



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 5/9/2017

Agenda Placement: 6M

## NAPA COUNTY BOARD OF SUPERVISORS

### Board Agenda Letter

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**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 Fourth Amendment to a Professional Services Agreement with Ascent Environmental, Inc. for environmental review of Yountville Hill winery

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#### **RECOMMENDATION**

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170484B-17 (formerly Agreement No. 8271) with Ascent Environmental, Inc. increasing the amount by \$212,896 for a new maximum of \$449,809 and amending the scope of work to include preparation of a revised Draft EIR for recirculation including additional traffic analysis and photo simulations as part of the environmental review under the California Environmental Quality Act (CEQA) for the Yountville Hill winery.

#### **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. 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.

This amendment would 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. The Applicant will reimburse the County for the full cost of this amendment.

**FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	170002 Applicant CEQA Reviews includes appropriations based on average expenditures for consulting service over the year. Any required adjustments due to a higher than average need for consulting services would be brought for Board of Supervisors authorization.
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 on 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**

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.

This fourth amendment would 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. The Applicant will reimburse the County for the full cost of this amendment.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi