



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 10/24/2017

Agenda Placement: 6J

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: Barbette Ruffino, STAFF SERVICES MANAGER - 299-1330

SUBJECT: Approval of a Fifth Amendment to a Professional Services Agreement with Ascent Environmental, Inc for environmental review of Yountville Hill Winery

RECOMMENDATION

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 170484B (formerly Agreement No. 8271) with Ascent Environmental, Inc. extending the term of the agreement until June 30, 2018 with no additional changes to the terms or scope of work.

EXECUTIVE SUMMARY

On February 10, 2015 the Board of Supervisors approved a Professional Services Agreement (PSA) with Ascent Environmental, Inc., an environmental consulting firm, for purposes of assisting the County in preparing an environmental impact report in accordance with CEQA for the Yountville Hill Winery. On June 23, 2015 the Board approved Amendment No. 1 to the PSA to evaluate the Applicant's requested lower intensity alternative to the proposed project at an equal level of detail. On September 9, 2015 the Board approved Amendment No. 2 to the PSA to provide additional air quality and aesthetic analysis related to construction of the lower intensity project alternative. On June 21, 2016 the Board approved Amendment No. 3 to prepare additional photo simulations to determine if the lower cave portals are visible from Highway 29 and evaluate any potential impacts. On May 9, 2017 the Board approved Amendment No. 4 to provide additional funding for Ascent to prepare a revised Draft EIR for recirculation in response to comments received on the original Draft EIR (issued on July 1, 2016) and provide additional project details to the public and decision-makers, which is supported by the Applicant.

This amendment would extend the term of the agreement until June 30, 2018. There is no financial impact to the County for this amendment and no additional services are requested.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On July 2, 2014, the Planning Commission adopted a Mitigated Negative Declaration and approved an application for a use permit and related approvals submitted by Yountville Hill Winery/CS2 Wines, LLC (the Applicant) for a new winery with an annual production capacity of 100,000 gallons located on a 10.9 acre project site located on the east side of State Route 29 approximately ¼-mile south of the Yount Mill Road / State Route 29 intersection (the Winery).

On July 30, 2014, subsequent to the Planning Commission's decision, a Notice of Intent to Appeal was filed by Save Yountville Hill, Maryann Moffitt, Christian Moueix and Ren Harris (Appellants) to the Planning Commission's decision to approve the Winery.

Applicant and Appellants attempted to resolve the appeal through mediation. Despite their efforts, the mediation was unsuccessful. Because some of the issues raised by Appellants warranted further environmental analysis, Staff and the Applicant believed that an environmental impact report was necessary to more fully evaluate the potential environmental impacts associated with the Winery project. The Project approvals were rescinded by the Board on December 16, 2014. At that same meeting, the Board, with the support of the Applicant and Appellants, directed Staff to initiate preparation of an environmental impact report for the Winery project.

On February 10, 2015 the Board of Supervisors approved a PSA for Ascent Environmental, Inc., to assist the County in the preparation of an environmental impact report in accordance with CEQA. Since the approval of the original PSA, the Applicant requested that an alternative to the proposed project be evaluated at an equal level of detail. On June 23, 2015 the Board approved Amendment No. 1 to the PSA to provide Ascent the necessary additional funding to undertake the requested analysis. On September 9, 2015 the Board approved Amendment No. 2 to the PSA to provide additional air quality and aesthetic analysis related to construction of the lower intensity project alternative. On June 21, 2016 the Board approved Amendment No. 3 to prepare additional photo simulations to determine if the lower cave portals are visible from Highway 29 and evaluate any potential impacts. Amendment No. 4 approved on May 9, 2017 provided additional funding for Ascent to prepare a revised Draft EIR for recirculation in response to comments received on the original Draft EIR (issued on July 1, 2016) and provide additional project details to the public and decision-makers, which is supported by the Applicant. The Applicant will reimburse the County for the full cost of this amendment

This fifth amendment would merely extend the term of the agreement so that all invoices for work performed thus far may be processed for payment. No additional services are requested.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi