address the Yocha Dehe recommendation.

7.5.c OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL – HISTORICAL, CULTURAL, AND ARCHEOLOGICAL FINDING

- i. In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable solids, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching or other on-site

- excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), as determined necessary.
- ii. Prior to the commencement of construction of the Winery Facility (#P14-00320-MOD) or vineyard (#P14-00322-ECPA), owner/Permittee shall provide documentation to the Napa County Planning Department that a Monitoring Agreement with the Yocha Dehe Wintun Nation has been entered into. Should the owner/Permittee be unsuccessful in entering into a monitoring agreement with the Yocha Dehe Wintun Nation, the owner/Permittee shall provide, for review and approval by Napa County, a Cultural Monitoring Plan prepared by a professional archaeologist certified by the Registry of Professional Archeologists (RPA). The Cultural Monitoring Plan shall outline monitoring requirements including but not limited to, sensitivity training for site workers, identification of project activities and project site areas requiring an on-site monitor, find procedures, and monitoring documentation and reporting procedures.
 - iii. If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission will be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.
 - iv. In the event that a discovery of a breas, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the fined shall be temporarily halted of diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find.
 - v. All persons working on-site shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

Mitigation Measure: None Required

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|-----------------------------------|--|-------------------------------------|--------------------------|
| XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) 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"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a/b. The project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal would be accommodated on-site and in compliance with State and County regulations. According to the Winery Wastewater Feasibility Report prepared by RSA+ (June 5, 2018), the project site and proposed system has adequate disposal capacity to serve the project. The Report concluding that that enough dispersion area is available to make the sub-surface drip system a feasible option for treating domestic wastewater, and that it is feasible to treat the

winery process wastewater for distribution to the vineyard via drip irrigation. The proposed vineyard would not generate wastewater. The Division of Environmental Health reviewed this report and concurred with its findings. As such, impacts associated with waste water disposal would be less than significant.

As proposed, wastewater disposal will be accommodated on-site in compliance with State and County regulations. The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board and will not result in a significant impact. The project will not require construction of any new water treatment facilities that will result in a significant impact to the environment. Water will be provided through the existing irrigation well also located on the winery parcel (APN 024-034-011). Potential impacts would be less than significant.

- c. The proposed project involves the installation of a limited number of on-site storm water runoff and erosions control features. The preliminary grading and drainage plan for the Winery Facility, the Hydrology Report (RSA+, June 2018), the Stormwater Control Plan for a Regulated Project (RSA+, June 2018), and the ECPA (RSA+, August 2018) have been reviewed by the Engineering Division and have been determined to adequate. As designed and conditioned, impacts would be less than significant.
- d. As discussed in **Section IX (Hydrology and Water Quality)**, the project is categorized as "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 WAA analysis was completed by Richard C. Slade & Associates (RCS) on March 23, 2018, which included a project specific recharge evaluation and use analysis that encompassed the project site (i.e. the Winery Parcel and Access Parcel). According to the recharge evaluation, the property yields 11.01 AF in normal years and 5.29 AF in the dry year. The Project's Tier 1 Water Use Calculations purposes (RSA+, June 2018, Tier 1 Water Use Calculations) show the projected water use for the project is 7.04 AF/yr. The parcel water demand can be met with the existing groundwater resources. In summary, the existing yield would be sufficient to serve all uses on the property. Furthermore, as previously stated, the applicant/Permittee is committed to minimizing ground use as part of the project. With the implementation of the rainwater rain water harvesting system and winery process water recycling system the proposed project is anticipated to reduce its use of groundwater to 4.71 AF/yr during an average water years and 5.51 AF/yr during drought years. As such, impacts would be less than significant as there is sufficient water supply available to serve the proposed project.
- e. Wastewater would be treated on-site and would not require a wastewater treatment provider. As such, potential impacts would be less than significant.
- f. The project would be served by Keller Canyon Landfill, which has a capacity which exceeds current demand. As of January 2004, the Keller Canyon Landfill had 64.8 million cubic yards of remaining capacity and has enough permitted capacity to receive solid waste though 2030. Furthermore, according to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. Specific to the vineyard, solid waste generated during construction activities (i.e. broken pipe, fittings, trellis, end posts, etc.) would be negligible the only significant solid waste generated by vineyard operations is cane generated during vine pruning which is generally disposed of on-site by spreading back into the vineyard, burning it, or a combination of the two. Therefore, impacts would be less than significant.
- g. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|------|---|-----------------------------------|--|-------------------------------------|--------------------------|
| XIX. | MANDATORY FINDINGS OF SIGNIFICANCE | | | | |
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal 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"/> |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|-----------------------------------|--|-------------------------------------|--------------------------|
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

a. As discussed in **Section IV (Biological Resources)**, potential biological related impacts would be less than significant with implementation of the biological resources mitigation measures. As identified in **Section V (Cultural Resources)**, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In the event archaeological artifacts are found, a project specific condition of approval would be incorporated into the project. Impacts would be less than significant with the incorporation of the biological resources mitigation measures and conditions of approval related to cultural resources.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality (including greenhouse gas emissions), biological, hydrological, and traffic impacts are discussed in the respective sections herein. While the project would increase the demands for public services, increase traffic and potential air pollutions, and increase the use of natural resources, all of which contribute to cumulative effects when future development in Napa Valley is considered, they are to a limited extent and are not anticipated to result in a potentially significant adverse cumulative effect.

As discussed in the project's Greenhouse Gas Voluntary Best Management Practices, measures to be implemented with the project include (but not limited to): installation of rooftop solar panels; installation of a rainwater harvesting system, installation of a winery process wastewater recycling/reuse system, planting of additional new trees and vegetation;; installation of solar hot water heating system; installation of energy conserving lighting; installation of a cool/green roof; installation of water efficient fixtures, installation of water efficient landscape in compliance with the Water Efficient Landscape Ordinance (WELO); implementation of a sustainable purchasing and shipping program; and the installation of an electric vehicle charging station and bike racks. Through building design and siting (including building orientation) opportunities for natural heating, cooling, and lighting of interior spaces has been optimized, which also includes the proposed wine cave system. The project site is currently certified Napa Green Land and owner/Permittee, as part of this project, intends to become certified as a Napa Green Winery. Furthermore, the grapevines and cover crops in the existing and proposed vineyard, because they are photosynthetic plants and therefore have value in terms of carbon capture, tend to result in less soil CO₂ loss from vineyard soils which would assist in offsetting and minimizing potential GHG emissions. Also see **Sections III (Air Quality)** and **VII (Greenhouse Gas Emissions)** for additional discussion and disclosures.

As discussed in **Section XIV (Transportation/Traffic)**, the project trip generation was calculated from winery operations, where the calculated trips reflect visitation, on-site employees, and wine production trips generated by the winery. Under the Napa County General Plan, traffic volumes are projected to increase and will be caused by a combination of locally generated traffic as well as general regional growth. The General Plan EIR indicates that much of the forecasted increase in traffic on the arterial roadway network will result from traffic generated outside of the county, however the project would contribute a small amount toward the general overall increase. General Plan Policy CIR-16 states that "The County will seek to maintain an arterial Level of Service D or better on all County roadways, except where the level of Service already exceeds this standard...". As indicated in the Project's Amended Final Traffic Analysis (W-Trans, March 2018), the proposed project does not alter the exiting LOS on Dry Creek Road or Redwood Road in the vicinity of the project site, which are currently operating at a LOS of D or higher.

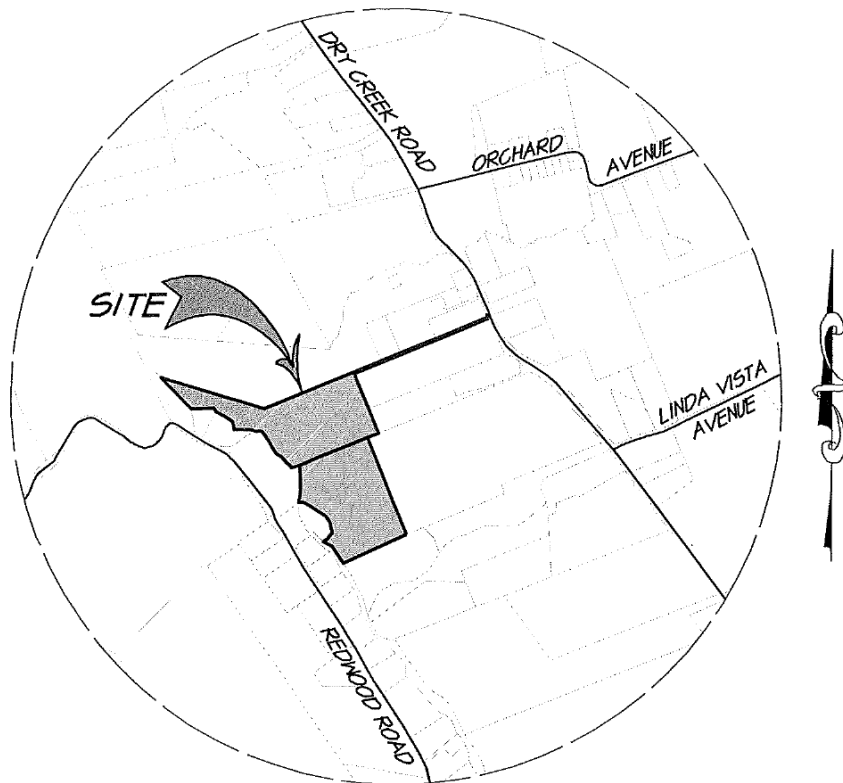
Regarding water use, as discussed in **Section IX (Hydrology and Water Quality)** the applicant/Permittee is committed to minimizing ground use as part of the project. With the implementation of the rainwater rain water harvesting system and winery process water recycling system the proposed project is anticipated to reduce its use of groundwater to 4.71 AF/yr during an average water years and 5.51 AF/yr during drought years. This level of use is also commensurate with anticipated recharged potential during drought conditions (5.29 AF/yr). Additionally, the proposed project may result in a theoretical reduction in groundwater use when comparing potential groundwater use expected as a result of implementation and operation of existing entitlements on the project site (6.49 AF/yr) to the proposed projects groundwater use (4.71 to 5.51 AF/yr). Furthermore, with implementation of standard and project specific groundwater conditions, cumulative impacts associated with groundwater use are not anticipated.

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

Mitigation Measures: None Required.

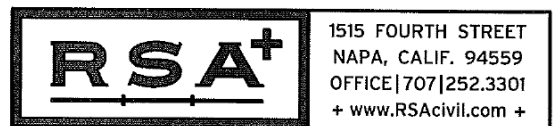
ANTHEM WINERY VICINITY MAP

NAPA COUNTY CALIFORNIA



VICINITY MAP

SCALE: 1" = 2000'



RSA+ | CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980