



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/10/2015

Agenda Placement: 6L

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

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

REPORT BY: Sean Trippi, Principal Planner - 299-1353

SUBJECT: Approval of 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 an Agreement with Ascent Environmental, Inc. for a maximum of \$186,578 for the term February 10, 2015 through June 30, 2015, with an automatic rollover for up to two additional one year terms for purposes of assisting the County in conducting environmental review under the California Environmental Quality Act (CEQA) of the Yountville Hill winery.

EXECUTIVE SUMMARY

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 (the "Winery").

Approval of this agreement will allow the County to retain Ascent Environmental, Inc., an environmental consulting firm, for purposes of assisting the County in preparing an environmental impact report in accordance with CEQA. The Applicant has requested that the County enter into this agreement and retain AES. The Applicant will reimburse the County for the full cost of this agreement. The Applicant has submitted a deposit in the amount of twenty five percent (25%) of the contract dollar amount.

FISCAL IMPACT

Is there a Fiscal Impact? Yes

Is it currently budgeted?	No
What is the revenue source?	The contract costs associated with the preparation of the CEQA document will be provided by the applicant as described in the agreement. All County staff costs associated with managing the agreement and the processing of the use permit application will be fully reimbursed by the applicant on a time and materials basis as set forth in the fee schedule.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	The administration of the agreement will extend into the next fiscal year. Revenue and expenditures will be budgeted accordingly.
Consequences if not approved:	If the agreement is not approved, the County will be unable to conduct the required CEQA review for the use permit application and ultimately will not be able to act of the project.

Additional Information:

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

The Applicant has applied for a use permit to establish a new winery new winery 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.

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 warrant further environmental analysis, Staff and the Applicant believe that an environmental impact report is 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, 2015. At that same meeting, the Board, with the the support of the Applicant and Appellants, directed Staff to initiate preparation of an environmental impact report for the Winery project.

The Applicant has requested that the County retain Ascent Environmental, Inc. to assist the County in preparing an environmental document in accordance with CEQA. The Applicant will reimburse the County for the full costs of retaining Ascent to assist with the project.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan