

**COUNTY OF NAPA  
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT  
1195 THIRD STREET SUITE 210  
NAPA, CA 94559  
(707) 253-4417**

**Initial Study Checklist**

1. **Project Title:** Schlatter Family Estate, Micro-Winery Use Permit P24-00217-UP
2. **Property Owner:** Rene Schlatter, Schlatter Family Estate, LLC  
1111 Conn Valley Road, St. Helena, CA 94574; (707) 968-3417
3. **County Contact Person:** Andrew Amelung, Planner II, Planning, Building & Environmental Services, 1195 Third Street, Second Floor, Napa, CA 94559. Phone: (707) 253-4307; Email: [andrew.amelung@countyofnapa.org](mailto:andrew.amelung@countyofnapa.org)
4. **Project Location and Assessor's Parcel Number (APN):** The project site is on an approximately 35.82-acre parcel near the intersection with Rossi Rd, located at 1111 Conn Valley Road, St. Helena, CA 94574. APNs: 025-180-083-000 (Project Site) & 025-180-082-000 (Access & Adjacent Vineyards).
5. **Project Sponsor:** Rene Schlatter, 1111 Conn Valley Road, St. Helena, CA 94574. Phone: (707) 968-3417; Email: [rschlatter@merryvale.com](mailto:rschlatter@merryvale.com). Jarrod Denton, Signum Architecture, 1675 2<sup>nd</sup> Street, Napa, CA 94559. Phone: (707) 531-7653; Email: [jarrod@signumarchitecture.com](mailto:jarrod@signumarchitecture.com)
6. **General Plan Designation:** Agriculture, Watershed & Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background / Project History:**  
Schlatter Family Estate, LLC owns two parcels that make up approximately 68.03 acres with existing vineyards on site. On the primary parcel (35.82 acres) where the winery development will occur (APN: 025-180-083-000) vineyard development (approximately X acres) occurred that predates adoption of the County's Conservation Regulations (County Code Chapter 18.108) which governs the planting and replanting of vineyards. After adoption of the Conservation Regulations, an ECP Track I and an ECP Track II, for 21.7 acres of additional vineyards and the replanting of existing vineyards, were approved on September 4, 1996 (96061 – Merryville Vineyards). These included vineyard blocks on both APN 025-180-082-000 & 025-180-083-000. On July 7, 2017, an ECP Track II was approved for an additional 24.6 acres of vineyard replanting on both parcels (P17-00246 – Schlatter Family Estate). Approximately 7.22 acres of vineyard exists on APN: 025-180-082-000, and approximately 22.05 acres of vineyard exists on APN: 025-180-083-000. In 2021, a building permit was issued for the repair and replacement of a 100-amp electrical panel for the existing agricultural well on APN 025-180-082-000 (BC21-01411-ELC).
9. **Project Description:** The applicant is seeking approval of a Micro-Winery Use Permit for a new 5,000 gallon per year winery in a 4,998 square-foot Type III cave, with 3,798 square feet of production area and 1,200 square feet of hospitality and accessory area. The proposed winery includes tours and tastings for a maximum of 18 visitors per day from 10am to 5pm, with no marketing events, two (2) full-time employees and winery related infrastructure and improvements. The project is requesting an exception to the Napa County Road and Street Standards for sections of the driveway constrained by steep slopes and an existing ephemeral watercourse. Two live oaks are to be removed along sections of the driveway to accommodate horizontal clearance for emergency vehicles.
10. **Project Details:** The project proposal includes the following:  
  
New Cave Construction and an Exterior ADA Walkway and Entry  
The proposed winery cave structure includes: one (1) covered crush pad (624 square feet); one (1) cave entryway (551 square feet); one (1) office and laboratory (243 square feet); one (1) staff room (207 square feet); one (1) fermentation

room (1,380 square feet); one (1) barrel chai (1,968 square feet); one (1) ADA compliant restroom (87 square feet); one (1) hospitality terrace (683 square feet); one (1) wine library (1,138 square feet); one (1) ADA compliant accessory restroom (62 square feet); one (1) pump room (204 square feet); one (1) water storage room (320 square feet), one (1) exterior crush pad entry (912 square feet – hardscape), and one (1) walkway to the crush pad (649 square feet – hardscape).

#### Improvements and Widening of Existing Roads

The proposed project includes: improvement of the existing driveway from Conn Valley Road to the new cave portal to accommodate emergency vehicle access and turnaround; one (1) ADA parking space (339 square feet); two (2) additional parking spaces; the use of an existing gravel area for additional parking as needed; and a request for an exception to the Napa County Road and Street Standards for sections of the driveway constrained by an existing ephemeral watercourse and steep slopes.

#### Wine Production

The proposed project includes a 5,000-gallon production capacity with fermentation on site. All production, including fermentation, barrel aging, and bottling, will occur within the proposed cave and covered crush pad, using 100 percent estate fruit grown on the property.

#### Daily Tours & Tastings and Employment

The proposed project includes tours & tastings for a maximum of 18 visitors per day, with visitation days and hours of Monday to Sunday, 10am to 5pm (no marketing events). The proposed micro-winery will have up to two (2) full-time employees.

#### Domestic Wastewater System

The proposal also includes a new domestic wastewater system, with domestic water treated and dispersed through a subsurface drip system.

### **11. Existing Conditions and Environmental Setting:**

The project site is on a 35.82-acre parcel (APN: 025-180-083-000) with access through a 32.21-acre parcel (APN: 025-180-083-000), located at 1111 Conn Way Road, approximately 0.23 vehicle miles from the intersection of Conn Way Road and Rossi Road. The proposed cave is situated approximately 980 feet from Conn Creek, while the project well is located approximately 1,570 feet from Conn Creek. Existing development includes approximately 29.27 acres of vineyard including vineyard avenues and accessory improvements, an existing access driveway and the existing project well. According to Napa County Vegetation Mapping System, the two parcels consist of approximately 28.44 acres of combined agricultural development, approximately 18.6 acres of Douglas fir coniferous forest, approximately 7.5 acres of oak woodland forest (3.29 acres of Blue Oak woodland, 2.9 acres of Coastal Live Oak woodland, 1.24 acres of mixed oak woodland), and 2.89 acres of White Leaf Manzanita shrubland. A small section of vineyard and existing olive trees will be removed to accommodate the two cave entry portals. An existing agricultural well located on the project parcel (APN: 025-180-083-000) will be the water source for the proposed uses, which is also currently providing irrigation water for the existing vineyards.

The project site is located near a mountain ridge approximately 1,000 feet southeast of Conn Valley and 1,800 feet north of Spring Valley, with general topography ranging between  $\pm 5$ -50 percent slope and parcel elevations between approximately 480-700 feet above mean sea level. An ephemeral watercourse begins at the edge of a vineyard block within Douglas fir coniferous forest approximately 80 feet north of the project site, which meets the 35-foot setback per NCC §18.108.025. The proposed micro-winery development area is not located within a designated floodplain area. The project site is split between two watersheds, with the northern section of the site draining northeast into Lake Hennessey and the south section draining south into tributaries of the Napa River.

The nearest fault is a section of Fault 62500 located approximately 1.46 miles southeast of the project site and runs in a northwest-southeast direction away from the project along the southern shoreline of Lake Hennessey. Soils on the project site have been classified according to the Soil Survey of Napa County (USDA 2014, USDA 1978, and USDA 1972) as Forward-Kidd complex (11-60 percent slope) and Forward silt loam (12-57 percent slope).  
(Napa County PBES GIS General App: Project Parcel (APN: 025-180-083-000))

The surrounding area consists of existing vineyards and rural residential uses to the north, east, south and west of the project parcels, with the nearest offsite residence located 530 feet east of the proposed hospitality terrace. To the north the topography gradually slopes downward into Conn Valley, and to the south gradually downward into Spring Vally and eventually into the Napa Valley floor. Heitz Wine Cellars is located on the parcel to the south approximately 0.38 miles from the project site in Spring Valley, while Eagles Trace winery is located approximately 0.43 miles to the north in Conn Valley. Further up Conn Valley to the east is Mansfield Winery and Seavey Vinyard approximately 0.75 miles east of the project site, while Joseph Phelps Vineyards is located approximately 0.77 miles to the west.



(Napa County PBES GIS General App: Project Parcel (APN: 025-180-083-000))

12. **Other Agency Approval Required:** (e.g., permits, financing approval, or participation agreement).

The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

**Responsible (R) and Trustee (T) Agencies**

California Department of Fish and Wildlife (CDFW) (T)  
Air Resources Board (R)  
Regional Water Quality Control Board (Regional Water Board) (R)  
California Department of Forestry and Fire Protection (T)  
State Water Resources Control Board (R)  
CalTrans (T)

**Other Agencies Contacted**

Middletown Rancheria  
Mishewal Wappo Tribe of Alexander Valley  
Yocha Dehe Wintun Nation

13. **Tribal Cultural Resources:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?

Tribal Notification letters were mailed out on January 16, 2025 to the Tribal Historic Preservation Officers of Middletown Rancheria, Yocha Dehe, and Mishewal Wappo, with the 30-day response period ending on February 15, 2025. Prior to the closure date, tribal consultation was requested by both the Middletown Rancheria and Mishewal Wappo. Once informed of the two requests, Middletown Rancheria opted to defer consultation to Mishewal Wappo on February 12, 2025. After submitting a Cultural Resource Evaluation at the request of both Napa County and Mishewal Wappo, which

found no evidence of tribal cultural resources on site, a follow up tribal consultation meeting was held on March 26, 2025, where both parties agreed to enter a tribal monitoring agreement.

**Note:** Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

## ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant and filed by the applicant in conjunction with Use Permit P24-00141, as well as the environmental background information contained in the permanent Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559.

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a (SUBSEQUENT) NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

July 23, 2025  
\_\_\_\_\_  
Date

Name: Andrew Amelung, Planner II  
Napa County Planning, Building and Environmental Services Department

I.	<b>AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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) Would the project have a substantial adverse effect on a scenic vista?

and

- b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

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, this area is defined by a mix of vineyard, winery, and residential uses. The project would not result in a substantial damage to scenic resources, including trees and rock outcroppings, or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently developed with approximately 29.27 acres of vineyard including vineyard avenues and accessory improvements, an existing access driveway and the existing project well.

The project will not have a substantial adverse effect on scenic vistas in the area. In terms of aesthetic resources and scenic vistas, the Napa County General Plan provides the definition of “viewshed” as the area which can be seen (or “viewed”) from a designated roadway or vantage point, while NCC §18.106.020 defines “Substantial Views” as views of a structure wherein fifty-one percent or more of the area facing the designated (Napa County viewshed) road(s) can be seen.

Given that the proposed project is primarily underground, with more than fifty-one percent of the above-ground development occurring out of view from the only visible viewshed road from the property – State Highway 29, the project will not have a significant impact on scenic vistas. Furthermore, the section of the proposed project that is within view of State Highway 29 (the 683 square-foot hospitality terrace) will not be distinguishable from the viewshed road due to its small size, the 2.34-mile distance and 500-foot increase in elevation, as well as the muted earthtones of the project proposal (See Plan Set Sheet A4.01). Because of this, there will be a less than significant impact on scenic vistas and scenic resources.

Less Than Significant Impact.



- c) Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The majority of the proposed development will be screened by existing landforms as well as natural and non-native vegetation.

A small section of the project parcel is visible from publicly accessible vantage points located at various points on the western watershed area of Napa Valley leading up to the Mayacama Mountains. Despite this, the applicant has chosen to place the majority of the project and operating use area within the proposed wine cave where it will be out of site with the existing vineyard block above. The only section of the proposed project that is located on an area that may be visible from these vantage points across the Napa Valley has been designed to blend in with the natural setting through the application of muted colors including “pebble” ((P) Concrete Davis Color Pebble 641) and “bronze” ((P) Metal Fascia 24GA Min. Color Bronze), and will be situated in a location that is heavily screened and shaded by existing vegetation. Because of this, the project will not have a significant impact on existing visual characters or the quality of public views.

#### Less Than Significant Impact

- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project has the potential to create a new source of substantial light or glare which may adversely affect day or nighttime views in the area. The project site is located on a hillside east of Napa Valley near the City of St. Helena, and any new source of substantial light or glare may be noticeable to residents within the general vicinity. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downward, with only low-level lighting allowed in parking areas. As designed, and as subject to the standard conditions of approval, below, the project will not have a significant impact resulting from new sources of outside lighting on nighttime views. The most prominent and likely unintentional source of light would be glare caused by any reflective surfaces used in the construction of the hospitality terrace, which could have adverse effects on daytime views. Despite this, standard Napa County condition of approval 6.3(c) states that colors used for the roof, exterior walls and built landscaping features of the project shall be limited to non-reflective earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. As such, the project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

#### 6.3 LIGHTING – PLAN SUBMITTAL

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

- c. *The Permittee shall comply with following measures to minimize impacts of the proposed project on day or nighttime views in the area: The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to **non-reflective** earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.*

Less Than Significant Impact

Mitigation Measures:

**None Required**

II. AGRICULTURE AND FOREST RESOURCES. <sup>1</sup> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>1</sup> "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

Discussion:

- a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project will not be converting Farmland to non-agricultural use. The production and hospitality facilities associated with the proposed project are located on two ends and entry portals of a proposed cave, with the location of each portal to be placed on what is now existing vineyards. The property has a California Resources Agency FMMP designation as Unique Farmland. Unique Farmland can be described as areas with lesser quality soils used for the production of the state's leading agricultural crops, in this case vineyards. The proposed project would not conflict with existing zoning for agricultural uses as Napa County 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 (Napa County Ordinance 947 (Ord. 947)) as an agriculture use. As such, the project proposal constitutes a conversion of one agricultural use to another accessory agricultural use according to the Napa County Code and will have no impact on FMMP Farmland.

No Impact

- b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. According to Ord. No. 947 (the WDO) the marketing of wine as well as (winery accessory) uses are activities that are not only necessary to retain agriculture as a major source of income and employment in Napa County, but will also ensure the continued agricultural viability of existing and future Napa Valley Vineyards. As proposed, the project is consistent with the requirements and definitions found in Ord. No. 947 and NCC Title 18 – the Zoning Ordinance, regarding the development of wineries, specifically those of NCC Section 18.08.377 – Micro-winery. Concerning the Williamson Act, neither the project parcel (APN: 025-180-083-000) nor the access parcel (025-180-083-000) are in a contract with the County of Napa for agricultural preservation, and the proposed project would not inhibit either parcel from being eligible from a Williamson Act contract in the future. Because of this, there will be no impact on existing zoning for agricultural use or any Williamson Act contract in place.

No Impact

- c) Would the project conflict with existing zoning for or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?

The project will not conflict with existing zoning for forest land or timberland zoned Timberland Production. The parcel is zoned AW (Agricultural Watershed), which is primarily applied to areas of the county where the predominant use is agriculturally oriented and where watershed areas, reservoirs and floodplain tributaries are located. According to Napa County GIS Biological Vegetation data, the two parcels consist of approximately 28.44 acres of combined agricultural development, approximately 18.6 acres of Douglas fir coniferous forest, approximately 7.5 acres of oak woodland forest (3.29 acres of Blue Oak woodland, 2.9 acres of Coastal Live Oak woodland, 1.24 acres of mixed oak woodland), and 2.89 acres of White Leaf Manzanita shrubland. While sections of the project fall upon area identified as coniferous woodland, primarily the hospitality terrace and walkway to the crush pad entry, no native tree removal will occur in this area, while two non-native olive trees will be removed at the location of the portal. This level of development does not conflict with existing zoning or cause rezoning of forest land or timberland and will have no impact.



No Impact

- d) Would the project result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?

The project would not result in the loss of forest land, and the section of coniferous forest land as identified in the Napa County GIS Biological Vegetation data where the hospitality terrace and walkway are proposed does not involved any native tree removal and is of a manner that will not significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefit. Aside from necessary tree removal for the driveway to meet the vertical clearance for emergency vehicles requirements of the Napa County Road and Street Standards, and exceptions from width requirements of the Road and Street Standards where tree removal is not feasibly, the project will be retaining over 99 percent of the existing forest land and understory that exists on the parcel, and as such will have a less than significant impact on these resources.

Less Than Significant Impact

- e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

Based on the classification of wineries and accessory winery uses as an agricultural use according to the Napa County Code Title 18 and the Winery Definition Ordinance 947, the project will not result in the conversion any existing farmland to non-agricultural use and will have no impact on the conversion of FMMP Farmland.

Less No Impact

Mitigation Measures:

**None Required**

III.	<b>AIR QUALITY.</b> 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:	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These thresholds

are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAQMD's updated CEQA Guidelines (updated May 2012). The thresholds are advisory and may be followed by local agencies at their own discretion.

The thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

The Air District published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's 2015 opinion in *Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Ca 4th 369.

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts: CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022. The proposed thresholds to evaluate GHG and climate impacts from land use projects are qualitative, therefore there is no bright-line (quantitative) level to mitigate below. Projects that decline to integrate qualitative design elements can alternatively demonstrate consistency with a local Greenhouse Gas (GHG) Reduction Strategy that meets the criteria of the State CEQA Guidelines section 15183.5(b).

There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

These thresholds of significance changes can be used by agencies as guidelines for determining climate impacts from projects subject to CEQA. However, agencies are not required to abide by these thresholds, as they are only guidelines. Please refer to Section VIII - Greenhouse Gas Emissions.

- a) Would the project conflict with or obstruct implementation of the applicable air quality plan?
- and
- b) Would the project 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?

The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa

Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, In Your Community: Napa County, April 2016).

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO<sub>x</sub> and ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead and sulfur dioxide (SO<sub>2</sub>), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, it will contribute an insignificant amount of air pollution and will not result in a conflict or obstruction of an air quality plan. The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

Less Than Significant Impact

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

In the context of CEQA, sensitive receptors are locations where individuals are particularly vulnerable to the effects of environmental impacts on air quality, and examples include schools, daycare centers, hospitals, convalescent facilities, and elderly housing. With the remote location of the proposed project, there are no identified sensitive receptors within one mile of the project site. The closest school to the project site is the St. Helena Montessori School located 2.08 miles west of the project site. The closest hospital is Adventist Health St. Helena located 4.1 miles northwest of the project site. Furthermore, the project proposes 5,584 square feet of production use area and 1,883 square feet dedicated to accessory hospitality and administrative uses, with 1,900 square feet of hardscape including the 912 square-foot crush pad. When compared to the BAAQMD's screening criteria of 541,000 square feet for general industry and 47,000 square feet for high quality restaurants, the project does not reach the established thresholds for significant impacts on air quality or a threat to sensitive receptors. Of note, a high-quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.

Less Than Significant Impact

- d) Would the project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Potential air quality impacts will most likely result from construction activities related to cave development and portal construction. Construction emissions will have a temporary effect; consisting mainly of dust during construction activities, exhaust emissions from construction equipment and vehicles, and relatively minor emissions from paints and coatings used during development. Grading and cave spoils will result in the off hauling of soils. These potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit and/or building permit review process. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

#### 7.1 SITE IMPROVEMENTS

##### c. AIR QUALITY

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

- 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.*
- 4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- 6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- 7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
- 8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

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

#### 7.1 SITE IMPROVEMENTS

##### b. DUST CONTROL

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

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive odor receptors. The closest residence is approximately 375 feet to the east of the proposed winery cave and is shielded by vineyards, topography, and oak woodland forest. Construction-phase pollutants will be reduced to a less than significant level by the

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

Less Than Significant Impact

Mitigation Measures:

**None Required**

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

Discussion:

The following Napa County Geographic Information System (GIS) Sensitivity Maps/layers were utilized in this biological resources assessment: Sensitive biotic vegetation groups, U.S. Fish and Wildlife (USFWS) Critical Habitat, California Natural Diversity Database (CNDDB), Owl Habitat, Wetlands and Vernal Pools, Vegetation, Soil types, U.S. Geological Survey Quadrangle (DRG), and Aerial Photos.

A list of special-status plant and animal species that have the potential to occur within the vicinity of the project site was compiled based on data in the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS, 2023) for Rutherford and the eight surrounding quadrangles USGS 7.5-minute topographic quadrangles, as well as personal communication with CDFW personnel, VegCamp maps, and the Napa County *Baseline Data Report* (Napa County, 2005). The U.S. Fish and Wildlife Service (USFWS) list of endangered and threatened species and Critical Habitat record was also searched for the project site (USFWS, 2023). The CNDDDB Spotted Owl Observations Database (CNDDDB 2023) and Western Bat Working Group (WBWG) Species Matrix (WBWG 2023).

- a) Would the project 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 Wildlife or the U.S. Fish and Wildlife Service?

The proposed project site is located on an area of previously disturbed agricultural land that was/is? planted in vineyard. According to the Napa County Vegetation Mapping System, and the Manual of California Vegetation classification system (Thorne et al. 2004), the primary project site is classified as agriculture where surface ground disturbance will occur at the cave portal entrance and crush pad. An area that had been previously cleared during vineyard development is currently inhabited by non-native olive trees at the site of the hospitality terrace. A section of these olive trees will be removed in order to construct the hospitality terrace, however no native tree species will be removed at the project site. An ADA compliant exterior path approximately 210 feet long will connect the two portals and will be situated in areas of coniferous woodland with no proposed tree removal.

According to the California Natural Diversity Database (CNDDDB), created by the California Department of Fish and Game's Biogeographic Data Branch (BDB), no candidate, sensitive, or special status species are identified on the project parcel. The nearest occurrence of a candidate, sensitive, or special status species is the Jebson's leptosiphon (*leptosiphon jepsonii*), an annual herb that is found only in California. The Jebson's leptosiphon was observed approximately 2,022 feet to the southwest of the project site on a neighboring parcel. The CNDDDB designated a 1,000-foot radius for the Jebson's leptosiphon as an identified area where occurrences are possible. This 1,000-foot radius ends approximately 145 feet from the property line and approximately 1,022 feet from the proposed project. Other candidate, sensitive or special status species within the vicinity of the project site include Clara Hunt's milk-vetch (*astragalus claranus*) and Sharsmith's western flax (*hesperolinon sharsmithiae*), however according to CNDDDB data they are not identified as a possible occurrence on the project parcel.

In order for the driveway to meet the vertical clearance for emergency vehicle requirements of the Napa County Road and Street Standards, two coastal live oak trees will be removed from the parcel as they inhibit the vertical clearance space required for emergency vehicles. The applicant has identified these two trees on submitted site plans and will be replacing them at a 3:1 replanting ratio. This meets the requirements of the Conservation Regulations described in the Napa County Code (NCC) §18.108.020 for tree removal in the Agricultural Watershed (AW) zoning district. With these guidelines in place for the two oak trees to be removed, and the previously disturbed nature of the project site, the proposed project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.

Less Than Significant Impact with **Mitigation Measure BIO-1 & BIO-2:**

**Mitigation Measure BIO-1 (Nesting Birds & Raptors):** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss of and disturbance to nesting birds or raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For tree removal and earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC §18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat in the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven days prior



to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

- b. *After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.*
- c. *In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County Conservation Division and the USFWS and/or CDFW.*
- d. *Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.*
- e. *Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment, audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.*
- f. *If construction, vegetation removal or earth-disturbing activities are to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.*

**Mitigation Measure BIO-2 (Special-Status Bat Species):** *Prior to commencement of any construction, vegetation removal or earth-disturbing activities associated with any future development on the newly created parcels that would remove trees, a qualified biologist shall conduct a habitat assessment for bats. A qualified biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bats, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to the beginning of Project activities.*

*For tree removal, the habitat assessment shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.*

*Prior to the issuance of permits for any construction, vegetation removal or earth-disturbing activities associated with future development projects on the newly created parcels the applicant will provide to the Napa County Planning Division the survey prepared by a qualified biologist.*

#### Less Than Significant Impact with Mitigation Measures BIO-1 and BIO-2

- b) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

The proposed project is not within proximity of any riparian habitat and will not impact any sensitive natural communities. The nearest riparian habitat runs along Conn Creek, approximately 830 feet north of the proposed project site. According to Napa County Vegetation Mapping System using CNDDDB data and the Manual of California Vegetation classification system, the two parcels consist of approximately 28.44 acres of combined agricultural development, approximately 18.6 acres of Douglas fir coniferous forest, approximately 7.5 acres of oak woodland forest (3.29 acres of Blue Oak woodland, 2.9 acres of Coastal Live Oak woodland, 1.24 acres of mixed oak woodland), and 2.89 acres of White Leaf Manzanita shrubland. Sensitive natural communities like the Blue Oak woodland and Coastal Live Oak wood will not be disturbed. A section of the parcel identified as coniferous oak woodland and inhabited by non-native olive trees will be the site of the hospitality terrace, however it does not involve the removal of any Douglas fir or other native tree species. Therefore, the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

The project does involve the removal of two live oak trees in order to meet the horizontal clearance for emergency vehicle access under the Napa County Road and Street Standards. With this removal there is a potential impact on migratory birds and/or raptor species who may have built nests in these trees, as well as a potential impact on roosting bat species that may be inhabiting the two oak trees. To prevent any significant impact on migratory bird and raptor species, or roosting bats, and under California Fish and Game Code Sections 3503 and 3503.5, it is recommended that the following mitigation measures be implemented.

#### Less Than Significant Impact

- c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The project parcel does not contain any federally protected wetlands or any other identified marshes, vernal pools, or coastal areas, and no removal, filling, or hydrological interruption or other means are part of the project proposal. The National Wetlands Inventory (NWI) identifies Conn Creek, located approximately 830 feet to the north, as a freshwater forested/shrub wetland, and an unnamed seasonal wetland has been identified approximately 2,985 feet to the east of the project. With the implementation of the County's standard conditions of project approval regarding grading and construction standards, activities, and best management practices, no substantial adverse effects are expected.

#### Less Than Significant Impact

- d) Would the project 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?

The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to the California Essential Habitat Connectivity Map provided by the California Department of Fish and Wildlife and available on the California State Geoportal, the proposed project is not located in a Natural Landscape Block. The Essential Connectivity Map shows a statewide network of 850 relatively intact Natural Landscape Blocks (ranging in size from 2,000 to about 3.7 million acres) connected by 192 Essential Connectivity Areas. The classification of connectivity is rated from "1 – More Permeable" for wildlife migration and connectivity to "5 – Less Permeable" for migration and connectivity.

The project site is located approximately 2.42 miles west of the nearest Natural Landscape Block. As the proposed project is not in an identified Natural Landscape Block and does not include the construction of new roads or fences

that can act as barriers or an obstruction to wildlife corridors, connectivity, and migration for terrestrial species, no substantial interference with the movement of any native resident species is expected and any impacts will be less than significant.

#### Less Than Significant Impacts

- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

and

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Because the project is in the Agricultural Watershed (AW) zoning district, it is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Napa County Conservation Regulations described in NCC §18.108.020. This section requires 70 percent retention of the vegetation canopy cover on the parcel (or contiguous parcels under common ownership), and that any vegetation canopy cover removed as part of the project be mitigated at a 3:1 ratio via preservation or restoration and permanently preserved through deed restriction or other means acceptable to the County. In addition to the vegetation canopy cover analysis, the oak woodland removal is subject to General Plan Policy CON-24, which requires preservation or replacement of lost oak woodlands at a 2:1 ratio on an acreage basis.

Furthermore, the section of the parcel where two oak trees are to be removed along the driveway for horizontal clearance is within the Lake Hennessey Domestic Water Supply Drainage Area. According to NCC §18.108.027 – Sensitive domestic water supply drainages, a minimum of 70 percent of the tree canopy cover existing on June 16, 1993 along with any vegetation understory, or when vegetation consists of shrub and brush without tree canopy, a minimum of forty percent of the shrub, brush and associated annual and perennial herbaceous vegetation shall be maintained as part of any use involving earth disturbing activity. Given the large size of the parcel and existing woodland, the removal of two oak trees will not exceed the 70 percent canopy retention, and the 3:1 replanting ratio will result in overall increase in canopy once the replanted trees are mature. The non-native olive trees, shrubs and brush to be removed at the location of the proposed 683 square-foot hospitality terrace will not exceed 40 percent threshold for vegetative understory removal. The area is identified as Douglas fir coniferous forest however and only involves the removal of vegetive brush, which makes up approximately 0.07 percent of the 18.6 acres of existing coniferous woodland and 2.89 acres of existing shrubland on the property.

#### Less Than Significant Impact

##### Mitigation Measures:

##### **Mitigation Measures BIO-1 & BIO-2**

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?

According to Napa County Environmental Resource Maps (Cultural Resources: Arch sensitive areas, Arch sites, Arch surveys, Historical sites, & Historic sites – lines) based on data collected during the 2008 Napa County Baseline Data Report, which was comprised in tandem with the 2008 Napa County General Plan, there are no known historical resources or sites located on the project parcel or on any adjacent parcel. The closest historical resource to the project parcel is the Spring Valley School located at 1296 Silverado Trail, St. Helena, CA 94574, which is approximately 5,330 feet from the project site. The school is an historic site and is no longer in use.

According to the Cultural Resource Evaluation conducted by Dr. John W. Parker Ph.D., RPA, dated March 14, 2025, an inspection of an approximately 3-acre area of the rolling terrain around the project site took place on March 11, 2025. Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System (CHRIS). In both the records search and field inspection, no historic cultural materials, sites, or features were encountered during the field inspection.

In historical context, the earliest government plat map depicting the project area was completed in 1868, and the northern portion of the project area was patented in 1879, while the southern portion was patented in 1884, with no mention of a grantee in either historical record. A 1942 USGS Topographic Map shows no development within the project area. With no records or indication of any historical resources on site, and no findings or historical resources resulting from the field inspection, the project is expected to have a less than significant impact on historical resources pursuant to CEQA Guideline §15064.5.

Less Than Significant Impact

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

(and)

- c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

The Cultural Resource Evaluation dated March 14, 2025, and the associated field inspection that took place on March 11, 2025, also included a search for archaeological resources, with mineral soils, cut banks and rock outcroppings

examined for prehistoric cultural materials and features. While it is possible that isolated artifacts may have been missed during the field inspection, it was concluded that any significant cultural site and feature would have been observed and recorded. No prehistoric or archaeological materials, sites or features were encountered during the field inspection.

It is unlikely that cultural resources would be present at the proposed site for the micro-winery cave development as it is located on an existing vineyard block that has been previously disturbed and developed. However, given the nature of the project in terms of earth movement and excavation for cave development, the potential to encounter archaeological resources still remains. Due to this, project approval will include a standard Conditions of Approval to provide direction in the instance that historical or prehistorical resources or human remains are found during project implementation.

#### **7.2 ARCHAEOLOGICAL FINDING**

*In the event that archaeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.*

*If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resource Code Section 5097.98.*

After Assembly Bill 52 (AB 52) notifications were sent out and responded to in February 2025, and tribal consultation with the Mishewal Wappo Tribe of Alexander Valley concluded on March 26, 2025, the Mishewal Wappo Tribal Historic Preservation Officer (THPO) and the property owner agreed to enter into a Tribal Monitoring Agreement. This agreement, and the associated **Mitigation Measure TCR-1**, are discussed further in the Section XVIII - Tribal Cultural Resource.

No human remains have been previously encountered on the property; no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply.

Less Than Significant Impact

#### Mitigation Measures:

**None Required**

VI.	ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?

During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction employee commuting will consume fuel. Construction activities and corresponding fuel energy consumption will be temporary and localized, and there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar agricultural construction sites within Napa County, especially in terms of winery cave development.

The proposed project will exceed Title 24 energy use requirements once construction is complete. This will include building the structure to CALGREEN Tier 1 energy efficiency standards, using energy conserving lighting, surpassing standards of a cool, green, or living roof through the nature of the cave development, utilizing recycled water for treatment and processing of wastewater to be stored underground and reused for vineyard irrigation, installing water efficient fixtures that save both energy and water, and incorporating a site design that is oriented for optimized conditions for natural heating, cooling, and daylighting of interior spaces, and maximization of winter sun exposure. The nature of the cave development will also limit the amount of grading and tree removal required, with the disturbed surface area limited to minimum sections of land near each cave portal.

The overall result of the proposed cave development will result in a less than significant impacts on energy resources during construction, and a less than significant impact on those resources during operation, primarily due to the energy-efficient nature of the proposed project.

Less Than Significant Impact

- b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

For reasons explained below, the proposed project will not obstruct any state or local plans for renewable energy or energy efficiency, and has the potential to enhance performance of many of these state and local plans through the reduction of existing transportation needs by processing agricultural product on site.

The transportation sector is a major end-user of energy in California, accounting for approximately 39 percent of total statewide energy consumption in 2014 (U.S. Energy Information Administration 2016). In addition, energy is consumed in connection with construction and maintenance of transportation infrastructure, such as streets, highways, freeways, rail lines, and airport runways. California's 30 million vehicles consume more than 16 billion gallons of gasoline and more than 3 billion gallons of diesel each year, making California the second largest consumer of gasoline in the world (CEC 2016). In Napa County, farm equipment (not including irrigation pumps) accounted for



approximately 60% of agricultural emissions in 2014, with the percentage anticipated to increase through 2050 (Napa County 2018 – Revised Draft Climate Action Plan).

With respect to transportation energy, existing energy standards are promulgated through the regulation of fuel refineries and products such as the Low Carbon Fuel Standard (LCFS), which mandates a 10 percent reduction in the non-biogenic carbon content of vehicle fuels by 2020. Additionally, there are other regulatory programs with emissions and fuel efficiency standards established by US Environmental Protection Agency and the California Air Resources Board, including Pavley II regulations and Low-Emission Vehicle (LEV) III regulations from California's Advanced Clean Cars Program, as well as the Heavy-Duty (Tractor-Trailer) Green House Gas (GHG) Regulations.

Furthermore, construction sites will need to comply with state requirements designed to minimize idling and associated emissions, which also reduces the use of fuel. Specifically, idling of commercial vehicles and off-road equipment will be limited to five (5) minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation 13.

The Bay Area Air Quality Management District (BAAQMD) proposed thresholds for land use projects are designed to address "Operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a winery generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions). progress towards achieving such goals and targets, and as such impacts will be less than significant.

The proposed project will comply with these state requirements and will be required to meet BAAQMD Best Management Practices as described in Condition of Approval 7.1.c. below:

#### **7.1 SITE IMPROVEMENTS**

*Please contact Engineering Services with any questions regarding the following.*

##### **c. AIR QUALITY**

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

- 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.*
- 4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- 6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- 7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
- 8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Napa County has not implemented an energy action plan at this point, however when other state and federal programs are considered, the proposed project will not conflict with or obstruct any state or local plan for renewable energy or energy efficiency, and less than significant impacts are expected.

Less Than Significant Impact

Mitigation Measures:

**None Required**

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause 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 creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input 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"/>

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☒ ☐

Discussion:

- a) Would the project directly or indirectly cause 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?

According to the most recent Alquist-Priolo Earthquake Fault Zoning Map, there are no known faults that run below the proposed project or the project parcel. The nearest fault is a section of Fault 62500, located approximately 1.46 miles southeast of the project site, that runs in a northwest-southeast direction away from the project along the southern shoreline of Lake Hennessey.

- ii.) Strong seismic ground shaking?

All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that reduces any potential impacts from seismic ground shaking to a less than significant level.

- iii.) Seismic-related ground failure, including liquefaction?

There have not been any subsurface conditions identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The nine counties surrounding San Francisco Bay straddle the San Andreas fault system, which exposes the region to serious earthquake hazard. Much of the land adjacent to the Bay and the major rivers and streams is underlain by unconsolidated deposits that are particularly vulnerable to earthquake shaking and liquefaction of water-saturated granular sediment.

Liquefaction is a natural phenomenon in which saturated, sandy soils lose their strength and behave as liquid, and it is caused by severe ground shaking during earthquake events. Map delineation of the different types and ages of Quaternary deposits supports evaluation of susceptibility to liquefaction and provides a framework for interpreting the architecture and history of the Quaternary sedimentary basins, which is used in estimating earthquake shaking and modeling the groundwater system.

The Napa County Environmental Resource Liquefaction Layer uses approximately 1,700 polygons that show the Quaternary deposits and liquefaction susceptibility for Napa County. According to the dataset, the project site is identified as having a very low liquefaction potential. As the proposed project will be in compliance with the latest edition of the California Building Code for seismic stability, the project will result in a less than significant impact on risks associated with seismic ground failure and liquefaction.

- iv.) Landslides?

The Napa County Environmental Resource Landslide Layers use USGS datasets and data collected in field studies to assess areas of land in Napa County susceptible to landslides. According to the layer, there is no evidence of any landslide occurring in the vineyard at the proposed project site. There is an indication of a small landslide deposit identified as part of a 2001 USGS study. The small landslide deposit is located approximately 400 feet to the south, on a section of the parcel that is characterized by steeper slopes of oak woodland habitat, which drop downward and away from the project site.

Less Than Significant Impact

- b) Would the project result in substantial soil erosion or the loss of topsoil?

Site improvements are primarily located in areas already developed by the existing vineyards. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any onsite land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit, the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements.

Less Than Significant Impact

- c) Would the project 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?

(and)

- d) Would the project be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.

According to the Soil Survey of Napa County found on the Napa County Environmental Resource Maps (conducted by the National Cooperative Soil Survey - USDA 2014, USDA 1978, and USDA 1972), soils on the project site are part of the Sonoma Volcanics Geologic Unit and have been classified as Forward-Kidd complex (11-60 percent slope) and Forward silt loam (12-57 percent slope). The Kidd series consists of shallow, somewhat excessively drained soils with medium to rapid runoff and moderately rapid or rapid permeability, while the Forward series consists of moderately deep, well drained soils with medium runoff and moderately rapid permeability above the tuff. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic related ground failure or liquefaction. Building improvements will be constructed in compliance with the latest edition of the California Building Code for seismic safety to reduce potential impacts to the maximum extent possible.. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property, and impacts are expected to be less than significant.

Less Than Significant Impact

- e) Would the project 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?

A Winery Wastewater Feasibility Report, dated August 14, 2024, was prepared by RSA+ civil engineering, detailing the proposed system. The study evaluated the process and sanitary wastewater flows associated with the proposed micro-winery Use Permit. RSA+ conducted a site evaluation on November 30, 2023 and found suitable soil for a subsurface drip system. The domestic wastewater system for the winery will need to accommodate for two full-time employees with a projected flow rate of 30 gallons per day (15 gallons per day each) and 18 daily visitors with a project flow rate of 54 gallons per day (three gallons per day each), for a total peak domestic wastewater flow rate of 84 gallons per day. Production wastewater was based on the standard six gallons of process wastewater per each gallon of wine produced, which will produce 30,000 gallons of process wastewater per year. During the crush period (30 days), the assumption of two gallons of process wastewater per gallon of wine produced was also incorporated into the study.

Domestic wastewater from the proposed winery will flow into a 750-gallon septic tank, and then pumped to the first chamber of a 1,200-gallon tank for recirculation to an AdvanTex treatment pod. After treatment, wastewater will flow to the second dosing chamber of the 1,200-gallon tank before being pumped into the proposed distribution field. Process wastewater will be treated by a Biofiltro treatment system before it is surface dripped on vines. The loading calculation for process wastewater used the peak monthly generation of 4,500 gallons. The subsurface drip field will be sized to meet Napa County Environmental Management guidelines, and the study concludes that the project site has the capability of accommodating the project wastewater through a disposal system that the existing soils can support.

Less Than Significant Impact

- f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No paleontological resources or unique geological features have been identified on the property in the project area. Structural and site development is primarily in the developed areas. The project is unlikely to recover paleontological or unique geological features, though standard conditions of approval are included to ensure any features are discovered during project construction.

Less Than Significant Impact

Mitigation Measures:

**None Required**

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

Discussion:

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022).<sup>2</sup> The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAQMD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action

<sup>2</sup> <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204. There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

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

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018, through August 22, 2018. The Draft Focused EIR for the CAP was published May 9, 2019. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <https://www.countyofnapa.org/589/Planning-Building-Environmental-Services>. The County's draft CAP was placed on hold, when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019. The County is currently preparing an updated CAP to provide a clear framework to determine what land use actions will be necessary to meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

For the purposes of this assessment the carbon stock and sequestration factors identified within the 2012 Draft CAP are utilized to calculate and disclose potential GHG emissions associated with agricultural "construction" and development and with "ongoing" agricultural maintenance and operation, as further described below. The 2012 Draft CAP carbon stock and sequestration factors are utilized in this assessment because they provide the most generous estimate of potential emissions. As such, the County considers that the anticipated potential emissions resulting from the proposed project that are disclosed in this Initial Study reasonably reflect proposed conditions and therefore are considered appropriate and adequate for project impact assessment.

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (now the Governor's Office of Land Use and Climate Innovation (LCI)) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current



TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

- a) Would the project generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?

(and)

- b) Would the project conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

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

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

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared. GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO<sub>2</sub>), methane, ozone, and the fluorocarbons, which contribute to climate change. CO<sub>2</sub> is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment and worker vehicle trips (hereinafter referred to as Equipment Emissions). These emissions also include underground carbon stocks (or Soil carbon) associated with any existing vegetation that is proposed to be removed.

In addition to the one time Construction Emissions, "Operational Emissions" of the winery are also considered and include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions). See Section XVI - Transportation/Traffic,

for anticipated number of operational trips. Operational Emissions from the proposed winery would be the primary source of emissions over the long-term when compared to one time construction emissions.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include the construction of approximately 5,584 square feet of winery production space, 1,883 square feet of accessory space, and 1,900 square feet of hardscape including the crush pad entry, walkway to the crush pad, and ADA compliant parking requirements. Construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to the relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant.

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. New construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards.

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting the following recommendations:
  - Residential projects: 15 percent below the existing VMT per capita;
  - Office projects: 15 percent below the existing VMT per employee; or
  - Retail projects: no net increase in existing VMT.

The project will be required to comply with the recently adopted version of CALGREEN Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code.

The proposed tree removal is subject to GHG analysis, as the proposed total tree removal would result in loss of carbon sequestration. Tree removal associated with the project includes removal of two coastal live oak trees near the winery access driveway. Emissions resulting from the tree removal is offset by the permanent preservation of a 3:1 by replanting ratio of similar oak woodland on developable land (i.e., less than 30 percent slopes, outside of setbacks).

On the GHG Voluntary Best Management Practices (BMP) Checklist submitted with the use permit application, dated August 16, 2024, the applicant identified nine measurable GHG reduction BMPs that the operators intend to implement at the winery. These include exceeding Title 24 energy efficiency standards: Build to CALGREEN Tier 1 (BMP-7); energy conserving lighting (BMP-9); energy star roof / living roof / cool roof (BMP-10); bicycle incentives (BMP-11); connection to recycled water (BMP-13); installation of water efficient fixtures (BMP-14); water efficient landscaping (BMP-16); site design that is oriented and designed to optimize conditions for natural heating, cooling and day lighting of interior spaces, and to maximize winter sun exposures, such as caves (BMP-23); and limiting the amount of grading and tree removal (BMP-24). The applicant identified two un-measurable GHG reduction BMPs that the operators intend to implement, including the intention of becoming a Certified Green Business or certified as a "Napa Green Winery" (BMP-26); and using 70-80 percent cover crop to reduce erosion and the amount tilling (BMP-31). A condition of approval will be included to require implementation and continuation of the BMPs identified on the checklist.

The overall result of the proposed cave development will result in a less than significant impact on GHGs during construction, and operation, primarily due to the energy-efficient nature of the proposed project.

Less Than Significant Impact

Mitigation Measures:

**None Required**

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. Should the amount of hazardous materials reach reportable levels, a Business Plan will be filed with the Environmental Health Division. In the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment will be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials will be utilized, however, given the limited quantities of hazardous materials and the temporary duration of construction, they will not result in any significant hazard to the public or the environment.

Less Than Significant Impact

- b) Would the project 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?

Hazardous materials such as diesel and maintenance fluids will be used onsite during construction. Should they be stored onsite, these materials must be stored in secure locations to reduce the potential for release of hazardous materials into the environment. The proposed project consists of a new micro-winery that will not be using any substantial quantities of hazardous materials.

Less Than Significant Impact

- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The proposed project is not within one-quarter mile of an existing or proposed school.

No Impact

- d) Would the project 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?

EnviroStor is the California Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further. The project parcel is not listed as a hazardous materials site in the EnviroStor data management system. The closest hazardous materials site is located approximately 2.26 miles from the project site near the City of St. Helena.

No Impact

- 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 or excessive noise for people residing or working in the project area?

The proposed project is not located within an airport land use plan. The Angwin Airport Compatibility Zone is located approximately 3.02 miles from the project site.

No Impact

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project will not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed Use Permit. The applicant will be removing two coastal live oaks in order to meet the vertical clearance for emergency vehicle requirements, and is seeking an exception from Napa County Road and Street Standards for sections of the driveway where tree removal is not possible due to steep slopes and the presence of an ephemeral watercourse, with proposed turnouts in place to meet the same practical effect of the Road and Street Standards. The project has been reviewed by the County Fire Department and the Engineering Services Division, and as conditioned it will not impair implementation or physically interfere with emergency response or evacuation. It has been determined in the exception findings that the proposed turnouts and driveway improvements will result in the same practical effect as those required by the Napa County Road and Street Standards.

Less Than Significant Impact

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?

The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones) the project site is within an area designated as both high and very high fire risk. The proposed project will introduce production, visitation for by appointment tours and tastings, and employees which will increase the total number of employees, visitors, and guests who work at and visit the project site on a daily and annual basis. The proposed physical improvements are generally within the existing developed area of the site and would not result in a physical modification to the site that would alter factors that would likely exacerbate wildfire risks.

The proposed driveway improvements will provide adequate access to Conn Valley Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. The risk of fire in vineyards is low due to limited amount of fuel, combustibles, and ignition sources that are present. Vineyards are irrigated and cover crops are typically mowed in May and August, thereby reducing the fuel loads within the vineyard. The removal of vegetation and the management of vineyard results in an overall reduction of fuel loads within the project site as compared with existing conditions. Impacts would be less than significant. The project does not include any marketing events, which will significantly reduce the possibility of numerous people on site at one time. In order to meet a Type III Occupancy level for visitation within a wine cave, fire sprinklers will be installed throughout the facility.

Less Than Significant Impact

Mitigation Measures:

**None Required**

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces which would:				
i)	result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	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"/>
iii)	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"/>
iv)	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa



County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3- acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. The project well is not located within the GSA Subbasin or the Napa County Groundwater Deficient Area (MST).

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's WAA guidance requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the County's WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams."

**Public Trust:** The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA).

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance for complying with the Public Trust.

- a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

As discussed in Section VII - Geology and Soils, a Wastewater Feasibility Report was prepared by RSA+ civil engineering, dated August 14, 2024, which details the wastewater system that will accommodate the proposed micro-winery. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, and has added as a Condition of Approval that the plans be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Additionally, water quality will be maintained through standard stormwater quality treatment control measures and compliance with the Napa County Engineering Division's Conditions of Approval.

Less Than Significant Impact

- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

A Water Availability Analysis was prepared by RSA+ civil engineering, dated August 14, 2024, and as directed by the County's Water Availability Analysis Guidance Document of May 2015 (WAA) and Interim Standards (January 2024), the report includes a Tier 1 analysis with calculations for the existing and proposed water uses, as well as a groundwater recharge analysis. The analysis also includes an exhibit as Attachment 1 that demonstrates the project well is more than 500 feet from neighboring wells and meets the requirements of a Tier 2 well interference analysis,

and that the project well is more than 1,500 feet from the nearest significant stream (Conn Creek) and that the requirements of a Tier 3 surface water analysis have also been met.

Tier 1: The Tier 1 analysis considered existing use onsite which includes irrigation of approximately 24.74 acres of vineyards located on both the winery project parcel to the south (APN: 025-180-082-000; 35.82 acres) and the winery access parcel to the north (APN: 025-180-083-000; 32.21 acres). The existing groundwater usage is estimated at 12.37 acre-feet per year. The proposed project will increase groundwater use by 0.004 acre-feet per year, resulting in an overall water usage of 12.374 acre-feet per year.

Usage Type	Existing Usage [af/yr]	Standard Usage [af/yr]	Proposed Usage [af/yr]
<b>Irrigation</b>			
Vineyard – Well	12.370	12.255	12.255
Vineyard – Recycled Process Wastewater Credit	0.000	-0.107	-0.092
Landscaping	0.000	0.025	0.025
<b>Winery</b>			
Process Water	0.000	0.107	0.092
Domestic Water	0.000	0.084	0.084
<b>Totals (Acre-ft per Year)</b>	<b>12.370</b>	<b>12.374</b>	<b>12.374</b>
<b>Estimated Water Recharge Rate (Acre-ft per Year)</b>	<b>37.26</b>	<b>37.26</b>	<b>37.26</b>

*(Water Availability Analysis)*

Due to the parcel location outside of the GSA boundary, a parcel-specific Annual Groundwater Recharge Rate Report was prepared as Attachment 3 to the WAA. The groundwater recharge was estimated by examining the annual rainfall, runoff and species-specific evapotranspiration during winter months. The 10-year average rainfall PRISM data DEM provided by Napa County was used to determine the annual rainfall amount and site runoff volumes. It was determined that the average annual rainfall amounts to 30 inches per year. The runoff volumes were determined by calculating the site-specific runoff coefficient. The runoff coefficients were calculated using aerial images to view the terrain and the County topography to estimate the slopes in each area. The evapotranspiration losses were calculated using the Water Use Classifications of Landscape Species (WUCOLS) methodology for vineyard, grassland, and coastal live oak tree areas. Only evapotranspiration from the winter was considered, as it is assumed that evapotranspiration in summer will be from irrigation water. The groundwater recharge rate was calculated as the difference of the total annual rainfall and losses from the stormwater runoff and evapotranspiration.

The Recharge Rate Report concluded that the Schlatter Family Estate Micro-Winery property has an annual rainfall of 30 inches per year, equating to 170.08 acre-feet per year for the two parcels. Total evapotranspiration volume that occurs throughout the vineyard, grassland, and oak tree areas is 21.90 acre-feet per year. The stormwater runoff from the parcels totals 110.91 acre-feet per year. The total average evapotranspiration and runoff is 132.81 acre-feet per year. This equates to a groundwater recharge rate of 37.26-acre-feet per year, or 0.55 acre-feet per acre per year.

Tier 2: Pursuant to County's WAA requirements, a Tier 2 analysis is required when a neighboring off-site well is located within 500 feet of the project well or the well is located within 1,500 feet from a spring. Attachment 1 of the WAA demonstrates that the project well is located at a greater distance than either requirement, and therefore the proposed project meets the County's Tier 2 requirements. The nearest offsite well is approximately 720 feet south of the project well.

Tier 3: A Tier 3 review is the County's adopted method for complying with its duties under the Doctrine. As discussed herein, the existing project will comply with the WAA guidance document. Attachment 1 of the WAA demonstrates that the project well is approximately 1,620 feet from Conn Creek, the nearest significant stream, which is beyond the 1,500-foot threshold and therefore a Tier 3 analysis is not required.

The proposed project will increase water use from 12.370 acre-feet per year to 12.374 acre-feet per year, primarily by offsetting demand through the use of winery process wastewater treatment for irrigation purposes, in addition to other water efficient best management practices. The two vineyard parcels analyzed in the WAA (the project parcel APN: 025-180-082-000 (35.82 acres) and the access parcel APN: 025-180-083-000 (32.21 acres)) together make up the 68.03-acre Schlatter Family Estate property. Across these two parcels, the new projected water use for the existing vineyards and proposed winery will be an annual 0.182 acre-feet per acre, and as such will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

#### Less Than Significant Impact

- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:

- i. result in substantial erosion or siltation on- or off-site?

Site improvements are primarily located in areas already developed by the existing vineyards with gentle slopes and relatively stable soils. The majority of the development will take place underground with preservation of the vineyard block above it. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit, the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements.

- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

As the proposed project is primarily underground, little to no changes to existing surface runoff conditions would be expected.

- iii. 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?

The project will only be creating a limited amount of impervious surface near each cave portal, with one portal opening up to the hospitality terrace and the other portal opening up to the entrance and covered crush pad. Runoff from the completed project site will not have any significant impacts on the natural drainage patterns of the site and will not be contaminated or polluted.

- iv. impede or redirect flood flows?

The project site not in a flood zone, and is split between two watersheds. One cave portal is in a watershed that drains north towards Conn Creek and Lake Hennessey, and the other cave portal in a watershed that drains south into Spring Valley and the Napa River. The project will not impede these natural drainage patterns or redirect flood flows.

Less Than Significant Impact

- d) Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The proposed project is not located in a flood hazard, tsunami, or seiche zone, and the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality.

Less Than Significant

- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed above, the parcel specific groundwater recharge analysis estimated a 37.26 acre-feet per year recharge potential, which is above the estimated groundwater use of 12.374 acre-feet per year. Although the operational changes will slightly increase the existing water use of 12.37 acre-feet per year currently used for the existing vineyards, the overall water use will be approximately 33.2 percent of the calculated recharge rate. The project will not result in a significant impact to water use and will therefore comply with the Napa County Groundwater Sustainability Plan. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval.

A stormwater treatment facility has been integrated into the planning, design, construction, operation, and maintenance of the proposed development. The project proposes to limit the amount of new impervious surfaces for the development by reusing and repurposing the existing asphalt driveway surface to the maximum extent feasible. Reusing the existing driveway to serve as access to the proposed micro-winery will also help limit the extent of surface grading activities on site. The proposed project includes Best Management Practices t as well as with Regional Water Board guidance from the Storm Water Best Management Practice Handbooks for Construction and for New Development and Redevelopment, as well as the Erosion and Sediment Control Field Manual.

Less Than Significant Impact

Mitigation Measures:

**None Required**

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project physically divide an established community?

(and)

- b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project will not occur within an established community, nor will it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is 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 wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures:

**None Required**

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project 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?

(and)

- b) Would the project 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?

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 the project site.

Less Than Significant Impact

Mitigation Measures:

**None Required**

XIII.	NOISE. Would the project result in:	Potential y Significant t Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant t Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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)	Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	For a project located within the vicinity of a private airstrip or 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"/>

Discussion:

- a) Would the project generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

(and)

- b) Would the project generation of excessive groundborne vibration or groundborne noise levels?

The project will result in a temporary increase in noise levels during construction of the cave and winery infrastructure. Impacts due to a temporary increase in ambient noise generated from construction activities, or from groundborne vibration, would remain below a level of significance through compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The County Noise Ordinance limits construction activities to daylight hours (7:00 a.m. to 7:00 p.m.) using properly muffled vehicles.

In addition to the County Noise Ordinance, the project applicant will be required to comply with project Conditions of Approval (outlined below) related to construction noise, which will limit activities further by requiring construction vehicles to be muffled and backup alarms adjusted to the lowest allowable levels. Due to the distance, natural terrain of the area, and ambient noise levels, there is a low potential for impacts related to construction noise that would result in substantial temporary or long-term construction noise impacts.

### 7.3. CONSTRUCTION NOISE

*Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.*

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. Land uses in the area are rural residential properties, vineyards, and undeveloped hillsides. Of those land uses, the residential land use is considered the most sensitive receptor to noise. Based on the standards in NCC §8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.). Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). The nearest off-site residence is located approximately 350 feet away from the winery cave development area. Based on the Noise Contours below the noise associated with project construction would be approximately 65-70 dBA. However, construction noise will be a temporary impact and will not be on-ongoing. Furthermore, much of the construction development will take place underground, which will provide further reduction in noise levels from construction activities.

**Table 1 – Estimated Distance to dBA Contours from Construction Activities <sup>1</sup>**

Distance from Construction Source	Calculated Noise Level
50 feet	90 dBA
180 feet	75 dBA
300 feet	70 dBA
450 feet	65 dBA
700 feet	60 dBA
1,100 feet	55 dBA
1,700 feet	50 dBA

<sup>1</sup> Based on a source noise level of 90 dBA

Source: Napa County Baseline Date Report, Noise Section Table 6-13, Version 1, November 2005

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The

Napa County General Plan EIR indicates the average, or equivalent, sound level for winery activities is 51 dBA in the morning and 41 dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Typical winery operations will occur between 7:00 a.m. and 6:00 p.m. (excluding harvest), with visitation occurring between 10 a.m. and 5 p.m. Production activities will occur inside the proposed cave, limiting some noise sources related to the production of the requested 5,000 gallons of wine annually. Hospitality activities will take place in the cave and on the hospitality terrace, which is located over a small ridge and over 500 feet from the nearest residence.

Continuing enforcement of Napa County's Noise Ordinance by the Code Enforcement Division, Division of Environmental Health, and the Napa County Sheriff's Department, including the prohibition against amplified music, should further ensure that winery activities do not create a significant noise impact. The proposed project does not include any marketing events, which will significantly reduce the potential for any significant impacts from noise.

#### Less Than Significant Impact

- c) For a project located within the vicinity of a private airstrip or 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?

The project site is not located within an airport land use plan or the vicinity of a private airstrip.

No Impact

#### Mitigation Measures

**None Required**

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion:

- a) Would the project induce substantial unplanned 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)?

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a "decent home



and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing.

The Association of Bay Area Governments’ Plan Bay Area 2050 Growth Pattern figures indicate that the total households for Napa County are projected to increase some 10% by the year 2050, increasing from 50,000 to 56,000. Unincorporated Napa County, along with the cities of American Canyon, Napa, St. Helena, Calistoga and the town of Yountville all have existing compliant 6th Cycle Housing Elements certified by the State Department of Housing and Community Development. For the 6th Cycle, which runs from 2023 – 2031, Napa County jurisdictions have identified and have rezoned or are in the process of rezoning land to accommodate 3,844 dwelling units, more than half of the households projected by ABAG to develop in Napa County by 2050. In addition, the project would be subject to the County’s housing impact mitigation fee, which provides funding to meet local housing needs.

The two full-time employees which are part of this project may lead to minor population growth in Napa County. Relative to the County’s projected low to moderate growth rate and overall adequate programmed housing supply, this potential 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. Cumulative impacts on the local and regional population and housing balance will be less than significant.

The proposed project does not require the installation of any additional new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing public roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code §18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings and caves.

Two full-time employees are proposed as part of the project, with up to 18 daily visitors for tours and tastings. Employees and visitors to the winery could increase demand for group transportation services to the winery. The potential for employment changes on other businesses in order to support the micro-winery’s proposed operations is uncertain, unquantifiable, and speculative. Regarding vineyard construction and installation activities, they are anticipated to generate a minimal number of employees to the project site on a temporary basis, and ongoing vineyard operation and maintenance will generate a minimal number of seasonal employees to the project site on an ongoing basis. The majority of the vineyard employees already come from the existing labor pool in the region and will not result in an increase in population over existing conditions.

The policies and programs identified in the General Plan Housing Element, in combination with the County’s housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With limited staffing proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have less than significant impact on population growth.

#### Less Than Significant Impact

- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed project will not displace any existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere. No residential buildings on or off the property would be demolished as a result of the project. Thus, no residents would be displaced, and there would be no impact

Mitigation Measures:

**None Required**

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:					
i) Fire protection?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a) Would the project cause 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 including fire protection, police protection, schools, parks, or other public facilities?

Public services are currently provided to the project site and the additional demand placed on existing services would 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 Department and Engineering Services Division have reviewed the application, provided findings for the RSS exception, and has recommended 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. I

Mitigation Measures:

**None Required**

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) Would the project 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?

The project will not significantly increase the use of recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.

Less Than Significant 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?

No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed project will not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities.

No Impact

Mitigation Measures:

**None Required**

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

roadway, bicycle and pedestrian facilities?

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric 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"/> |
| d) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

#### Discussion:

As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15 percent reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new CEQA Guidelines and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new

project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15 percent, the conclusion would be that the project would cause a significant environmental impact.

- a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

(and)

- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

(and)

- c) Would the project substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project site will be accessed from an existing driveway off Conn Valley Road. Design measures proposed for driveway improvements will reduce hazards caused by sharp curves and will meet the same practical effect as the requirements of the Napa County Road and Street Standards. The proposed driveway has adequate sight distances along Conn Valley Road to accommodate all turns into and out of the project site. While the study area lacks pedestrian facilities and transit service, there is not expected to be a demand for this type of service. The applicant has indicated in the GHG BMP Checklist that they intend to incorporate BMP-11 Bicycle Incentives including incorporating bicycle racks into the project description to accommodate cyclists accessing the parcel from Conn Valley Road.

Based on maximum winery employee and visitor data (two full-time employees; 18 daily visitors), the project is expected to generate a 20 new weekday daily number of trips, with 8 weekday peak hour trips, and 20 new weekend daily number of trips, with 10 weekend peak hour trips. With the addition of the winery to the vineyards, all grapes for winery production will be sourced on site and grape hauling will no longer be required. Since operational and visitor trips associated with the project are below the 110-trip threshold and the VMT screening criteria, the project will not require Traffic Impact Study. As proposed will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and is not inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Less than Significant Impact

- d) Would the project result in inadequate emergency access?

The applicant will be removing two coastal live oaks in order to meet the vertical clearance for emergency vehicle requirements, and is seeking an exception from Napa County Road and Street Standards for sections of the driveway where tree removal is not possible due to steep slopes and the presence of an ephemeral watercourse. The exception request and proposed design of the driveway includes the addition of turnouts strategically placed in order to meet the same practical effect of the Road and Street Standards. The improved road system will provide adequate emergency access to the project site, and the project does not include any marketing events, which will eliminate the potential for a large number of people to be on site at any given time.

Less Than Significant Impact

- e) Would the project conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?

The project will be utilizing sections of an existing paved asphalt driveway to accommodate three parking spaces near the entry portal and covered crush pad, including one ADA compliant parking space. An existing gravel area along the driveway approximately 325 feet from the proposed project is currently used for farm labor parking and will serve as a staging site for the construction of the winery cave. This gravel area can be available for any additional parking needs. Parking in this area will not impede internal circulation as it is located approximately 75 feet from primary driveway used to access the winery. With these measures in place, the project does not conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand without providing excess parking that could stimulate unnecessary vehicle trips or activities exceeding the site's capacity.

Less Than Significant Impact

Mitigation Measures:

**None Required**

**XVIII. TRIBAL CULTURAL RESOURCES.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

As discussed in Section V – Cultural Resources, a Cultural Resource Evaluation was prepared by Dr. John W. Parker Ph.D., RPA, dated March 14, 2025, and an inspection of an approximately 3-acre area of the rolling terrain around the project site took place on March 11, 2025. Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System (CHRIS). In both the records search and the field inspection, no historic cultural materials, sites, or features were encountered during the field inspection. As such, no substantial adverse change in the significance of a known tribal cultural resource has occurred.

#### Less Than Significant Impact

- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code section 5024.1 which may also be of significance to a California Native American tribe?

Invitation for tribal consultation was completed, pursuant to Assembly Bill 52 (AB 52) requirements, in February 2025, with certified mail sent to Middletown Rancheria, the Mishewal Wappo Tribe of Alexander Valley, and the Yocha Dehe Wintun Nation. Requests were received for tribal consultation from both Middletown Rancheria and Mishewal Wappo. At an initial tribal consultation meeting with Middletown Rancheria on February 12, 2025, their Tribal Historic Preservation Officer (THPO) became aware of Mishewal Wappo's request for consultation, and they deferred all AB 52 requirements to the Mishewal Wappo Tribe of Alexander Valley.

After a period allowing for the review of the Cultural Resource Evaluation, a follow-up tribal consultation meeting with Mishewal Wappo's THPO occurred on March 26, 2025, which resulted in the property owner and the Mishewal Wappo THPO agreeing to enter into a Tribal Monitoring Agreement. The agreement is intended to prevent any substantial adverse change in the significance of any tribal cultural resource that may be discovered during construction and earth moving activities.

#### Less Than Significant Impact with **Mitigation Measure TCR-1**

**Mitigation Measure TCR-1:** The property owner shall enter into a Tribal Monitoring Agreement with Meshewal Wappo Tribe of Alexander Valley and shall comply with the Tribal Monitoring Agreement which will include a requirement for tribal monitors on site during project development and ground disturbance activities, and a requirement for cultural sensitivity training for all project personnel prior to implementing the project.

#### Mitigation Measures:

#### **Mitigation Measure TCR-1**

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) 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"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Discussion:

- a) Would the project require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

As discussed in Section VII - Geology and Soils, the Wastewater Feasibility Report, prepared by the RSA+ civil engineering, which outlines the wastewater system required to meet the needs of the proposed winery production, visitation, and employment. The Water Feasibility Report describes a sanitary wastewater subsurface drip disposal field and process wastewater treatment for irrigation. The sanitary wastewater will be disposed of in a subsurface drip type septic system and the winery process wastewater will be collected separately, pretreated, stored and dispersed via a surface irrigation system. The Division of Environmental Health has reviewed the proposed project and Wastewater Feasibility Report and approved clearance of the requested Use Permit with associated findings and Conditions of Approval. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control, in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. The project does not require the construction of new or expanded natural gas or telecommunications facilities. Electric power will be supplied from an existing power pole located at the entrance of the property, and the contractor shall verify electrical easements prior to starting construction.

Less Than Significant Impact

- b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As discussed in Section X – Hydrology, according to the Water Availability Analysis (WAA) prepared by RSA+ civil engineering, the proposed project plus existing groundwater uses of 12.374 acre-feet per year is less than the recharge potential of the holding, estimated at 37.62 acre-feet per year, demonstrating that the subject holding has enough capacity to serve the proposed use.

Less Than Significant Impact



- c) Would the project 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?

The project is not served by a wastewater treatment provider; therefore, no impact would occur. See Section V Section X - Hydrology for more detail on the onsite wastewater system.

Less Than Significant Impact

- d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

(and)

- e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste.

Less Than Significant Impact

Mitigation Measures:

**None Required**

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The applicant will be removing two coastal live oaks in order to meet the vertical clearance for emergency vehicle requirements, and is seeking an exception from Napa County Road and Street Standards for sections of the driveway where tree removal is not possible due to steep slopes and the presence of an ephemeral watercourse, with proposed turnouts in place to meet the same practical effect of the Road and Street Standards. Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that there will be adequate emergency access to the proposed project. The new building would be equipped with sprinklers and fire suppression equipment as required by the California Building Code.

Less Than Significant Impact

- b) Would the project, due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Napa County Environmental Resource Maps provide the location of Fire Hazard Severity Zone (FHSZ) within the State Responsibility Area (SRA) based on the California Department of Forestry and Fire Protection (CAL FIRE)'s Fire and Resource Assessment Program (FRAP) data. CAL FIRE is mandated by Public Resources Code 4201 – 4204 and Government Code 51175-89 to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. According to the FHSZ Map layer, the proposed project falls within two Severity Zones. The hospitality terrace and cave portal are within an SRA High Severity Zone, and the entry portal and covered crush pad are within an SRA Very High Severity Zone. Physical improvements to the property will not result in any significant modification to the slope of the site (as the cave is cut and cover), nor will it cause any change in prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Less Than Significant Impact

- c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts on the environment?

The project proposes to reconstruct portions of the existing driveway to conform to Napa County Road and Street Standards, and requests an Exception to Road and Street Standards for section of the driveway that cannot be feasibly widened due to slope and the location of an ephemeral watercourse. The design of the improved driveway includes additional turnouts to achieve the same practical effect of the Road and Street Standards for emergency vehicle access. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the proposed development. The new cave will be equipped with sprinklers and fire suppression equipment, and is addressed in the Fire Memorandum as part of the Conditions of Approval. These developments are not considered the types of improvements that exacerbate wildfire risk or a significant environmental risk.

Less Than Significant Impact

- d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project will involve constructing a cut and fill cave with minimal disturbance to surface area. The proposed project will result in minor physical alterations which will be required to meet building safety standards, and which will not expose people or structures to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes.

Less Than Significant Impact

Mitigation Measures:

**None Required**

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially 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, substantially 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 checked="" type="checkbox"/>	<input 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) Does the project have the potential to substantially 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, substantially 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?

The project does not have the potential to substantially 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, substantially 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. **Mitigation Measures BIO-1** will remove the potential for any substantial impact on migratory wildlife, and **Mitigation Measure TCR-1** will prevent the elimination of important examples of the major periods of California history or prehistory.

Less Than Significant Impact with **Mitigation Measure BIO-1, Mitigation Measure BIO-2, and Mitigation Measure TCR-1**

- 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)?

The project does not have impacts that are cumulatively considerable. While there are 12 wineries within a one-mile radius of the project, the closest of those is 0.39 miles away, and the majority of these are located either on the Napa Valley floor or in separate valleys that are accessed from state highways or county roads other than Conn Valley Road. There is sufficient spacing from significant streams and neighboring wells, and Napa Valley standard conditions of approval address several aspects of development that might otherwise contribute to a nuisance.

Less Than Significant Impact

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

All potential impacts identified in this Mitigated Negative Declaration are less than significant with the exception of , Biological Resources, and Tribal Cultural Resources, for which mitigation measures are proposed. Therefore, the proposed project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation Measures:

**Mitigation Measure BIO-1, Mitigation Measure BIO-2, Mitigation Measure TCR-1**