

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT
1195 3rd Street, Suite 210
Napa, Calif. 94559
(707) 253-4417

Notice of Intent to Adopt a Subsequent Mitigated Negative Declaration

1. **Project Title:** Grgich Hills Estate Use Permit Major Modification P08-00648-MOD and Variance P08-00656-VAR
2. **Property Owner:** Grgich Hills Cellar, Post Office Box 450, Rutherford, Calif. 94573
3. **Contact person and phone number:** Christopher M. Cahill, Project Planner, 707.253.4847, ccahill@co.napa.ca.us
4. **Project location and APN:** The project is to be located on a lot line adjusted 13 ¼ acre parcel located on the west side of State Highway 29, approximately ½ mile north of its intersection with Rutherford Cross Road (State Highway 128) within the AP (Agricultural Preserve) zoning district. Current APNs: 027-470-005 (3 acres) and 027-470-024 (21.5 acres). 1829 and 1849 St. Helena Highway, Rutherford, Calif. 94573
5. **Project Sponsor's Name and Address:** Violet Grgich, Grgich Hills Estate, Post Office Box 450, Rutherford, Calif. 94573, (707) 963.2784, violetta@grgich.com
6. **Hazardous Waste Sites:** This project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.

Project Description:

Variance № P08-00656-VAR

Approval of a Variance from required winery road setbacks to allow additions to an existing residence to create a winery hospitality center 285 feet from Hwy. 29 (600 feet required) and 250 feet from an unnamed private driveway (300 feet required) and additions to an existing barn to create a winery storage barn 360 feet from Hwy. 29 (600 feet required) and 110 feet from an unnamed private driveway (300 feet required).

Use Permit Major Modification № P08-00648-MOD

Ministerial Lot Line Adjustment to convert a 3 acre parcel and a 21 ½ acre parcel into a 13 ¼ acre parcel and a 11 ¼ acre parcel and a discretionary modification to Use Permit № U-407677, as previously modified by № U-297980, № U-28485, № U-90-3, № 94348-MOD, № 95639-MOD, № 98376-MOD, and № 99528-MOD, to allow the following on the resulting 13 ¼ acre parcel:

- conversion of and renovations to an existing 2,500 square foot residence to create a winery hospitality center, including installation of a commercial kitchen;
- phased additions to the proposed hospitality center totaling 3,733 square feet (for an eventual building area of 6,200 square feet);
- conversion of approximately .15 acres of vineyard into a winery hospitality center garden;
- conversion of and additions to an existing 1,800 square foot agricultural storage barn to create a 5,000 square foot barrel, case goods, and winery storage barn;
- widening and realignment of existing residential drives to provide access from the existing Grgich Hills Estate driveway entrance and to meet Napa County winery road standards (minimum 18 foot pavement widths);
- 3 new full time employees, legalization of 15 existing full time employees, and 2 new peak employees are proposed. The resulting total employment would be 38 full time employees, 12 part time employees, 8 employees located off-site, and up to 2 peak/event employees;

- Installation of a new sanitary sewage septic system;
- 22 additional parking spaces, for a total of 59;
- additional marketing events including three 75-person maximum private promotional tastings with meals per week, four 30-person maximum small private tastings with food pairings per week, and fifteen 100-person maximum private tasting events with meals annually; and
- updates and modifications to environmental mitigation measures and conditions of approval adopted with use permit U-90-3.

NOTE TO REVIEWERS: This document is also reviewing future ministerial actions under §15022 & §15268 of the State CEQA Guidelines as foreseeable projects, including all work associated with the construction of the proposed improvements and the ongoing operation of the winery facility as limited by the terms of any adopted use permit modification. Building permit application(s) for work associated with this project have not been submitted as of the date of this document.

PRELIMINARY DETERMINATION:

The Conservation, Development, and Planning Director of Napa County has tentatively determined that the following project would not have a significant effect on the environment as mitigated herein and the County intends to adopt a subsequent mitigated negative declaration. Documentation supporting this determination is contained in the attached Initial Study Checklist and is available for inspection at the Napa County Conservation, Development, and Planning Department Office, 1195 Third St., Suite 210, Napa, California 94559 between the hours of 8:00 AM and 4:45 PM Monday through Friday (except holidays).

September 28, 2009

DATE:



BY: Christopher M. Cahill

WRITTEN COMMENT PERIOD: September 30, 2009 through October 20, 2009

Please send written comments to the attention of Chris Cahill at 1195 Third St., Suite 210, Napa, Calif. 94559, or via e-mail to ccahill@co.napa.ca.us. A public hearing on this project is tentatively scheduled for the Napa County Conservation, Development, and Planning Commission at 9:00 AM or later on Wednesday, October 21, 2009. You may confirm the date and time of this hearing by calling (707) 253.4417.

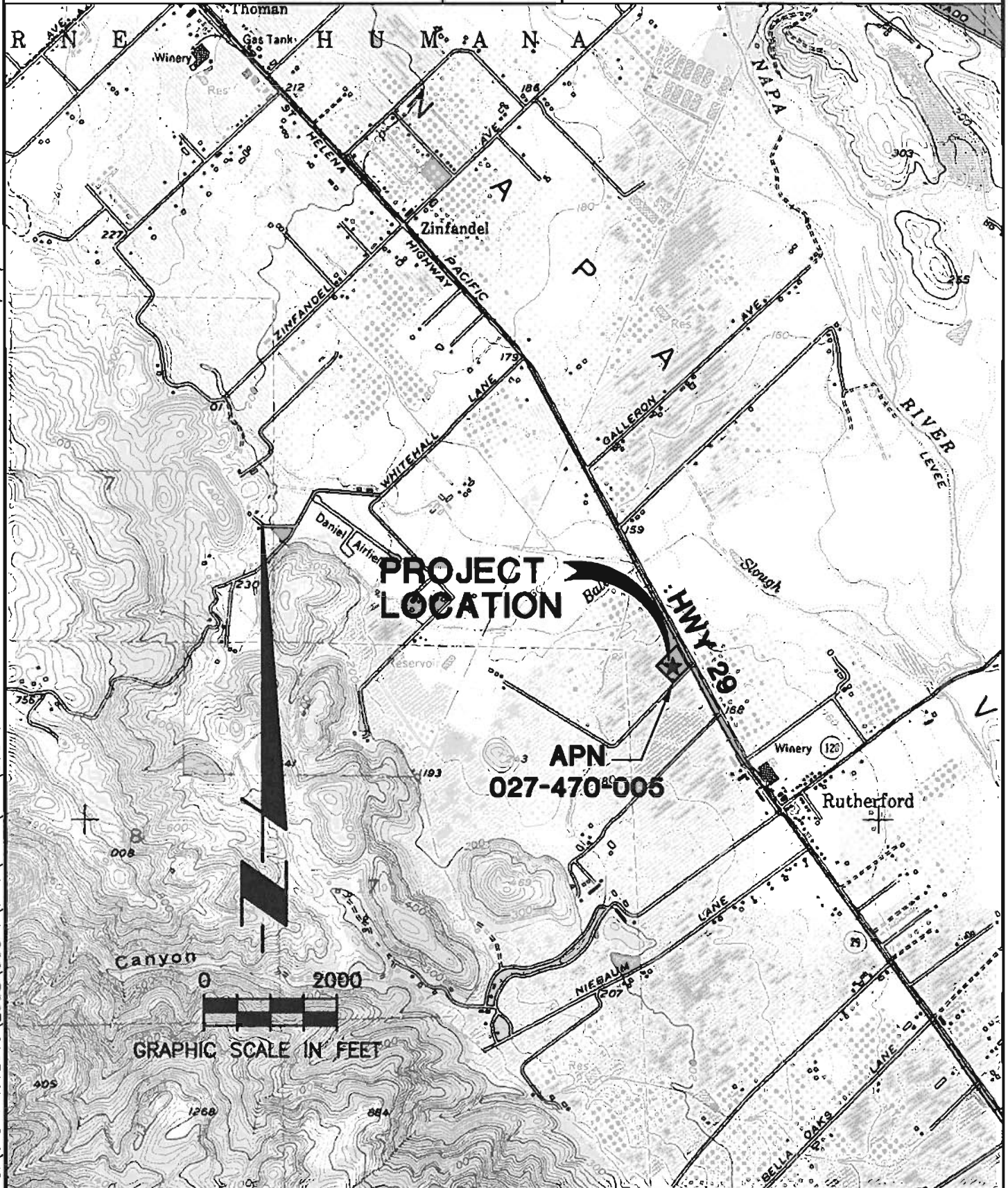
GRGICH HILLS WINERY
1829 ST. HELENA HWY
RUTHERFORD, CALIFORNIA
APN 027-470-005



VICINITY MAP

PROJECT NO. 2008043 DATE 07-23-08
BY RC CHK SL SHT NO 2 OF 2

G:\CAD PROJECTS\2008\08043\DWG\WWW\WAA\08043-WAA-MAP+VICINITY MAP.DWG PLOTTED ON: 7/28/2008 10:22:21 AM



SUMMIT ENGINEERING INC.

463 AVIATION BLVD. #200
SANTA ROSA, CA 95403

707.527.0775
FAX 707.527.0212

**GREGICH HILLS
WINERY PARCEL
APN 027-470-024
(13.24 ACRES)**



**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

DATE	06-17-08		GRIGICH HILLS WINERY 1828 ST. HELENA HWY RUTHERFORD, CALIFORNIA APN 037-470-005	<p>TOWN ENGINEERING INC.</p> <p>463 AVIATION BLVD #200 SANTA ROSA, CA 95403 Phone 707.527.0778 Fax 707.527.0210</p>
DRAWN BY	JR/JOHNSON			
CHECKED BY	JR/JOHNSON			
DESIGNED BY	JR/JOHNSON			
SCALE	AS SHOWN			
PROJECT NO.	7000-001	OVERALL SITE PLAN		
SHEET NO.	001			

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT
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Initial Study Checklist

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5. **Project Sponsor's Name and Address**
Violet Grgich, Grgich Hills Estate, Post Office Box 450, Rutherford, Calif. 94573, (707) 963.2784, violetta@grgich.com
6. **General Plan Description**
AR (Agricultural Resource)
7. **Current Zoning**
AP (Agricultural Preserve)
8. **Project Description**
Variance № P08-00656-VAR
Approval of a Variance from required winery road setbacks to allow additions to an existing residence to create a winery hospitality center 285 feet from Hwy. 29 (600 feet required) and 250 feet from an unnamed private driveway (300 feet required) and additions to an existing barn to create a winery storage barn 360 feet from Hwy. 29 (600 feet required) and 110 feet from an unnamed private driveway (300 feet required).

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- conversion of and additions to an existing 1,800 square foot agricultural storage barn to create a 5,000 square foot barrel, case goods, and winery storage barn;
- widening and realignment of existing residential drives to provide access from the existing Grgich Hills Estate driveway entrance and to meet Napa County winery road standards (minimum 18 foot pavement widths);
- 3 new full time employees, legalization of 15 existing full time employees, and 2 new peak employees are proposed. The resulting total employment would be 38 full time employees, 12 part time employees, 8 employees located off-site, and up to 2 peak/event employees;
- Installation of a new sanitary sewage septic system;
- 22 additional parking spaces, for a total of 59;
- additional marketing events including three 75-person maximum private promotional tastings with meals per week, four 30-person maximum small private tastings with food pairings per week, and fifteen 100-person maximum private tasting events with meals annually; and
- updates and modifications to environmental mitigation measures and conditions of approval adopted with use permit U-90-3.

9. Environmental Setting and Surrounding Land Uses:

The project is located on what is now a three acre parcel located on the west side of State Highway 29, or the St. Helena Highway, just north of Rutherford. The property is currently developed with a single family residence, a large agricultural storage barn, and two acres of producing vineyard. A lot line adjustment is proposed which would create a new 13 ¼ acre parcel, including all of the neighboring Grgich Hills Estate winery facilities and all of the existing three acre residential property. A second parcel, comprised of 11 ¼ acres of vineyard land located to the west of the newly-expanded winery parcel, would also be created.

Based on Napa County environmental resource mapping and the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), the project area, consisting of a combined 24.5 acres, includes soils classified as Clear Lake Clay (overwashed), Bale Clay Loam (0 to 2 percent slopes), and Bale Loam (0 to 2 percent slopes). The Clear Lake soil series is characterized by poorly drained soils on old alluvial fans and in basins where permeability is slow. The Bale series is characterized by somewhat poorly drained soils on alluvial fans, flood plains, and low terraces, where permeability is moderate. Erosion hazards amongst the three soil types are generally considered to be very limited. Native vegetation types in the project vicinity would have included annual grasses, forbs, willows, blackberry, and scattered oak. The subject property has a long history of agricultural use with 1940 aerial photos showing portions of the parcel planted to vineyards and what were presumably plum orchards. As of 1940, the remainder of the property appears to have been used for pasture.

Pursuant to a 1977 use permit (U-407677) and a series of use permit modifications approved thereafter, the Grgich Hills property is currently developed with a winery including open to the public tours and tastings, some additional by-appointment tasting facilities, and an annual production of 250,000 gallons. The winery production building, public and private tasting rooms, and winery offices are presently housed in a single approximately 56,000 square foot structure which is located some 200 feet to the southwest of State Highway 29 (the St. Helena Highway) and 460 feet from the private driveway located to the south of the property. As noted above, the project area also includes an existing 2,500 square foot residence and a 1,800 square foot agricultural storage barn, both of which are proposed to be expanded and converted to winery use. The existing residence is located less than 300 feet from both Highway 29 and the private driveway (when measured from the centerline of the respective rights-of-way) and the existing barn is located approximately 360 feet from Highway 29 and 110 feet from the private drive to its south. The remainder of the 24.5 acre project area is given over to a 37 car parking lot, drives, and

slightly more than 19 acres of producing vineyard. A Napa Valley Wine Train stop is located directly east of the Grgich Hills tasting room and production facility.

The two subject parcels are bounded by the Napa Valley Wine Train tracks and State Highway 29 on their eastern edge. Ca-29 is a major local and sub-regional transportation route which runs as an undivided two lane highway in the vicinity of the project with a two way center left turn lane which begins some 200 feet south of the Grgich Hills Estate entrance and ends approximately 100 feet to the north. An unnamed blue line stream, with its headwaters in Bear Canyon in the Mayacamas to the west, runs along the northwestern boundary of the existing Grgich Hills Estate parcel (APN 027-470-024, or the larger of the two existing parcels), eventually draining into Bale Slough and from thence into the Napa River just east of central Rutherford.

Land uses in the vicinity of the project are predominantly agricultural, with large areas dedicated to wine grape production. Other wineries located within ½ mile of the project area include Alpha Omega Winery (1155 Mee Lane, 144,000 gallons/year, public tours and tasting), Provenance Vineyards (1695 St. Helena Highway, 85,000 gallons/year, public tours and tasting), and Beaulieu Vineyards (1960 St. Helena Highway, 1,800,000 gallons per year, public tours and tasting). The PL (Public Lands) zoned Pestoni pomace facility is located less than ½ mile to the north of Grgich Hills Estate while Rutherford, with its pockets of CL (Commercial Limited) and RS (Residential Single) zoning, is located less than ½ mile to the south. Residential uses in the project area are fairly limited, with only a scattering of homes on large lots located in the immediate vicinity.

10. Other agencies whose approval is required: (e.g., permits, financing approval, or participation agreement).
N/A

Responsible (R) and Trustee (T) Agencies:

N/A

Other Agencies Contacted:


City of St. Helena, Department of Alcoholic Beverage Control, Caltrans District 4, Federal Taxation Trade Bureau

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions developed in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the Napa County Baseline Data Report, specific documents referenced herein, other sources of information included or referenced in the record file, comments received, conversations with knowledgeable individuals, the preparer's personal knowledge of the area, and visits to the site and surrounding areas. For further information, please see the permanent record file on this project, available for review at the offices of the Napa County Department of Conservation, Development, and Planning, 1195 Third Street, Napa, Calif.

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 SUBSEQUENT 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.


BY: Christopher M. Cahill
Project Planner
Napa County Conservation, Development, & Planning

September 28, 2009

Date

Environmental Checklist Form

	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 type="checkbox"/>	<input checked="" 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 other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the floor of the Napa Valley north of the village of Rutherford is defined by large expanses of vineyard set against a background of undeveloped hills. Set into this agricultural landscape is a low density scatter of winery and residential structures. The project includes the development of no new structures. While an existing residence and an existing agricultural barn are proposed to be remodeled and enlarged, the proposed winery hospitality center would retain much of its existing residential character with colors and materials generally mimicking the main winery building and the barn will continue to appear as an agricultural storage building with white stucco siding and a standing seam metal roof. Vegetation removal associated with this project would be limited to the removal of five pines now located between the winery parking lot and the existing residential driveway (necessary to provide a driveway connection between the winery and the new winery hospitality center) and less than 1/3 of an acre of vines (necessary to widen access drives and provide additional parking at the hospitality center and to create the proposed garden). Seen as a whole, nothing in this project will substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. The project is not in, nor is it near, any state scenic highway. Impacts related to scenic resources will be less than significant.
- d. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downwards with only low level lighting allowed in parking areas. The standard winery condition of approval relating to lighting states that;

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, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the

building is permitted. Architectural highlighting and/or spotting are not allowed. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. All lighting shall comply with the California Building Code.

With standard conditions of approval, this project will not create a substantial new source of light or glare.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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. Based on a review of Napa County environmental resource mapping (*Department of Conservation Farmlands, 2008* layer), the entirety of the project area is located on prime farmland. This application proposes the permanent removal of approximately 1/3 acre of vines to allow the construction of new and enlarged driveway and parking areas and other improvements. The lot coverage associated with winery buildings is also proposed to increase; however, the entirety of the proposed development will either be dedicated to active wine production or winery-accessory uses. General Plan Agricultural Preservation and Land Use policies Ag/LU-2 and Ag/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application will not result in the conversion of special status farmland to a non-agricultural use.
- b. The existing Grgich Hills winery parcel (APN 027-470-024) is currently subject to Williamson Act contract № 342-82, which was entered into on February 9, 1982. The contract allows, "facilities for the processing of agricultural products including, but not limited to wineries, dairies, dehydrators, and fruit and vegetable packing plants" subject to use permit approval. The property's AP (Agricultural Preserve) zoning likewise allows wineries and related accessory uses upon grant of a use permit. Because the second project parcel (APN 027-470-005) is not currently under Williamson Act contract and because a lot line adjustment is required to place the proposed winery hospitality building and storage barn on the same parcel, it will be necessary to amend the property's Williamson Act Contract to reflect the new parcel alignment prior to the activation of the requested use permit modification. A mitigation measure has been incorporated requiring recordation of new Williamson Act Contract prior to the initiation of any winery activities at the barn and/or converted residence.

- c. As discussed at items "a." and "b.", above, the winery and winery accessory uses proposed in this application are defined as agricultural by the Napa County General Plan and are allowed under the parcels' AP (Agricultural Preserve) zoning. Neither this project, nor any foreseeable consequence thereof, would result in changes to the existing environment which would result in the conversion of special status farmland to a non-agricultural use.

New Mitigation Measure(s):

1. Prior to issuance of a certificate of temporary or final occupancy for any building permit associated with this project, and prior to the initiation of any winery activities on the parcel now known as APN 027-470-005, the permittee shall complete and record an amended Williamson Act contract consistent with the rules and regulations governing that program.

Method of Mitigation Monitoring:

Mitigation Measure № 1 requires recordation of an amended agricultural contract prior to the issuance of a temporary or final certificate of occupancy for any building permit associated with the requested approval. If the mitigation measure is not complied with, the County will not grant occupancy for the new or newly renovated structures.

		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:

- a. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan. Wineries as proposed here are not producers of air pollution in volumes substantial enough to result in an air

quality plan conflict. The project site lies at the center of the Napa Valley, which forms one of the climatologically distinct sub regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. Over the long term, emissions resulting from the proposed project would consist primarily of mobile sources including production-related deliveries and visitor and employee vehicles traveling to and from the winery. The *Bay Area Air Quality Management Plan* states that projects that do not exceed a threshold of 2,000 vehicle trips per day will not impact air quality and do not require further study (BAAQMD CEQA Guidelines, p. 24). The modification proposed here includes 3 new full-time employees, the legalization of 15 full time employees currently on site, but not reflected in the existing use permit, and potentially 1 additional busiest day production truck pickup/delivery, meaning that difference between the baseline condition (existing permitted use) and this project should account for an additional 19 daily trips on a day with no marketing events (assuming 1 occupant per car for employees). As this application also proposes a number of new private marketing events including 75-person private promotional tastings with meals, 30-person small private tastings, and 100-person private tasting events, the marketing program could add up to 2 special event employee (catering staff, etc) trips and up to 39 trips (assuming 2.6 occupants per car) on one of the 15 days a year on which a 100-person private tasting event is proposed to occur. The resulting total of 60 additional project-related trips very closely parallels the 62 trips projected in the project traffic study's trip generation calculations and is well below the established threshold of significance. (It's worth noting here that this analysis assumes a condition of approval, standard in cases like this, that two marketing events may not occur on the same day. If such a condition isn't adopted, marketing visitor trip generation could rise to 79 trips, for a total of 100 additional project-related trips)

- b. Please see "a.", above. There are no projected or existing air quality violations in the area to which this proposal would contribute. The project would not result in any violations of applicable air quality standards.
- c. In 2006, the State Legislature enacted Assembly Bill 32, requiring the California Air Resources Board (CARB) to design measures and regulations to reduce greenhouse gas emissions statewide to 1990 levels by the year 2020. The measures and regulations to meet the 2020 target are to be put in effect by 2012, and the CARB rulemaking process is ongoing. For purposes of this analysis, CARB greenhouse gas regulations are treated as a relevant State ambient air quality standard.

Overall increases in greenhouse gas emissions in Napa County were assessed in the Environmental Impact Report prepared for the Napa County General Plan Update and certified in June 2008. Despite the adoption of mitigation measures that incorporated specific policies and action items into the General Plan, impacts from greenhouse gas emissions were found to be significant and unavoidable.

The construction and operation of the winery additions proposed by Grgich Hills Estate would certainly contribute to overall increases in green house gas emissions. Emissions would be generated by traffic to and from the site, energy use associated with buildings, and through the use of small engines and other equipment used to maintain and operate the winery. In addition, the project would slightly decrease baseline carbon sequestration via the removal of perhaps 1/3 acre of vines. However, on the whole, project-specific increases in greenhouse gas emissions are expected to be modest. The project would result in 62 new trips on a typical day (see *Traffic Analysis for a New Visitor Center Project at the Grgich Hills Winery on State Route 29 in Napa County*, George W. Nickelson P.E., June 5, 2009), a relatively limited number, and the increasingly stringent Title 24 energy conservation requirements imposed as part of the building permit process will minimize building-related emissions such as those generated by climate control, material off-gassing, and the like.

Neither the State nor the County has adopted explicit thresholds of significance for greenhouse gas emissions. While some might argue that *any* new emissions of greenhouse gasses could be significant under CEQA, pending amendments to State CEQA Guidelines suggest that agencies may consider the extent to which a project complies

with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Napa County is currently developing an emission reduction plan, and in the interim the County has asked that project applicants consider methods to reduce greenhouse gas emissions and to incorporate permanent and verifiable emission offsets, consistent with General Plan Policy CON-65(e). The current project incorporates greenhouse gas reduction methods and offsets including permeable paving, roof-mounted solar panels, use of recycled water, ultra efficient faucets and appliances, recycled building materials, and designs that take advantage of passive natural cooling and heating.

In light of the above-mentioned efforts, the relatively modest increase in emissions expected to result from the present project is considered to be less than significant. Additionally, consistent with State CEQA standards (see CEQA Guidelines §15183) because the project is consistent with an adopted General Plan for which an EIR was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than those cumulative impacts which were previously assessed by the General Plan EIR. The proposed project would not result in a cumulatively significant net increase in any criteria pollutant for which the project region is in non-attainment under any relevant ambient air quality standard.

- d. Emissions and dust associated with demolition and construction would be both minor and temporary and would have a less than significant impact on nearby receptors. Standard conditions of approval regarding dust suppression serve to limit any potential for impacts to a less than significant level.
- e. Earthmoving and construction activities required for project construction may cause a temporary degradation in air quality from dust and heavy equipment air emissions during the construction phase. While construction on the site will generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County standard condition of approval relating to dust;

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 during windy periods.

The area surrounding the subject property is largely given over to open space and agriculture, with no more than four residences located within 1,000 feet of the winery complex. The project will not create objectionable odors affecting a substantial number of people.

Mitigation Measure(s): No new mitigation measures are 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-d. Napa County Environmental Resource Mapping (*Red-legged Frog, Vernal Pools, CNDDB, Plant Surveys, and CNPS* layers) do not indicate the presence of candidate, sensitive, or special status species on or near the project site. The proposed improvements will occur in areas which are already disturbed by existing residential development and active viticultural uses. No portion of this project is proposed to occur within 700 feet of the unnamed blue-line stream which forms the northwestern boundary of the Grgich Hills Estate property. The project will not have an adverse impact on any special status species, will not impact riparian habitat or federally protected wetlands, and will not impact migratory species, wildlife corridors, or wildlife nursery sites.
- e. This application proposes the removal of five pines with diameters at breast height (dbh) ranging between nine and fourteen inches, however, the proposed project is not subject to any local policies or ordinances protecting biological resources, specifically including tree preservation policies and/or ordinances.
- f. There are no Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional, or state habitat conservation plans applicable to the subject parcel.

Mitigation Measure(s): No new mitigation measures are required.

	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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. According to Napa County Environmental Resource Mapping (*historic sites* layer), no historic resources are known to be located on or in the direct vicinity of the project site. The submitted cultural resources survey (Barrow, Eileen and Origer, Thomas, *A Cultural Resources Survey for the Proposed Grgich Hills Cellar Project, 1829 St. Helena Highway, Napa County, California*, April 30, 2009) indicates that the structures in the project area, "do not meet the eligibility criteria for the California Register of Historical Resources, and no further recommendations are warranted." Neither this project nor any foreseeable resulting ministerial activity will cause a substantial adverse change in the significance of a historic resource.
- b. According to Napa County Environmental Resource Mapping (*archaeology surveys, archeology sites, archeologically sensitive areas, and archeology flags* layers), portions of the subject property are located in a mapped archeologically sensitive area. In order to develop a more detailed and site-specific picture of this archeological sensitivity, the Planning Division requested that the applicants submit a professional archeological analysis. The applicant contracted with Tom Origer & Associates of Rohnert Park, who submitted the above-referenced April 30, 2009 cultural resources report. The Origer report does not identify any likely archeological resources in the project area. According Barrow and Origer, "no archeological resources were identified during this study; therefore, no resource specific recommendations are warranted." This project is unlikely to cause a substantial adverse change in the significance of any known archeological resource.
- c. No unique paleontological or geological features are known to be located on or in the vicinity of the project site. As a result, neither this project nor any foreseeable resulting ministerial activity will cause a substantial adverse change in the significance of a paleontological or geological resource.
- d. No formal cemeteries are known to exist within the project area and no evidence of historic and/or prehistoric Native American settlement was found on the site. Public Resources Code § 5097.98, Health and Safety Code §7050.5, and CEQA §15064.5(e) detail the procedures to follow in case of the accidental discovery of human remains, including requirements that work be stopped in the area, that the County Coroner be notified, and that the most likely descendants be identified and notified via the Native American Heritage Commission. Based on

the submitted cultural resources survey, any chance that the project might disturb human remains is less than significant.

Mitigation Measure(s): No new mitigation measures are 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- ai. There are no known faults on the project site as shown on the most recent Alquist-Priolo earthquake fault map. As such, the proposed facility would result in a less than significant impact with regard to rupturing a known fault.
- aii. All areas of the Bay Area are subject to strong seismic ground shaking. The new and/or renovated hospitality and storage buildings must comply with all the latest building standards and codes at the time of construction,

including the California Building Code, which will function to reduce any potential impacts to a less than significant level.

- a.iii. No subsurface conditions have been identified on the project site that would indicate a high susceptibility to seismic-related ground failure or liquefaction. Napa County Environmental Resource Mapping (*liquefaction* layer) indicates that the project area is generally subject to a moderate tendency to liquefy. The new and/or renovated hospitality and storage buildings must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which would reduce any potential impacts related to liquefaction to a less than significant level.
- a.iv. Napa County Environmental Resource Maps (*landslide line, landslide polygon, and landslide geology* layers) do not indicate the presence of landslides or slope instability on this flat valley floor property.
- b. Based on Napa County environmental resource mapping and the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), the project area, consisting of a combined 24.5 acres, includes soils classified as Clear Lake Clay (overwashed), Bale Clay Loam (0 to 2 percent slopes), and Bale Loam (0 to 2 percent slopes). The Clear Lake soil series is characterized by poorly drained soils on old alluvial fans and in basins where permeability is slow. The Bale series is characterized by somewhat poorly drained soils on alluvial fans, flood plains, and low terraces, where permeability is moderate. Erosion hazards amongst the three soil types are generally considered to be very limited. The proposed project will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance, which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.
- c.-d. Holocene fan deposits underlie the surficial soils in the project area. Based on Napa County Environmental Sensitivity Mapping (*liquefaction* layer) the project site has a moderate liquefaction predilection. Construction of the facility must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which will function to reduce any potential impacts to a less than significant level.
- e. The Napa County Department of Environmental Management has reviewed this application and recommends approval based on the submitted wastewater feasibility report and septic improvement plans. Soils on the property have been determined to be adequate to support the proposed septic improvements. No additional production is proposed (actual production levels are somewhat below the permitted 250,000 gallon per year level) and, therefore, no changes to the existing process wastewater treatment and disposal system are required.

Mitigation Measure(s): No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 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 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.-b. A Hazardous Materials Management Plan will be required by the Department of Environmental Management prior to occupancy of the new winery facility. Such plans provide information on the types and amounts of hazardous materials stored on the project site. The proposed project would not result in a release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile of the project site; the closest school is the St. Helena Cooperative Nursery School, which is located almost ¾ mile to the south.
- d. Napa County environmental resource mapping (*hazardous facilities* layer) indicates that there is a 1,000 gallon agricultural underground storage tank located on the smaller 027-470-005 parcel. According to Department of

Environmental Management files, the tank has not been used since approximately 1999. Because the tank is less than 1,100 gallons and used primarily for agricultural or home heating purposes, it is exempt from regulations and is not deemed a hazardous waste site. There is no record of a release. Because there is some possibility that future construction could accidentally impact the tank, a mitigation measure has been incorporated which requires that the tank be located and a tank location plan be submitted as part of any building permit application associated with this approval. With required mitigation, risks associated with the tank and with any accidental discharge of hazardous materials should be less than significant.

- e.-f. The project site is not located within two miles of any airport, be it public or private.
- g. The project has been designed to comply with emergency access and response requirements and has been reviewed by the Napa County departments responsible for emergency services; it will not have a negative impact on emergency response planning.
- h. The project is located in an area dominated by intensive irrigated agriculture. Risks associated with wildland fire in the direct vicinity are quite low; and to the extent they exist they are primarily associated with smoke related damage to wine grapes (smoke taint) and not with risks to life or structures. The Napa County Fire Marshal has reviewed this application and believes there is adequate fire service in the area. This project will not expose people or structures to a significant risk of loss, injury or death involving wild-land fires.

New Mitigation Measure(s):

- 2. Prior to the issuance of a building permit for any construction associated with this project, the permittee shall have the onsite agricultural underground storage tank located and shall submit a site plan depicting the tank for the review and approval of Building, Planning, and Environmental Management. If construction is proposed which may impact the tank, it must be removed and appropriately disposed of.

Method of Mitigation Monitoring:

Mitigation Measure № 2 requires the permittee to submit a tank location plan prior to the issuance of a building permit. If the mitigation measure is not complied with, the County may not issue a building permit for the proposed work.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. 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"/>

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

Discussion:

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. No changes to the existing process wastewater system are proposed. The proposed domestic wastewater system would incorporate a grease interceptor, a septic tank with effluent filter, an AdvanTex pretreatment system, and ultimate disposal via either subsurface drip (2,760 square feet) or a pressure distribution system (5,000 square feet). The Napa County Department of Environmental Management has reviewed the proposed domestic wastewater system and recommends approval as conditioned. Additionally, the applicant will be required to obtain all necessary permits from the Napa County Department of Public Works, including a Stormwater

Pollution Management Permit. The permit will provide for adequate on site containment of runoff during storm events through placement of siltation measures around the development area.

- b. 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 on the submitted phase one water availability analysis, the 13.25 acre post-lot-line-adjustment parcel which would result from the project has a water availability calculation of 13.25 acre feet per year (af/yr). Existing water usage on the parcel is approximately 10 af/yr, including .75 af/yr for residential use, 6.63 af/yr for the winery, 2.4 af/yr for established vineyards, and 0.25 af/yr for landscaping. This application proposes abandonment of the residential use (.75 af/yr) and its replacement with .26 af/yr of water use associated with the proposed winery hospitality center. As a result of the foregoing, annual water demand for this parcel would actually decrease to 9.54 af/yr. Based on these figures, the project would be below both existing water extraction levels and the established threshold for groundwater use on the resulting parcel. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

- c.-e. There are no existing or planned stormwater systems that would be affected by this project. The project will likely disturb slightly less than one acre of land, however, if it ultimately does result in more than an acre of disturbance, the permittee will be required to comply with the requirements of the Regional Water Quality Control Board addressing stormwater pollution during construction activities. The area surrounding the project is pervious ground that is planted to vineyards and has the capacity to absorb runoff.
- f. There is nothing included in this proposal that would otherwise substantially degrade water quality. As discussed in greater detail at, "a.," above, the Department of Environmental Management has reviewed the sanitary wastewater proposal and has found the proposed system adequate to meet the facility's septic needs as conditioned. No information has been encountered that would indicate a substantial impact to water quality.
- g.-i. According to Napa County environmental resource mapping (*Floodplain and Dam Levee Inundation* layers), a portion of the project area is located within the Conn Dam inundation area and a slightly smaller, but generally coterminous, portion is located within the 100 year floodplain. Development actually located within these two areas is to include renovations to the existing residence (to allow conversion in to a winery hospitality center) and driveway improvements. The remainder of the project, including the proposed additions to the winery hospitality center-to-be, the renovated and enlarged storage barn, septic improvements, and new parking areas, are to be located outside of the floodplain and dam inundation areas. Improvements actually within the 100-year floodplain must meet the requirements of the building code and floodplain management ordinance, which will function to reduce any impacts associated with flooding to a less than significant level
- j. In coming years, higher global temperatures are expected to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The Intergovernmental Panel on Climate Change estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). However, the project area is located at approximately 168 feet in elevation and there is no known history of mud flow in the vicinity. The project will not subject people or structures to a significant risk of inundation from tsunami, seiche, or mudflow.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. 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 type="checkbox"/>	<input checked="" 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 proposed project is located in an area dominated by agricultural and open space uses and the improvements proposed here are in support of the ongoing agricultural use of the property. This project will not divide an established community
- b. The subject parcel is located in the AP (Agricultural Preserve) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. With the winery road setback variances requested here, the project would be fully 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 AR (Agricultural Resource), 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 fully consistent with the Napa County General Plan.

The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two complimentary policies requiring that new wineries, "...be designed to convey their permanence and attractiveness." (General Plan Agricultural Preservation and Land Use Policy AG/LU-10 and General Plan Community Character Policy CC-2). The buildings proposed here are generally of a high

architectural quality and are fully in keeping with the design of the existing winery structure. The proposed winery additions will convey the required permanence and attractiveness.

- c. There are no habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures: No new mitigation measures are required.

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

Discussion:

- a.-b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (*Mines and Mineral Deposits*, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on or near the project site. The nearest known resource is the former Bella Oaks quicksilver mine, located several miles to the southwest.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. 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 ground-borne vibration or ground-borne 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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.-d. The proposed project will result in a temporary increase in noise levels during the project construction phase. Construction activities will be limited to daylight hours using properly muffled vehicles; noise generated during this time is not anticipated to be significant. The proposed project would not result in long-term significant construction noise impacts. Construction activities would generally occur during the period between 7 am and 7 pm on weekdays- normal waking hours. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (N.C.C. Chapter 8.16).

Noise from winery operations is generally limited; however, the proposed marketing plan could create additional noise impacts. The submitted marketing plan includes a number of weekly and annual events, some of which would include up to 100 visitors. The Napa County Exterior Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a rural residence as 45 db between the hours of 10 p.m. and 7 a.m. While the 45 db limitation is strict (45 db is roughly equivalent to the sound generated by a quiet conversation), the area surrounding the subject property is very lightly developed, with only a scattering of homes on large lots located in the immediate vicinity. Continuing enforcement of Napa County's Exterior Noise Ordinance by the Department of Environmental Management and the Napa County Sheriff, including the prohibition against outdoor amplified music, should ensure that marketing events and other winery activities do not create a significant noise impact.

- e.-f. The project site is not located within an airport land use plan nor is it within two miles of a public airport or private airstrip.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The applicant is requesting approval to allow 18 new (or newly permitted) on site full time employees, no new part time employees, and 2 additional "peak season" 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 additional employee positions which are part of this project will almost certainly lead to some population growth in Napa County. However, 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 will be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.
- b.-c. One existing housing unit is proposed to convert to winery use via this application. While the proposal would result in the loss of housing, in practice, given the county's projected low to moderate growth rate and overall adequate programmed housing supply, the loss of that dwelling unit is not deemed significant either individually or cumulatively. This application will not displace a substantial volume of existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. 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 as the Grgich Hills Estate winery is already in full operation, the additional demand placed on existing services should be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire and Public Works Departments have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-b. This application proposes new marketing events, construction of new winery facilities and systems, and some additional on-site employment. No portion of this project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities. This project does not include recreational facilities that would have a significant adverse effect on the environment.

Mitigation Measures: No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. 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 (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 result 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) Result in inadequate parking capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-b. The site is located on State Highway 29, approximately 1/2 mile north of Rutherford. State Highway 29 is the major north-south route through the Napa Valley and is an undivided two lane highway with a two way center left turn lane which begins some 200 feet south of the Grgich Hills Estate entrance and ends approximately 100 feet to the north. The paved shoulders adjacent to the Grgich Hills Estate entrance are additionally striped to function as deceleration and acceleration tapers. The applicant has submitted a traffic study (*Traffic Analysis for a New Visitor Center Project at the Grgich Hills Winery on State Route 29 in Napa County*, George W. Nickelson P.E., June 5, 2009) which analyzes existing and proposed traffic conditions and provides the basis for this analysis.

According to Caltrans traffic counts, Highway 29 north of Rutherford Road (State Highway 128) sees an average daily traffic volume of 21,500 vehicles with 23,700 daily vehicles during the peak month and a peak hour traffic volume of 1,900 vehicles. Based on counts taken at the existing winery driveway on June 23 and 24, 2009, typical existing flows along CA-29 in the area are generally in the level of service (LOS) "C" to "D" range, with peak month/peak hour flows degenerating into the "D" range. This indicates that during peak periods, the highway is nearing capacity. As analyzed in the submitted focused traffic study, the increases in employment and marketing and by-appointment tours and tasting visitation proposed in this application would result in 62 additional daily trips on the day of a 75 person marketing event. (The 75 person scenario is chosen as the typical peak scenario, despite the fact that fifteen 100-person events are proposed annually, because at a rate of slightly more than one a month, these larger events would occur irregularly enough not to be considered regular traffic generators. While 75-person events would occur up to three times a week, 30-person events would, in fact, be slightly more common.) Quoting from the submitted report;

(w)ith project trips distributed comparable to existing flows (about 60% to/from the south and 40% to/from the north), the project traffic would add about 0.9% to the baseline peak hour volumes on SR 29. This change would not be measurable within the typical daily fluctuations in traffic, and traffic operations would be unchanged.

According to the Nickelson analysis, the baseline-plus-project condition resulting from this project would be a LOS of "D," which would remain within the acceptable range. Under a cumulative-plus-project analysis, the LOS at Highway 29 in the vicinity of the project would degrade to "F," an unacceptable LOS. However, under a straight cumulative analysis, the LOS would also be "F" and the project contribution to that known unacceptable cumulative service level is less than 1%. As confirmed by traffic engineer in his September 16 addendum to the project traffic study (*Employee Assumptions Used in the Traffic Analysis for a New Visitor Center Project at the Grgich Hills Winery on State Route 29 in Napa County*, George W. Nickelson P.E., June 5, 2009), while actual employment numbers at the Grgich winery exceed permitted baseline numbers, "no significant impacts would occur with a (baseline) employment level (set) at the original... 20 full time and 12 part time employees." As a result, project impacts on traffic loading and levels of service are deemed not to be considerable. However, the entirety of the Nickelson analysis is premised on the scheduling of marketing events such that no trips are added during peak hours. In order to insure that traffic impacts are less than significant, it is therefore necessary to institute a mitigation measure requiring that events be scheduled outside of identified peak traffic periods. Given that mitigation, traffic impacts should be less than significant both individually and cumulatively.

- c. This proposed project would not result in any change to air traffic patterns.
- d.-e. No change to access to and from the property is proposed in this application; access is proposed to remain at the existing Grgich Hills Estate driveway entrance. The submitted traffic study analyzes existing vehicle speeds ("critical vehicle speed") on Highway 29 near the winery entrance and determines that at the observed 51 mile per hour peak period critical vehicle speed, the roadway currently provides more than the required 430 foot line of sight stopping distance. Additionally, the Napa County Fire Marshall has reviewed this application and identified no significant impacts; he recommends standard conditions with regard to driveway improvements

and emergency access. Project impacts related to traffic hazards and emergency access are expected to be less than significant.

- f. The Grgich Hills Estate currently has 37 approved parking spaces, with 18 dedicated to customers and 19 for employees (see CDPD Staff Report, Use Permit Minor Modification #99528, January 12, 2001). Materials submitted with this application indicate that the facility currently has 17 customer parking spaces and 20 employee spaces. As the discrepancy between the two is quite minor, we are treating the 17 plus 20 actual condition as the baseline for this analysis. The project proposes the addition of 22 additional parking spaces, of which 12 would be dedicated to customers and 10 would be dedicated to employees. The resulting, total, parking proposed here is 59 spaces, including 29 customer spaces and 30 employee spaces. As analyzed in the project traffic study;

With new parking provided as part of the project and a loss of parking due to the new internal circulation connection, there would be a net gain of 22 striped parking spaces. These spaces, together with 37 existing winery spaces, would accommodate the needs of the typical 75 person tastings expected with the project (75 persons/ 2.4-2.6 persons per vehicle). Other paved areas could accommodate parking needs for employees and the potential monthly 100 person tasting.

Assuming 2.4 persons per vehicle, approximately 31 visitor parking spaces will be required for the maximum 75 person three-times-weekly marketing events. This would leave 28 parking spaces available for employees and open-to-the public visitation. In practice, the facility would be somewhat under-parked; leaving a limited number of parking spaces open for unscheduled open-to-the-public visitation should a marketing event occur during public hours. However, the nature of open-to-the-public visitation is such that potential visitors, if presented with a full parking lot, will simply move on to the next winery. On margin, this would have the effect of limiting visitation to the site. As a statement of general policy, Napa County attempts to limit the size of parking lots in our agriculturally designated lands. In almost every case, we would prefer to see prime farmland in agricultural use and not covered in macadam.

It is clear, however, that 59 parking spaces are inadequate on any day on which multiple marketing events might occur at the same time, potentially raising marketing event visitation well above 100 persons. To address this potentially significant parking shortage, a mitigation measure has been incorporated limiting multiple marketing events which might occur at the same time. A second mitigation measure is incorporated requiring off site parking and a shuttle service for events greater than 100 persons.

- g. There is no aspect of this proposed project that would conflict with any adopted policies, plans or programs supporting alternative transportation.

New Mitigation Measure(s):

3. Any newly-approved private tours and/or tasting events and all marketing events proposed in the Marketing Plan submitted as part of Use Permit Modification application P08-00648/Variance application P08-00656 shall begin and end outside of identified peak traffic hours (4:00 PM to 6:00 PM on weekdays and 1:00 PM to 3:00 PM on weekends).
4. The 30, 75, and 100 person marketing events proposed in this project shall be scheduled such that no 30 or 75 person event shall occur on the day of a 100 person event and no two 75 person events may occur on the same day.
5. If any event is held which will exceed the requested 59 on-site parking capacity, the applicant shall arrange for off-site parking and shuttle service to the winery. Off-site parking is presumed to be necessary for any event with a visitation of more than 100 persons, unless adequate alternate measures (such as staggered arrival times) are proposed which would render approved on-site parking adequate.

Method of Mitigation Monitoring:

Mitigation Measures № 3, 4, & 5 will, and can only, be enforced on a complaint-based basis.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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. The project will not exceed wastewater treatment requirements as established by the Regional Water Quality Control Board and will not result in a significant impact on the environment relative to wastewater discharge. Wastewater disposal will be accommodated on-site and in compliance with State and County regulations.
- b. This application proposes a new domestic wastewater system incorporating a grease interceptor, a septic tank with effluent filter, an AdvanTex pretreatment system, and ultimate disposal via either subsurface drip (2,760 square feet) or a pressure distribution system (5,000 square feet). The Napa County Department of Environmental Management has reviewed the proposed domestic wastewater system and recommends approval as conditioned. Required wellhead setbacks and ongoing monitoring of the facility's wastewater systems by the Department of

Environmental Management should reduce any impacts on water quality to less than significant levels. Given the location of proposed wastewater treatment improvements in areas already developed to vineyard, their construction will not result in significant environmental impacts over permitted baseline levels.

- c. The project will not require or result in the construction of new storm water drainage facilities or an expansion of existing facilities which would cause a significant impact to the environment.
- d. As discussed at the **Hydrology and Water Quality** section, above, this project will reduce groundwater usage.
- e. Wastewater will be treated on-site and will not require a wastewater treatment provider.
- f. The project will be served by a landfill with sufficient capacity to meet the project's demands. No significant impact will occur from the disposal of solid waste generated by the project.
- g. The project will comply with all federal, state, and local statutes and regulations related to solid waste.

Mitigation Measure(s): No new mitigation measures are required.

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

Discussion:

- a. The project would have a less than significant impact on wildlife resources. As analyzed above, no sensitive resources or biologic areas will be converted or affected by this project. Also as analyzed above, the project would

not result in a significant loss of native trees, native vegetation, or important examples of California's history or pre-history.

- b. As discussed above, and in particular under **Air Quality and Transportation/Traffic**, the proposed project does not have impacts that are individually limited, but cumulatively considerable.
- c. As mitigated herein, there are no environmental effects caused by this project that would result in substantial adverse effects on human beings, whether directly or indirectly. No hazardous conditions resulting from this project have been identified. The project would not have any environmental effects that would result in significant impacts.

Mitigation Measure(s): No new mitigation measures are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. SUBSEQUENT MITIGATED NEGATIVE DECLARATION				
a) Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e) Has new information of substantial importance been identified, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted which shows any of the following:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents have declined to adopt the mitigation measure or alternative. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents have declined to adopt the mitigation measure or alternative. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a.-e. New potentially significant environmental effects resulting from proposed changes, altered severity, altered conditions, or new information are addressed in their respective sections above. The following is a list of existing, adopted, mitigation measures with proposed deletions ~~struck through~~ and proposed additions *italicized*. A discussion of the proposed changes follows either the relevant mitigation measure or the mitigation measure class. Excepting those items specifically addressed below, there are no changes proposed in this project which will require major revisions to previous environmental documents.

Existing (Previously Adopted) Mitigation Measure(s):

Use Permit #0-90-3, approved October 19, 1990

"Noise (Construction Noise Annoyance)"

~~An on-site noise compliance officer who is responsible for noise control and mitigation measure implementation shall be designated prior to the initiation of any work on site. The person designated shall be indicated on the plans submitted.~~
(Use Permit #0-90-3, Mitigation Measure No 1.)

~~Outdoor noise producing construction activities shall be limited to weekdays between 7:00 AM and 5:00 PM.~~ (Use Permit #0-90-3, Mitigation Measure No 2.)

~~All construction equipment shall be properly and adequately muffled or acoustically shielded at all times. All noisy stationary construction equipment shall be placed as distant as possible from nearby residences.~~ (Use Permit #0-90-3, Mitigation Measure No 3.)

Discussion

A combination of the noise regulations at Napa County Code Chapter 8.16 and standard winery conditions of approval have supplanted adopted #0-90-3 mitigation measures 1-3 and the construction contemplated under Use Permit #0-90-3 has long-since been completed.

"Aesthetics (Light & Glare Annoyance)"

~~6. Light shields in substantial conformance with the attached schematic shall be installed on all new light standards. Any existing light standards replaced in the future shall substantially conform to the attached schematic. Shield installation shall be completed prior to occupancy.~~ standard requirement that they 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, and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. (Use Permit #0-90-3, Mitigation Measure № 4.)

Discussion

The above change updates lighting mitigations to the now-standard Napa County language regarding exterior lighting. The requirement that existing fixtures be updated as-replaced remains in place.

"Public Safety (Traffic Hazard Exposure)"

~~A northbound left turn lane along with acceleration and deceleration tapers shall be installed on Highway 29 at its intersection with the driveway to the subject winery and be operational prior to any expansion of this winery's production capacity beyond present levels. Conformance with this requirement shall be evidenced through submission to the Napa County Conservation Development and Planning Department in December of each year of the BATF Monthly Report of Wine Cellar Operations (Form 5120.17) showing winery production for that year. The design of the required turn lane and tapers shall be acceptable to and approved by the State Department of Transportation. (Use Permit #0-90-3, Mitigation Measure № 5.)~~

Discussion

The required turn lane has been installed.

7. The driveway to the expanded winery shall ~~be~~ remain at least 20 feet wide along its entire length and the first 300 feet off Highway 29 shall be paved. ~~Any widening or paving needed shall be completed within 240 days of use permit approval. (Use Permit #0-90-3, Mitigation Measure № 6.)~~

Discussion

The mitigation measure has been amended to require that the existing drive permanently remain at a width of at least 20 feet. Requirements relating to the timing of the now-complete driveway improvements have been deleted.

"Traffic (Congestion Increases)"

8. The visitor and retail facilities at the expanded winery shall be closed to the general public between 4:00 PM and 6:30 PM on weekdays and 4:30 PM and 6:00 PM on weekends. A sign readily and easily readable by the passing motoring public on Highway 29 indicating that the winery is closed shall be placed out at 4:00 PM on weekdays and 4:30 PM on weekends. No tours and/or tasting shall be initiated between these hours. (Use Permit #0-90-3, Mitigation Measure № 7.)

Discussion

No change.

9. Tours of the winery shall be conducted by prior appointment only *and* shall be conducted entirely *and solely* between the hours of ~~10:00~~ 9:00 AM - 3:30 PM. ~~, and shall not exceed two per day until the improvements identified in (5) above are installed and operational.~~ (Use Permit #0-90-3, Mitigation Measure № 8.)

Discussion

The mitigation measure has been amended, at the applicants' request, to replace 10 AM with 9 AM as an allowed opening hour for public tours. The weekday morning peak hours on Ca-29 are known to be 7AM to 9 AM (see, for instance, Mark Crane, *Traffic Impact Study for Vintners' Village Hotel*, draft 6/16/09) and as a result, no additional peak hour trips would be generated by the requested change. Requirements tying the then-proposed tours to the completion of turn lane improvements have been deleted as the turn lane is now in place.

10. No dinners, festivals, or other marketing events shall be held at the expanded winery that begin or end during peak travel periods (between 4:00 and ~~6:30~~ 6:00 PM on weekdays and 1:00 PM and 3:00 PM on weekends). (Use Permit #0-90-3, Mitigation Measure № 9.)

Discussion

The mitigation measure has been amended, at the applicants' request, to utilize the peak hours as analyzed in the project traffic study.

11. The fact that the subject winery has displays of art or items of historical, enological or viticultural significance, or other special attractions shall not be promoted nor advertised. This prohibition shall apply to any promotional literature or brochures the winery publishes or advertisements in trade or general circulation publications it places. (Use Permit #0-90-3, Mitigation Measure № 10.)

Discussion

No change.

12. Normal work hours for 30% of the subject winery's employees shall be scheduled to avoid travel to or from the winery during peak traffic periods (between 4:00 and ~~6:30~~ 6:00 PM on weekdays and between ~~4:30 and 6:00~~ 1:00 and 3:00 PM on Saturdays and Sundays). This restriction shall be maintained year-round except during the crush when it shall be maintained to the greatest extent feasible. (Use Permit #0-90-3, Mitigation Measure № 11.)

Discussion

The mitigation measure has been amended, at the applicants' request, to utilize the peak hours as analyzed in the project traffic study.

13. Winery employees shall be encouraged to carpool to the greatest extent practical. *Prior to issuance of a certificate of final occupancy for any improvements associated with P08-00648 &/or P08-00656, the permittee shall institute an employee trip reduction program including provisions incentivizing employee carpooling and other forms of commuting to and from work that do not involve the use of single- occupancy vehicles.* (Use Permit #0-90-3, Mitigation Measure № 12.)

Discussion

The mitigation measure adopted in 1990 has no enforcement mechanism and offers no meaningful way in which to monitor the mitigation measure as required by CEQA. The language added above requires actual initiation of a trip reduction program prior to the issuance of a final certificate of occupancy for the improvements proposed here.

14. All routine pick-up and delivery of supplies and products shall be scheduled on weekdays between 7:00 AM and 4:00 PM except during crush. Moreover, the pickup and delivery of supplies and products shall be scheduled to the greatest extent feasible outside the hours when the winery is open for tours, tasting or retail sales, or when guests are likely to be

arriving or departing from dinners, festivals, or other marketing events held at the winery. (Use Permit #0-90-3, Mitigation Measure № 13.)

Discussion

No change.

15. Grapes shall normally be transported to the expanded winery in 8 ton or larger loads. (Use Permit #0-90-3, Mitigation Measure № 14.)

Discussion

No change.

"Traffic (Parking)"

16. ~~The proposed thirty-five (35) space parking lot at the subject winery shall be improved within 240 days of use permit approval to provide twenty (20) marked, improved spaces reserved exclusively for employee use. Said spaces shall be physically separated from the fifteen (15) remaining visitor spaces and shall be clearly labeled for employee use only. One of the visitor spaces shall be designed for bus use. The proposed 59 space parking areas shall include one space designed and sized for bus use. All improved parking spaces provided shall meet Napa County Public Works Department standards as to size, surfacing, etc. (Use Permit #0-90-3, Mitigation Measure № 15.)~~

Discussion

The revisions incorporated here update the approved number of parking spaces to the 59 proposed in this application. Requirements that employee and guest parking spaces be strictly segregated are deleted at the applicants' request to allow flexibility during after-regular-hours (meaning after the open to the public tasting room closes at 4:30 PM) events, which can include up to 100 guests. Additionally, and as discussed under Transportation/Traffic item "f.," above, the winery is proposed to be under-parked and therefore requires some additional flexibility in its use of its somewhat limited parking facilities.

17. No additional parking spaces beyond ~~35~~ 59 shall be created without prior approval of a modified use permit. (Use Permit #0-90-3, Mitigation Measure № 16.)

Discussion

The revisions incorporated here update the approved number of parking spaces to the 59 proposed in this application.

18. Parking of vehicles on-site outside the ~~35~~ 59 improved parking spaces present shall be prohibited except during:

- a) crush, when seasonal vineyard employees may park outside improved parking areas;
- b) the week of the Napa Valley Wine Auction;
- c) the annual, one day July 4th Independence Day New Wines Tasting Celebration;
- d) the annual, one day Blessing of the Grapes Celebration;
- e) private tasting events of up to 100 people, with food service catered or prepared on-site, limited to 15 such events per year;
- f) the annual, one day Special Anniversary Celebration; and
- g) emergencies.

Readily perceivable "No Parking" signs shall be installed and maintained as necessary in other areas where people might park, including but not limited to, along the edges of the driveway to the expanded winery. (Use Permit #0-90-3, Mitigation Measure № 17.)

Discussion

The mitigation measure has been amended, at the applicants' request, to add the proposed 15 annual 100-person private tasting events to the list of exempted events during which vehicles may park outside of the approved 59 parking spaces. As analyzed under "Transportation/Traffic," above, mitigation measures № 2, 3, & 4 mitigate parking and traffic impacts related to the newly proposed marketing plan to a less than significant level.

19. The parking of vehicles along Highway 29 frontage of the subject property shall be prohibited. "No Parking" signs shall be installed and maintained as necessary. (Use Permit #0-90-3, Mitigation Measure № 18.)

Discussion

No change.

20. Adequate facilities shall be provided on-site for the loading, unloading, and turn-around of all delivery trucks serving the expanded winery. ~~Said facilities shall be completed within 240 days of use permit approval.~~ These loading and turn-around areas shall neither have direct access off a public or common private road nor shall they use any part of such a road. (Use Permit #0-90-3, Mitigation Measure № 19.)

Discussion

Loading facilities are in place and time framing requirements are no longer necessary.

"Public Health (Insect Annoyance)"

21. Pomace from the subject winery that is applied to vineyards shall be mixed into the soil within 7 days of application, weather permitting, unless it is properly composted in compliance with Environmental Management Department guidelines. Stockpiling and field application of pomace and other waste materials within 200 feet of any dwelling not located on the winery property shall be prohibited. (Use Permit #0-90-3, Mitigation Measure № 20.)

Discussion

No change.

"Public Safety (Fire Hazard Exposure)"

~~Smoke detector systems acceptable to and approved by the Napa County Fire Chief shall be installed in the subject winery within 120 days of occupancy of the new winery building. In processing areas, monitored heat detectors may be substituted for the required smoke detectors. (Use Permit #0-90-3, Mitigation Measure № 21.)~~

~~A copy of a "hazardous materials business plan" meeting Napa County Environmental Management Department guidelines shall be placed at a location on site that is acceptable to and approved by the Napa County Fire Chief within 120 days of use permit approval. (Use Permit #0-90-3, Mitigation Measure № 22.)~~

Discussion

Standard Fire Marshal and Department of Environmental Management conditions of approval adequately address requirements for smoke detectors and hazardous materials management, reducing associated impacts to a less than significant level. In addition, the 120 day period established by these mitigation measures has long since elapsed. The Use Permit #0-90-3 mitigation measures relating to public safety have been deleted.