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

Initial Study Checklist
(form updated January 2019)

1. **Project Title**: Barnett Vineyards Winery, Use Permit #P19-00125-UP, Viewshed Protection Program #P20-00121-VIEW, and Exception to the Road and Street Standards

2. **Property Owner:** Hal and Fiona Barnett. 4070 Spring Mountain Road, St. Helena, CA 94574. Phone: (707) 963-3724 or email: hbarnett@barnettvineyards.com

3. **County Contact Person, Phone Number and email:** Matt Ringel, Planner III. Planning, Building & Environmental Services, 1195 Third Street, Second Floor. Napa, CA 94559. Phone: 707-299-1351 or email: matthew.ringel@countyofnapa.org

4. **Project Location and Assessor's Parcel Number (APN):** The project is located on an approximately 39.96-acre parcel located approximately 0.7 miles north of the intersection of Spring Mountain Road and St. Helena Road within the AW (Agricultural Watershed) zoning district at 4070 Spring Mountain Road, St. Helena, CA 94574. APN 020-300-047-000. Section 22 Township 8 North Range 6 West, Mt. Diablo Base and Meridian Latitude -122° 33' 10.65" N / Longitude 38° 31' 59.658" W

5. **Project sponsor's name and address:** Rob Anglin, Holman Teague Roche Anglin, LLP, 1455 First Street, Suite 217, Napa, CA 94559. Phone: (707) 927-4280 or email: anglin@htralaw.com

6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)

7. **Zoning:** AW (Agricultural Watershed)

8. **Background/Project History:**
On September 12, 1988, the property owner obtained a Small Winery Use Permit Exemption (SW-158889) to establish a winery with an annual production limit of 20,000 gallons of wine, within a 120 square foot portion of an existing structure on site, with two full-time employees, and six (6) parking spaces. On February 17, 2004, a use permit modification was obtained (03177-MOD) to construct a 2,925 square foot cave for barrel storage. On June 7, 2004, a use permit modification was obtained (P04-0270-MOD) to revise the location and layout of the previously approved cave and to add a second cave portal. On September 21, 2007, a use permit modification was obtained (P07-00473-MOD) to revise the location and expand the type I cave to 3,276 square feet. No tours, tastings or marketing events were approved for the winery.

9. **Description of Project:**
The proposal is for a new Use Permit for a small winery first established under a Small Winery Use Permit Exemption approved for a 20,000 gallon per year winery (Permit No. SW-158889). The existing winery is currently approved for 20,000 gallons per year with 7,046 sq. ft. winery facility containing a 3,276 sq. ft. type 1 production cave, 1,470 sq. ft. production building, and 2,300 sq. ft covered crush/fermentation pad with solar panels, two (2) full time employees, six (6) parking spaces, process wastewater system, and other improvements typically associated with a winery. This application was submitted to participate in the County's Code Compliance Program as described in Resolution No. 2018-164 adopted by the Napa County Board of Supervisors on December 4, 2018. The request is to allow the following:

   A. Components Necessary to Remedy Existing Violations:
      1) Excavation of approximately 1,000 cubic yards of spoils associated with the construction of improvements to the project driveway, as detailed on the plans prepared by Madrone Engineering, dated April 8, 2022, and required prior to establishment of Tours and Tastings, Marketing, an increase in employee count, and an increase in production volume;
      2) Removal of three (3) oak trees associated with driveway improvements, and the planting of 9 replacement oak trees (at a 3:1 ratio) on the project parcel;
      3) Recognition and approval of 21 visitors per day for by-appointment Tours and Tastings with a weekly maximum of 97 visitors. The winery was approved for zero (0) visitors per day;

4) Recognition and approval of a marketing program in the form of seven (7) events per year with a maximum of 30 guests with catered food and one (1) event per year with a maximum of 250 guests with catered food. The winery was approved for zero (0) marketing events;
5) Recognition and approval of five (5) full-time employees. The winery was approved for two (2) full-time employees;
6) Recognition and approval of on-premises consumption of wines produced on-site on the outdoor patio, outside of the northeastern cave portal, in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5. No on-premises consumption was approved for the winery;
7) Hours of operation seven days a week: production 8:00 a.m. to 5:00 p.m., visitation 8:00 a.m. to 4:00 p.m. and marketing events 10:00 a.m. to 9:00 p.m.;
8) Installation of wastewater improvements, as detailed in the Wastewater Feasibility Report prepared by Madrone Engineering, dated February 12, 2020; and
9) Installation of a public water system.

B. Expansion Beyond Existing Entitlements:
1) Increase production capacity from 20,000 gallons per year to 30,000 gallons per year;
2) Construction of a new 1,700 square foot structure for uses accessory to a winery, including a tasting room and office, in conformance to the Viewshed Protection Program (Napa County Code Chapter 18.106);
3) Excavation of approximately 800 cubic yards of spoils associated with the construction of structural pads for the new accessory structures and removal of approximately 1,150 square feet of vineyard;
4) Increase the number of onsite parking spaces from six (6) to twelve (12);
5) Construct a new 12,000-gallon fire protection water tank;
6) Increase visitation from 21 visitors per day (recognized above) to 30 visitors per day for by-appointment Tours and Tastings with a weekly maximum of 210 visitors (97 maximum weekly visitors recognized above);
7) Increase employment from five (5) full-time employees (recognized above) to nine (9) full-time employees;
8) Reconfigure the marketing program to allow: four (4) events per year with a maximum of 20 guests, three (3) events per year with a maximum of 60 guests, and two (2) events per year with a maximum of 100 guests. Events to include catered food. Daily tours and tastings shall not occur on days with marketing events; and
9) Landscaping, and other improvements typically associated with wineries.

An Exception to the Napa County Road and Street Standards ("NCRSS") is requested for improvements to the driveway and the driveway entrance to accommodate unique features of the natural environment. The applicant has proposed an alternative driveway design that meets the same overall practical effect as the NCRSS towards providing defensible space and consideration towards life, safety and public welfare, while improving emergency vehicle access to the subject property and the area in general.

A Viewshed Protection Program determination is requested for the construction of a new 1,700 square foot structure accessory to the winery, including a tasting room and office. The Viewshed Protection Program (Napa County Code Section 18.106) is applicable to all projects located on minor or major ridgelines in Napa County or on slopes of 15% or greater, and visible from a County designated Viewshed road. The proposed accessory building is located on slopes in excess of 15% and would be visible from State Highway 29, Silverado Trail and Larkmead Lane, County designated Viewshed roads. The proposed project has been designed to blend with the existing hillside and includes new landscaping to screen a minimum of 51% of the structure within five (5) years of obtaining final occupancy.

10. **Describe the environmental setting and surrounding land uses.**
The project is located on an approximately 39.96-acre parcel located approximately 0.7 miles south of the intersection of Spring Mountain Road and St. Helena Road. The project includes one (1) parcel, APN 020-300-047-000 and includes an existing driveway, winery, single-family residence, and Accessory Dwelling Unit (ADU). The parcel has one ingress/egress point from Spring Mountain Road. The project site is approximately 1990 feet above mean sea level (amsl). The proposed winery tasting room and offices are located within an area that was previously developed with a looped driveway and vineyard with an average slope of approximately 22%. The parcel contains approximately 8.6 acres of vineyard. The geologic unit and soil type include forward silt loam, 12 to 57 percent slopes, MLRA 15. The property contains California bay, Madrone, Coast Live Oak, Black Oak Big Leaf Maple, and Douglas-fir, and vineyard development.

Land uses in the area are dominated by large lot residential properties, wineries, and vineyards. There are several nearby off-site residences, with the closest measuring approximately 680 feet to the south from the project area.

11. **Other agencies whose approval is 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, and the California Department of Fish and Wildlife.

Responsible (R) and Trustee (T) Agencies
California Department of Fish and Wildlife (T), San Francisco Regional Water Quality Control Board (T)

Other Agencies Contacted
None

11. **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.?

    On August 25, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No comments were received and the consultation period closed on September 24, 2025.

    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 visit(s) to the project site and proposed development area

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with Use Permit application number #P19-00125-UP and Viewshed Protection Program application number #P20-00121 as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or Current Projects Explorer | Napa County, CA (countyofnapa.org)

- O'Connor Environmental Consulting, December 2, 2025, Water Availability Analysis (Exhibit A)
- Madrone Engineering, March 27, 2019, Stormwater Control Plan (Exhibit B)
- Madrone Engineering, September 24, 2019, Water System Feasibility Report (Exhibit C)
- Madrone Engineering, February 12, 2020, Wastewater Feasibility Report (Exhibit D)
- Madrone Engineering, April 4, 2022, Road Exception Request (Exhibit E)
- Graphics (Exhibit F)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A 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

12/2/2025
Date

Name: Matt Ringel
Napa County
Planning, Building, and Environmental Services Department

I.	**AESTHETICS.** 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?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

a/b/c Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the Environmental Setting and Surrounding Land Uses section above, this area is defined by a mix of vineyards and large lot rural residential uses. The proposed project includes the construction of a new 1,700 sq. ft. building for accessory winery uses, a trash enclosure, 12,000-gallon fire protection water tank, and the addition of six (6) parking spaces. The proposed project would not degrade the existing visual character or quality or public views of the site from State Highway 29 Silverado Trail, or Larkmead Lane. The proposed accessory winery building is subject to the Viewshed Protection Program . The Viewshed Protection Program (Napa County Code Section 18.106) is applicable to all projects located on minor or major ridgelines in Napa County or on slopes of 15% or greater, and visible from a County designated Viewshed road. The proposed accessory building is located on slopes in excess of 15% and would be visible from State Highway 29, Silverado Trail and Larkmead Lane, County designated Viewshed roads. The proposed project includes new landscaping to screen a minimum of 51% of the proposed structure from State Highway 29, Silverado, and Larkmead Lane, would be painted an earthtone color, include downward facing lighting, and anti-glare window coatings. The screening vegetation shall achieve 51% screening within five (5) years of planting. The proposed fire protection tank is proposed next to an existing residential unit, and would not be visible from offsite sources. The project parcel is not within an area considered a scenic vista, nor would the proposed development preclude views of a scenic vista. The project would not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway. The project also does not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project is the expansion of an existing winery facility, associated winery infrastructure, and compliant with the County General Plan and typical of land uses in the surrounding area, which consists of other scattered hillside vineyards and rural residences.

d. The proposed new winery facility may result in the use of additional lighting that may have the potential to impact nighttime views. Pursuant to standard Napa County conditions of approval for wineries, the existing outdoor lighting for the winery is required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As designed and operating subject to the County's standard condition of approval noted below, the project would not have a significant impact resulting from new sources of outside lighting.

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.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

Pursuant to standard Conditions of approval for wineries, the winery will be prohibited from installing highly reflective surfaces. The operation is subject to the County's standard condition of approval noted below, the project would not have a significant impact resulting from new sources of glare.

6.15(g) COLORS

The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation; or colors required by the Secretary of Interior's Standards for Treatment of Historic Properties; or natural earth tone building materials. 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.

Mitigation Measures: None are required.

II.	**AGRICULTURE AND FOREST RESOURCES.**[1] 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 Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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)?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

[1] "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/b/e As shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, the project site is identified as 'Other Land' and 'Unique Farmland'. The project proposes to remove approximately 0.1 acres of vineyard from the project parcel to accommodate proposed parking and a new 1,700 square foot winery structure. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. The proposed project would not conflict with existing zoning for agricultural uses. No impacts will occur.

The subject property does not have a Williamson Act contract associated with it. The proposed project does not include the construction of roadways or other infrastructure that would result in the conversion of existing farmland or forestland to non-agricultural or non-forestland uses. The proposed project would not conflict with existing zoning for agricultural uses. No impacts will occur.

c/d The project site is zoned Agricultural Watershed (AW), which allows wineries, upon the granting of a use permit, and agriculture (i.e. the raising of crops/planting of vines) by right. According to the Napa County Environmental resource maps the project site contains and is surrounded by California Bay, Madrone, Coast Live Oak, Black Oak, and Big Leaf Maple. The proposed driveway improvements includes the removal of three (3) oak trees and the replanting of 9 replacement oak trees. Thus, the proposed project does not 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) nor will the project conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. Impacts would be less than significant.

Mitigation Measures: None are required

III.	**AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
	a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
	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?	☐	☐	☒	☐
	c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
	d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	☐	☐	☒	☐

Discussion:

On June 2, 2010, the Bay Area Air District's (formerly the Bay Area Air Quality Management District's) (BAAD) 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 BAAD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAD's website and included in BAAD'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 the 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 BAAD to any specific course of regulatory action.

BAAD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a/b. 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 (BAAD, In Your Community: Napa County, April 2016)

The potential impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAD. 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 (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAD 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. BAAD 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 BAAD 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 BAAD 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 BAAD through May 2017. Given the size of the entire project, which is approximately 4,746 square feet of floor area dedicated to production uses, 2,300 square feet of outdoor fermentation and crush, and 1,700 square feet of space dedicated to tasting/hospitality uses compared to the BAAD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 square feet (general light industry) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please 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.) The project falls 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.

c/d. Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to

be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project parcel include rural residential, agriculture (primarily vineyard), and wineries. The closest school (Robert Louis Stevenson Middle School) is located approximately 4.5 linear miles to the southeast of the project site in St. Helena (Google Earth). The closest residence is located approximately 680 feet to the south of the project area. The closest residential area (the City of St. Helena) is over 3.7 miles southeast of the project area.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. These sources would generally be temporary and/or seasonal in nature and would occur at least 4.5 miles from the closest school and 3.7 miles from the nearest residential community, providing dilution of pollutants and odors. 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: Additionally, for the reasons identified above, the proposed project will not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less than significant impact.

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAD 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 BAAD'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 BAAD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAD 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 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 receptors. The nearest residence to the proposed new winery building is approximately 680 feet to the south. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a/b. The proposed winery facility includes the construction of a new 1,700 sq. ft. tasting room and office, the construction of a garbage enclosure, improvements to the site's driveway to meet commercial standards, a water tank and the expansion of onsite parking. The proposed new development is in areas that have previously been disturbed with ornamental landscaping and vineyards. The project site is approximately 1990 feet above mean sea level (amsl). The proposed winery tasting room and office is to be located on a portion of an existing driveway and vineyard row, with an average slope of approximately 22%. The proposed trash enclosure is proposed atop an existing vineyard. Soil types include forward silt loam, 12 to 57 percent slopes, MLRA 15.

According to the Napa County Environmental resource maps (based on the following GIS layer – Natural Diversity Database (CNDDB) and CNDDB owl habitat) the project site is within a boundary known for spotted owl habitat. As noted above, new construction is limited to disturbed areas on site. The winery is existing and was originally approved as a Small Winery Exemption on September 12, 1988, and the project does not include any building demolition. The proposed project includes the removal of three (3) oak trees, three (3) fir trees, two (2) madrone trees, and approximately 14 ornamental olive trees. All trees proposed for removal are within 10 feet of the winery's existing driveway. The general attributes of Northern Spotted Owl (NSO) habitat include dense, multi-layered canopy of several tree species of varying size and ages with open spaces among the lower branches to allow flight under the canopy. NSO habitat also tends to include abundant logs, snags/cavity trees with broken tops or platform-like substrates. The three oak trees, fir trees, and olive trees are directly adjacent to the project driveway and provide low quality and highly disturbed habitat due to regular driveway vehicle traffic. In the abundance of caution and in order to mitigate any potentially significant impacts to owls, Mitigation Measure **BIO-1** requires Northern Spotted Owl surveys prior to any on site vegetation removal.

While the proposed tree removal is located next to the project driveway, with low quality and highly disturbed habitat due to regular vehicle traffic, migratory birds and raptors have the potential to nest within the woodlands adjacent to the project area. Tree removal

along the periphery of the project site to accommodate improvements to the project driveway and intermittent increases in noise levels due to project construction may cause nest abandonment and death of young or loss of reproductive potential at active nests located near project activities, resulting in potentially significant indirect and cumulative impacts to special-status bird species. In the abundance of caution, Mitigation Measure **BIO-2** will require preconstruction surveys for nesting birds to reduce this impact to less than significant level. Due to proposed tree removal, and in the abundance of caution, in order to mitigate any potentially significant impacts to bat species, Mitigation Measure **BIO-3** requires a bat habitat assessment and surveys prior to any on site vegetation removal.

No other sensitive species have been identified. Based on the limited location of site improvements and minor modifications to winery operations, it is unlikely that the proposed project would have a substantial adverse effect on any candidate, sensitive or special status species, or that it would have a substantial adverse effect on sensitive natural communities. Due to the aforementioned factors, the proposed project would have a less than significant impact on any candidate, sensitive or special status species, or would have a substantial adverse effect on sensitive natural communities.

c. According to the Napa County Environmental resource maps (based on the following GIS layer – Wetlands and vernal pools and National Wetlands Inventory) there are no wetlands on the site. The project will not 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.

d. The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to Napa County Environmental Mapping (GIS CNDDB layer) there are no wildlife corridors on the parcel. All proposed improvements would occur on, or adjacent to, previously disturbed areas on the property. Therefore, the proposed project would result in a less than significant impact on wildlife movement.

e. Based on the property zoning of Agricultural Watershed (AW) the project is subject to the vegetation canopy cover retention and removal mitigation requirements pursuant to the Conservation Regulations Napa County Code Section 18.108.020. This section requires 70% 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 (by acreage) via preservation or restoration, and permanently preserved through deed restriction or other means acceptable to the County.

The vegetation canopy cover subject to NCC 18.108.020 includes the oak woodland and coniferous forest vegetation communities. Three (3) oak trees, three (3) fir trees, two (2) madrone trees are considered for removal and conversion to road improvement. As proposed, the project would plant 9 new oak trees, resulting in over 100% retention compared to the 2016 condition. This is compliant with NCC Section 18.108.020(C). The proposed removal of 3 oak trees and replanting of 9 oak trees complies with 3:1 replacement or preservation ratio found in NCC Section 18.108.020(D). 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. The proposed planting 9 oak trees to account for the 3 oak tree being removed, meets the General Plan Policy requirement.

f. The proposed project would not conflict with the provisions of adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures:

Mitigation measure **BIO-1:** Minimize potential indirect impacts to Northern Spotted Owls

a. A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the USFWS Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, available at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding northern spotted owl are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in *Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Mitigation measure **BIO-2:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 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 on 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 (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) 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 (7) 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's Conservation Division and/or the USFWS 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.

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 shall undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.

Mitigation Measure **BIO-3**: Bat Tree Habitat Assessment and Surveys.

Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and 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.

Method of Monitoring: The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities

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?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Discussion:

a/b. The proposed winery facility includes the construction of a new 1,700 sq. ft. tasting room and office, the construction of a garbage enclosure, improvements to the site's driveway to meet commercial standards, a water tank and the expansion of onsite parking. The proposed new development would occur in areas that have previously been disturbed with ornamental landscaping and vineyards.

According to the Napa County Environmental Resources Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no archaeological resources have been identified on the property. However, if any previous undiscovered resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project. Impacts are anticipated to be less than significant.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological 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 project development, all work in the vicinity must be 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 Resources Code Section 5097.98.

c. No human remains have been encountered on the property and 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. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion:

a. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers' commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, 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.

The proposed project would comply with Title 24 energy use requirements, and once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant

b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are 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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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.	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion:

a. i) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.

ii) 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 would reduce any potential impacts to a less than significant level.

iii) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The project site is identified as having a very low liquefaction potential according to the Napa County Environmental Resource Maps (liquefaction layers), compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.

iv) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there is no evidence of landslides on the subject site.

Impacts would be less than significant.

b. The total proposed grading for development of the site's building pad, garbage enclosure, parking, driveway improvements is estimated at approximately 1,800 cubic yards. 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 on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards (RSS), 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. Impacts would be less than significant.

c/d. According to the Napa County Environmental Resource Maps (based on the following layers – Geology, Surficial deposits, Soil Types, Geologic Units), the project site includes Forward silt loam (12 to 57 percent slopes). 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. The project is not proposed on any unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.

e. A Wastewater Feasibility Study, dated February 12, 2020, was prepared by Madrone Engineering (Exhibit D), which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs.

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, resulting in a less than significant impact.

f. No paleontological resources or unique geological features have been identified on the property in the project area. The project is unlikely to encounter paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

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

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

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/b. 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 the 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 (CO2), methane, ozone, and the fluorocarbons, which contribute to climate change. CO2 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.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAD 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 1,700 sq. ft. accessory winery space, a garbage enclosure, driveway improvements, and other winery related improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAD 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).

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 BAAD 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. The new construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards. See section VI. Energy for additional information on energy usage.

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.

As discussed above and in section XVII. Transportation, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study or VMT analysis.

The applicant proposes implementing some GHG reduction strategies. These include the generation of on-site renewable energy, exceeding Title 24 energy efficiency standards with new construction, the installation of water efficient fixtures; designing new construction to achieve low-impact development (incorporated into the draining design); use of efficient lighting; installation of water efficient landscaping; recycling 75% of all waste, solar hot water heating; installation of electrical vehicle charging stations; designing the structure to limit the amount of grading and tree removal; and installation of an Energy Star roof. Additionally, the proposed winery will educate staff and visitor on sustainable practices, such as turning off lights after leaving the room and keeping heating/cooling thermostats at consistent temperatures to reduce energy usage. The Department of Public Works has conditioned the project to require a Transportation Demand Management Plan prior to building permit issuance, detailing measures to reduce vehicle trips. These measures shall include, but not limited to, subsidized transit passes, carpool incentives, and bicycle trip-end facilities such as bicycle parking.

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 three (3) oak trees, three (3) fir trees, two (2) madrone trees for the proposed driveway improvements. Emissions resulting from the tree removal is offset by the replanting of minimum 3:1 by acreage ratio of similar woodland on developable land (i.e., <30% slopes, outside of setbacks). To be consistent with the State's long-term climate goals of being carbon neutral by 2045, the project includes the planting of nine (9) oak trees on otherwise developable land. Based on the proposed design and required conditions of approval, the loss in carbon sequestration from the proposed removal of trees would be offset by replanting the equivalent amount or more of carbon sequestering trees on developable land as would be removed by the project.

New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. If the proposed project adheres to these relevant design standards identified by BAAD, the requirements of the California Building Code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	☐	☐	☒	☐

Discussion:

a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, 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 would 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, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less than significant impact.

b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the continued operations of an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.

c. There are no schools located within one-quarter mile from the proposed winery buildings. According to Google Earth, the closest school (Robert Louis Stevenson Middle School) is located approximately 4.5 linear miles to the southeast of the project site in St. Helena. No impacts would occur.

d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

e/f. No impact would occur as the project site is not located within an airport land use plan.

As detailed further in Section XVII. Transportation, an Exception to the Napa County Road and Street Standards ("NCRSS") is requested for improvements to the driveway and the driveway entrance to accommodate environmental, physical, and legal constraints that present challenging obstacles to the installation of a fully compliant road. The Napa County Road and Street Standards (NCRSS) requires a 22 ft minimum width for commercial access roads. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" dbh and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the lake..

The existing driveway in this area serves only the subject parcel, and currently consists of 9' to 10' of pavement width with a dirt shoulder. As part of this project, the shoulder will be widened with gravel for a total driveable width of 14 feet and two turnouts will be constructed. Current NCRSS require the road to be 20' paved width, with 1' shoulders on each side; however, widening the road as required in this area would require complete driveway reconstruction, either with a large cut embankment or a large fill retaining wall. The existing slopes on either side of the road are steeper than 50%, in the form of a steep dropoff on the downhill side and a steep existing cut on the uphill side.

An exception is requested for the existing driveway width at this location for the existence of physical site limitations including existing steep slopes, natural water courses, and large native trees. This portion of the driveway is nearly straight with good sight distance and two turnouts will be constructed. Signage will be added at each end of each section of driveway stating "Single-Lane Road Next 400 Feet". Additionally, a new 12,000-gallon water tank will be constructed and connected to a new hydrant at the winery site. Finally, the area around the winery buildings will be cleared of vegetation in accordance with the Napa County Defensible Space Guidelines, resulting in a driveway that provides the following characteristics:

1. Access for emergency wildland fire equipment;
2. Safe civilian evacuation;

3. Signing that avoids delays in emergency equipment response;
4. Available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
5. Fuel modification sufficient for civilian and fire fighter safety.

The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, or obstruct emergency vehicle access and impacts would be less than significant.

g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed driveway improvements would provide adequate access to the project site from Spring Mountain Road and would improve ingress/egress. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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?	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
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?	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion:

The County requires all discretionary permit applications 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 Groundwater Sustainability Agency (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. For this proposed project, the wells are located outside the GSA Subbasin.

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 Water Availability Analysis Guidance Document- May 2015 (WAA) 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 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."[3]

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 (Interim Standards), providing guidance to complying with the Public Trust.

a. As discussed in Section VII. Geology and Soils a Wastewater Feasibility Report, dated February 12, 2020, was prepared by Madrone Engineering (Exhibit D), which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The existing septic system serving the winery consists of both domestic and process septic tanks, and a pump tank to convey wastewater to an existing leach field of approximately 240 linear feet. To bring the wastewater system into compliance with current code and match the proposed employee and visitation numbers, the owner proposes to continue using the existing leach field for winery domestic waste only (for which it is appropriately sized), and install a new pre-treatment system for winery process wastewater. The owner will have the option of installing a system suitable for dispersing the wastewater directly into the ground via sub-surface drip lines, or a system that will treat the water to the appropriate standard for re-use of the wastewater for vineyard irrigation. All application of treated winery process wastewater must comply with the requirements of the Napa County Process Wastewater Guidelines for Surface Drip Irrigation. 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, conditioned that the plans shall 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 would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

b. A Water Availability Analysis was prepared by O'Connor Environmental, Inc. (OEI), dated December 2, 2025. As directed by the County's Water Availability Analysis Guidance Document of May 2015 (WAA) and the Interim Standards, the report includes Tier 1 calculations for the existing and proposed water uses and a groundwater recharge analysis, a Tier 2 well interference analysis, and a Tier 3 surface water interference analysis.

There are two existing wells on-site: Well 1 and Well 2, both of which are considered Project Wells. Well 1 was completed to a depth of

[3] Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant_Streams" and "Significant_Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

640 feet in 2003. Based on a one-hour air lift test performed at the time of completion, the well was estimated to have a yield of 40 gpm. Well 2 was completed to a depth of 530 feet in 1984. Based on a three-hour bailer test, the well was estimated to have a yield of 14 gpm.

Tier 1: The Tier 1 analysis considered existing uses onsite to include the existing single-family residence, accessory dwelling unit, residential pool, residential landscaping, existing winery, and winery landscaping irrigation. The existing groundwater usage is estimated at 6.244 acre-feet per year (AFY). The proposed project would increase groundwater use by 0.34 AFY resulting in an overall water usage of 6.584 AFY.

Existing and Proposed Groundwater Usage Broken Down Across Uses

Source of Demand	Existing (AFY)	Proposed (AFY)	Difference (AFY)
Primary Residence	0.75	0.75	0
Accessory Dwelling Unit	0.35	0.35	0
Pool	0.1	0.1	0
Residential Landscaping	0.07	0.07	0
Vineyard (8.6 acres)	4.3	4.3	0
Winery Process Water	0.43	0.65	+0.22
Winery Domestic and Landscaping	0.1	0.15	0
Employees	0.06	0.1	+0.04
Tasting Room Visitation	0.08	0.11	+0.03
Events and Marketing, with onsite catering	0.004	0.004	0
Total	**6.244**	**6.584**	**+0.34**

Well 1, Well 2, and all of the approximately 40 acres of the project parcel are outside of the GSA. Napa County's WAA procedures are dependent of the location of the project well(s) being located inside or outside of the GSA for determination of the project's groundwater usage criteria. A parcel specific recharge calculation was prepared for this project. The groundwater recharge was estimated by reviewing the soil properties and geological materials present and their ability to percolate groundwater to the saturated zone of the aquifer. Calculation of evapotranspiration using local climate data along with soil moisture storage and precipitation is believed to provide a more accurate representation of local conditions; evapotranspiration is the largest component of the water balance. The analysis used the PRISM data aggregated from a 10-year average for precipitation in Napa County between water year 2011-12 and water year 2020-21. The project WAA estimates that the project parcel has a parcel specific recharge total of 25.1 AFY.

As a whole, the total proposed groundwater demand is 6.584 AFY, equivalent to 26% estimated annual groundwater recharge values for parcel area. Due to this factor, Napa County has conditioned the project with the following standard Condition of Approval:

4.9 GROUND WATER MANAGEMENT - WELLS

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence1 indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of PBES determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of PBES determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence1 that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

Tier 2: Pursuant to County's WAA, 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. The project wells (Well 1 and 2) are both located at a greater distance than 500 feet from a neighboring well and greater than 1,500 feet from a spring; therefore, the County's Tier 2 requirements have been met.

Tier 3: A Tier 3 review is the County's adopted method for complying with its duties under the Public Trust Doctrine. As discussed herein, the existing project will comply with the County's WAA guidance document. Per the County's WAA, a Tier 3 analysis was performed to evaluate potential groundwater to surface water interaction.

Project Well 1 and Well 2 are 975 feet and 685 feet respectively from Mill Creek, a designated significant stream. OEI's WAA concludes that Well 1 and 2 are not in direct hydraulic connection with any defined significant streams because:

Well 1:

a. Project well 1 is presumed to be screened entirely within the andesitic to basaltic lava flow rocks, the Tsa unit of the Sonoma Volcanics, a fractured bedrock aquifer which is known to have a relatively low permeability.
b. Well 1 is perforated between 281 and 301 ft below ground surface and has a surface seal depth of 55 ft. The well pump rate is approximately 8 gallons per minute. The County's WAA establishes a "Very low capacity pumping rate" category that has an "acceptable distance" of 500 ft to the significant stream. Well 1 is located approximately 975 ft from Mill Creek and has a "very low capacity pumping rate"; therefore, "the groundwater/surface water criteria are presumptively met".

Well 2:

a. Project well 2 is presumed to be screened entirely within the andesitic to basaltic lava flow rocks, the Tsa unit of the Sonoma Volcanics, a fractured bedrock aquifer which is known to have a relatively low permeability.
b. Well 2 perforation begins at 420 ft below ground surface and has a surface seal depth of 20 ft. The well pump rate is approximately 8 gallons per minute. The County's WAA establishes a "Very low capacity pumping rate" category, that has an "acceptable distance" of 500 ft to the significant stream. Well 2 is located approximately 665 ft from Mill Creek. The "Very low capacity pumping rate" category includes a construction assumption of a surface seal at 50 ft, but Well 2 has a surface seal depth at 20 ft. OEI elaborates that due to the well's construction on a hill above Mill Creek, the well seal screened internal lies 167 feet below the base of the closest segment of channel in Mill l Creek and is within the low permeability fractured bedrock of the Sonoma Volcanics. The WAA concludes that the depth of the surface seal is not a potentially significant control on groundwater-surface water interaction given the topographic relationship of the well in relation to Mill Creek and the depth to groundwater.

The WAA found that the aquifers of the project wells are not directly connected to Mill Creek. The proposed project conforms to Napa County's WAA Tier 3 guidelines. Due to these factors, the project well presumptively meets Napa County's Tier 3 WAA guidelines for groundwater-surface water interaction. County has satisfied its duty to consider impacts to trust resources and no further analysis is required. Impacts would be less than significant.

c/d. The project site is not located within a Federal Emergency Management Agency (FEMA) 100-year flood zone, in a dam or levee failure inundation area, or in an area subject to seiche or tsunami (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan - Safety Element. pg. 10-20. All proposed work would take place on relatively flat areas of prior disturbance or in areas that are predominately vineyard. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. The parcel is not located in an area that is known to be subject to inundation by tsunamis, seiches, or mudflows. Impacts would be less than significant.

e. As discussed above, the parcel specific groundwater recharge analysis estimated a groundwater potential of 25.1 AFY. This recharge value exceeds the estimated groundwater use of 6.584 AFY. Although the operational changes would increase water use, the levels are below the expected recharge rate. The project would not result in an impact to water use and would therefore comply with the GSP. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a/b. The project would not occur within an established community, nor would 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 are 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion:

a./b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa

County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures: None are required.

XIII.	**NOISE.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant 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?	☐	☐	☒	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a/b. The project would result in a temporary increase in noise levels during grading and construction activities for the proposed winery tasting room/office, garbage enclosure, and driveway improvements. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the proposed tasting room is approximately 680 feet to the south with considerable amounts of vineyard in between the structures. Due to this distance, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

. *"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."

The project proposes to establish daily visitation, at 30 visitors per day and with a maximum of 210 visitors per week for by-appointment Tours and Tastings. The project also proposes to establish a marketing program as described under Project Description (I). The applicant also proposes to allow for on-premises consumption activities in conformity with Business and Professions Code Sections 23358, 23390 and 23396.5 on the landscaped patio.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses that surround the proposed parcel are predominantly large lot residential properties and vineyards; of these land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 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.) within which the

applicant proposes to conduct events. 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 to the proposed winery is approximately 680 feet to the south. Under the proposed project, the largest outdoor event that would occur on the parcel would have an attendance of no more than 100 guests, and all events would end by 9:00 p.m., including clean-up. Winery operations would occur between 8:00 a.m. and 5:00 p.m. (production, excluding harvest) and 8:00 am to 4:00 pm, (tours and tasting). The potential for the creation of significant noise from visitation is significantly reduced, since the tasting areas are predominantly within the winery structure itself, with the exception of the patio and garden areas.

Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, including clean-up are required to finish by 9:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in Standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

"4.10 AMPLIFIED MUSIC
There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings."

b. The project site is not located within the influence area of the Napa County Airport, according to the Airport Land Use Compatibility Plan: the closest airport to the subject parcel is the Angwin Airport located over 10-miles to the north. No impacts would occur.

Mitigation Measures: None are 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)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Discussion:

a. 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' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County's Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The seven additional employees which are part of this project could lead to negligible population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, the project would 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 would be less than significant.

The proposed project does not require 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 roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 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.

Seven (7) full-time employees are requested as part of the project. Employees and visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other business supporting the winery's requested operations is uncertain, unquantifiable, and speculative. 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.

b. There is one existing residence and an ADU on the property. No residential buildings on or off the property would be demolished as a result of the project. A less than significant impact would occur.

Mitigation Measures: None are 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?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Discussion:

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 Marshal 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 and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public

services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a. The project would 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.

b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit application. The proposed project would 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. The proposed project would have no impact.

Mitigation Measures: None are 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, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a/b.

As part of the statewide implementation of Senate Bill (SB) 743, 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 County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% 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 LCI 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. LCI 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%, the conclusion would be that the project would cause a significant environmental impact.

Based on maximum winery employee and visitor/guest data for the harvest/crush season, the proposed project would be expected to generate 54 daily trips on a weekday and 53 daily trips on a Saturday. This count includes vehicle trips required for 187.5 tons of grape haul.

Since operational and visitor trips associated with the project is below the 110-trip threshold in the Office of Land Use and Climate Innovation guidelines and the County's TIS Guidelines VMT screening criteria the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

c. An Exception to the Napa County Road and Street Standards ("NCRSS") is requested for improvements to the driveway and the driveway entrance to accommodate physical constraints that present challenging obstacles to the installation of a fully compliant road. The Napa County Road and Street Standards (NCRSS) requires a 22 ft minimum width for commercial access roads. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" dbh and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

The existing driveway in this area serves only the subject parcel, and currently consists of 9' to 10' of pavement width with a dirt shoulder. As part of this project, the shoulder will be widened with gravel for a total driveable width of 14 feet and two turnouts will be constructed. Current NCRSS require the road to be 20' paved width, with 1' shoulders on each side; however, widening the road as required in this area would require complete driveway reconstruction, either with a large cut embankment or a large fill retaining wall. The existing slopes on either side of the road are steeper than 50%, in the form of a steep dropoff on the downhill side and a steep existing cut on the uphill side.

An exception is requested for the existing driveway width at this location for the existence of physical site limitations including existing steep slopes, natural water courses, and large native trees. This portion of the driveway is nearly straight with good sight distance and two turnouts will be constructed. Signage will be added at each end of each section of driveway stating "Single-Lane Road Next 400 Feet". Additionally, a new 12,000-gallon water tank will be constructed and connected to a new hydrant at the winery site. Finally, the area around the winery buildings will be cleared of vegetation in accordance with the Napa County Defensible Space Guidelines, resulting in a driveway that provides the following characteristics:

1. Access for emergency wildland fire equipment;
2. Safe civilian evacuation;
3. Signing that avoids delays in emergency equipment response;
4. Available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
5. Fuel modification sufficient for civilian and fire fighter safety.

The proposed project's incorporation of the aforementioned design features results in a less than significant impact.

d/e. The winery project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest conditions. The project site, as proposed, would have a total of twelve (12) parking spaces (with one designated for ADA drivers). Visitors to the Winery will be by appointment only. On a busy day, a maximum of 30 visitors (11 daily vehicles) will arrive in a staggered arrangement so that there should never be more than three or four guest vehicles at the site at anytime. Occasionally, visitors will arrive in a higher-occupancy vehicle such as an SUV, minivan or smaller shuttle bus. The nine (9) employees per day would then occupy the remaining spaces. The winery owner lives in the existing single family residence on the project parcel, reducing the required parking for employees. The project is designed to meet the Napa County Road and Street Standards, to conform to the latest emergency access requirements, and the existing road system would continue to provide adequate emergency access to the project site. When larger marketing events are held, guests will be brought to the site via bus; furthermore, reducing the proposed project's need for additional parking.

Mitigation Measures: None are 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**
	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.	☐	☐	☒	☐

Discussion:

a/b. On August 25, 2025, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest

in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No comments were received and the consultation period closed on September 24, 2025. No request for consultation were received, and more than 30 days had elapsed since the County's consultation invitation was provided; therefore, the consultation period closed on September 24, 2025.

According to the Napa County Environmental Resources Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no archaeological resources have been identified on the property. Furthermore, no resources that may be significant pursuant to Public Resources Code Section 5024.1(c) have been identified in the development area. The Cultural Resources conditions of approval discussed in Section V (Cultural Resources), would further avoid and reduce potential impacts to unknown resources.

As such, the proposed project, with the Cultural Resources conditions of approval, would result in less-than-significant impacts to Tribal Cultural Resources, including those that may be eligible for the California Historical Resources Information System or local register, or cultural resources as defined in Public Resources Code Section 5024.1(c).

Mitigation Measures: None are required.

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 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

a. As discussed in detail in Section VII. Geology and Soils, a Wastewater Feasibility Study, dated February 12, 2020, was prepared by Madrone Engineering which outlines the required wastewater system to meet the needs of the proposed winery production, employees, visitation, and marketing programs. The existing septic system serving the winery consists of both domestic and process septic tanks, and a pump tank to convey wastewater to an existing leach field of approximately 240 linear feet. To bring the wastewater system into compliance with current code and match the proposed employee and visitation numbers, the owner proposes to continue using the existing leach field for winery domestic waste only (for which it is appropriately sized), and install a new pre-treatment system for winery process wastewater. The owner will have the option of installing a system suitable for dispersing the wastewater directly into the ground via sub-surface drip lines, or a system that will treat the water to the appropriate standard for re-use of the wastewater for vineyard irrigation.

The process wastewater system will be designed per RWQCB and Napa County requirements. 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, conditioned that the plans shall 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.

Based on the proposed uses, the onsite water system will be classified as a transient noncommunity (TNC) public water system per the State of California Drinking Water Requirements. Impacts would be less than significant.

b. As discussed in Section X. A Water Availability Analysis was prepared by O'Connor Environmental, Inc. (OEI), dated December 2, 2025. The report includes calculations for the existing and proposed water uses and a groundwater recharge analysis. An onsite water audit of existing uses was completed, and the existing water use associated with the winery, single-family residence, vineyards, and the ADU is estimated to be 6.244 AFY. Due to the proposed winery expansion, total water usage would increase to 6.584 AFY. Overall, the project would result in an increased water usage of 0.34 AFY. The preparation of a groundwater recharge analysis utilized the 10-year PRISM data set between water year 2011-12 and water year 2020-21 and estimated a parcel specific recharge of 25.1 AFY. As a whole, the total proposed groundwater demand is 6.584 AFY, equivalent to 26% estimated annual groundwater recharge values for parcel area. The proposed water use would not impact groundwater availability.

c. Wastewater would be treated on-site and would not require a wastewater treatment provider; therefore, no impact would occur.

d/e. 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. Therefore, impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
	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?	☐	☐	☒	☐
	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?	☐	☐	☒	☐
	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?	☐	☐	☒	☐

Discussion:

a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The proposed driveway improvements and proposed project will be designed and improved to meet the same practical effect of the commercial standards as defined in the Napa County Road and Street Standards (RSS) and California Board of Forestry and Fire Protection State Minimum Fire Safe Regulations (FSR). 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 the project would have adequate emergency access to the proposed project. The new building would be equipped with sprinklers and fire suppression equipment as required by the CA building Code. Impacts of the project would be less than significant.

b. The proposed project is located within a high fire hazard severity zone and in the State Responsibility (SRA) district. The proposed project includes upgrading the project access road, construction of an approximately 1,700 sq. ft. building for uses accessory to a winery,

construction of a garbage enclosure, and the addition of parking. The project's driveway runs across the site and contiguous to the existing vineyard, which is situated on slopes ranging from 0-33%. The driveway gains access from Spring Mountain Road. The proposed project includes improvements to the project driveway to aid in the safe ingress and egress of visitors and emergency personnel to and from the site. The majority of the proposed winery will be underground, within an existing winery cave, and the tasting room is to be located within a new 1,700 sq. ft. structure, located adjacent to the parking lot. The proposed improvements would not result in a physical modification to the slope of the site, changes 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. Impacts of the project would be less than significant.

c. The existing driveway will be improved and will be constructed to demonstrate the same overall practical effect of the County RSS and State FSR. Proposed utility improvements will be undergrounded, and the winery will contain fire suppression infrastructure, including fire sprinklers. During construction, the risk of igniting a fire would be low because vegetation would be cleared prior to development, and the risk would be temporary due to the limited duration of construction. Operation and maintenance activities would be similar to activities already occurring on properties in the area. This development is not considered a type of improvement that exacerbates wildfire risk or significant environmental risk. Impacts will be less than significant.

d. The physical improvements are located within a vineyard and areas of the site which are already paved. The proposed project would not physically alter the site in a way which would expose people or structure to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are 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?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion:

a. 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 or substantially reduce the number or restrict the range of a rare or endangered plant or animal species.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, and VMT reduction strategies. The applicant intends to implement a number of greenhouse gas reduction strategies including the generation of on-site renewable energy, exceeding Title 24 energy efficiency standards with new construction, the installation of water efficient fixtures; designing new construction to achieve low-impact development (incorporated into the draining design); use of efficient lighting; installation of water efficient landscaping; recycling 75% of all waste, solar hot water heating; installation

of electrical vehicle charging stations; designing the structure to limit the amount of grading and tree removal; and installation of an Energy Star roof. Additionally, the proposed winery will educate staff and visitor on sustainable practices, such as turning off lights after leaving the room and keeping heating/cooling thermostats at consistent temperatures to reduce energy usage. The Department of Public Works has conditioned the project to require a Transportation Demand Management Plan prior to building permit issuance, detailing measures to reduce vehicle trips. These measures shall include, but not limited to, subsidized transit passes, carpool incentives, and bicycle trip-end facilities such as bicycle parking. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in an increase of 0.34 AFY over the existing levels. Potential cumulative impacts would be less than significant.

c. All potential impacts identified in this Mitigated Negative Declaration are less than significant with the exception of Biological Resources, for which Mitigation Measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.

PROJECT REVISION STATEMENT

Barnett Vineyards Winery, Use Permit #P19-00125-UP, Viewshed Protection Program #P20-00121-VIEW, and Exception to the Road and Street Standards

I hereby revise The Barnett Vineyards Winery Use Permit (P19-00125-UP), Viewshed Protection Program, and Exception to the Road and Street Standards, to include the three (3) measures specified below:

MM BIO-1: Minimize potential indirect impacts to Northern Spotted Owls

a. A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the USFWS Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, available at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding northern spotted owl are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

   Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

   If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

MM BIO-2: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 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 on 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 (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) 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 (7) 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's Conservation Division and/or the USFWS 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.

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 shall undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

MM BIO-3: Bat Tree Habitat Assessment and Surveys.

Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and 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.

Barnett 2024 Revocable Trust, dated October 31, 2024, further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

Barnett 2024 Revocable Trust, dated October 31, 2024, understands and explicitly agrees that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.

Fiona H. Barnett

Fiona H. Barnett
On behalf of Barnett 2024 Revocable Trust,
dated October 31, 2024,

12/2/2025

Date

Barnett Vineyards Winery, Use Permit #P19-00125-UP, Viewshed Protection Program #P20-00121-VIEW, and Exception to the Road and Street Standards
Mitigation Monitoring and Reporting Program

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
MM BIO-1: Minimize potential indirect impacts to Northern Spotted Owls	**BIO-1:** Minimize potential indirect impacts to Northern Spotted Owls a. A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project site and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the USFWS Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, available at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding northern spotted owl are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active in consultation with CDFW, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year. Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in *Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW. If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.	P	PD	PC __/__/__

Notes: P = Permittee, PD = Planning Division, BD = Building Division, E = Engineering Division, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist
PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
MM BIO-2: Minimize potential indirect impacts to special-status nesting birds and raptors	**BIO-2:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5: a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 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 on 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 (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) 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 (7) 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's Conservation Division and/or the USFWS 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	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities.	P	PD	PC __/__/__

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	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. 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 shall undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.				
MM BIO-3: Minimize potential indirect impacts to bats	**BIO-3**: Bat Tree Habitat Assessment and Surveys. Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and 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.	The above measures shall be incorporated as conditions of approval of the project (if approved) and apply to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities	P	PD	PC __/__/__

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