

Upper Range Vineyard Project (Rogers Property) Supplemental Draft EIR

Appendix F

The table below assesses the project’s consistency with the Napa County General Plan as updated/amended on June 3, 2008. The assessment indicates whether the project would or would not be generally consistent with goals and policies considered most relevant to the project. The assessment reflects a preliminary judgment by County staff that is intended to disclose potential inconsistencies and environmental impacts, but is not a conclusive finding concerning the project’s consistency with the General Plan. Final determination of the project’s consistency is subject to the independent judgment of designated County decision-makers based on all evidence in the public record.

2008 GENERAL PLAN ELEMENT GOAL/POLICY	CONSISTENCY DISCUSSION
Agricultural Preservation and Land Use Element	
<p>AG/LU-1: Agriculture and related activities are the primary land uses in Napa County.</p> <p>AG/LU-2: “Agriculture” is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses.</p> <p>AG/LU-15: The County affirms and shall protect the right of agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a “right to farm”)..... and other activities inherent in the definition of agriculture provided in Policy AG/LU-2, above.</p>	<p>The project in its entirety is the installation, operation and maintenance of a new 161 acre vineyard on 7 contiguous parcels totaling 678 acres. Vineyard and/or the growing of wine grapes by definition is agriculture. Therefore, the project would be generally consistent with these general plan policies.</p>
Community Character Element	
<p>CC-5: Recognizing that vineyards are an accepted and attractive visual feature of Napa County... the County shall require the retention of trees in strategic locations when approving conversion of existing forested land to vineyards in order to retain landscape characteristics of the site when viewed from public roadways and shall require the retention of trees to screen non-agricultural activities...</p> <p>CC-6: The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible a natural landform appearance.</p>	<p>A visual simulation of the existing views and proposed vineyard was prepared from Silverado Trail and from Lake Hennessey demonstrating the views of the project will be similar to the existing views along Silverado Trail of vineyards, trees, wineries and residences. The project in its entirety would develop approximately 161 acres of new vineyard and will retain approximately 678 acres of the existing habitat of oak woodland and grassland. The area to be converted to vineyard is not timberland. Non-agricultural activities will not occur with this project. The new vineyard has been</p>

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	<p>designed to take advantage of the existing natural terrain. No structures are associated with the project. Therefore, the project would be generally consistent with these general plan policies</p>
<p>CC-23: The County supports continued research into and documentation of the county’s history and prehistory, and shall protect significant cultural resources from inadvertent damage during grading, excavation, and construction activities... on all discretionary projects in areas which do not have a significant potential for containing archaeological or paleontological resources: “The Planning Department shall be notified immediately if any prehistoric, archaeological, or paleontological artifact is uncovered during construction. And all construction must stop and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.” And “all construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California’s Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.”</p>	<p>A project specific cultural resource study was prepared and no significant cultural resources were found, nor were potential areas for discovery anticipated. However, the project would include a condition of approval in the off chance that an unanticipated discovery occurs. Therefore, the project would be generally consistent with this general plan policy.</p>
<p>Goal CC-6: Preserve and enhance the night environment of the county’s rural areas and prevent excessive light and glare.</p>	<p>Vineyard installation, operation and maintenance do not have any artificial lighting or associated structures which would be a source of light or glare. There would be short-term temporary source (farm equipment, tractor) of focused spot lighting during routine vineyard operations and maintenance activities such as sulfuring in the early morning hours (10 pm-5 am) and during harvest activities. Spot lighting is for the safe and secure operations of the farm personnel and equipment. Therefore, the project would be generally consistent with this general plan goal.</p>

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<p>Goal CC-7: Accept those sounds which are part of the County’s agricultural character while protecting the people of Napa County from exposure to excessive noise.</p> <p>CC-35: The noises associated with agriculture, including agricultural processing, are considered an acceptable and necessary part of the community character of Napa County, and are not considered to be undesirable provided that normal and reasonable measures are taken to avoid significantly impacting adjacent uses.</p>	<p>Installation, operations and maintenance of a vineyard does not have sustained nor excessive noise. Noise sources would be farm equipment use such as a tractor and worker vehicles. Minimal short term low level noise would come from one-time vineyard installation activities, and the yearly harvest activities, which occur in the early a.m. or late p.m. when the weather is coolest and the wind is least. Therefore, the project would be generally consistent with this general plan goal and policy.</p>
<p>Conservation Element</p>	
<p>CON-1: The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wildlife movement, native vegetation, and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification, and protection.</p> <p>CON-2: The County shall identify, improve, and conserve Napa County’s agricultural land through the following measures: ...</p> <p>c) Require that existing significant vegetation be retained and incorporated into agricultural projects to reduce soil erosion and to retain wildlife habitat. When retention is found to be infeasible, replanting of native or non-invasive vegetation shall be required...</p>	<p>The new vineyard would comprise 161 planted acres and would leave 517 acres in its current state. The vineyard design includes wildlife corridors ranging from 50’ to 200’. The wildlife access to the existing stock ponds would remain as is as well as the access to remaining acreage excluding the vineyard.</p> <p>A diversity of native and natural vegetation would remain on the 678 acre site, although 161 acres of existing vegetation would be removed. With mitigation, lost oak woodland habitat could be replaced, or remaining oak habitat would be permanently protected, or other existing oak woodland habitat would be permanently protected at a 2:1 ratio. Small native grassland habitats would be removed and not replaced. For these reasons, the project would be potentially inconsistent with these general plan policies.</p>
<p>Goal Con-2: Maintain and enhance the existing level of biodiversity.</p> <p>Goal Con-3: Protect the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats...</p> <p>Goal Con-4: Conserve, protect, and improve plant, wildlife, and fishery habitats for all native species...</p> <p>Goal Con-5: Protect connectivity and continuous habitat areas for wildlife movement.</p>	<p>The existing diversity of native and natural vegetation and forested land of the existing 678 shall remain though reduced by approximately 161 acres to 517 acres. No special status species would be affected by the installation, operation and maintenance of the vineyard. Also, the designed layout of the proposed vineyard includes wildlife</p>

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	<p>corridors ranging from 50' to 200'. The wildlife access to the existing stock ponds and Lake Hennessey would remain. For these reasons, the project would be generally consistent with these general plan goals.</p>
<p>CON-11: The County shall maintain and improve fisheries habitat through a variety of appropriate measures, including the following as well as best management practices... m) Control sediment production from mines, roads, development projects, agricultural activities, and other potential sediment sources.</p> <p>CON-13: The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects to avoid impacts to fisheries and wildlife habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:</p> <p>a) Maintain the following essentials for fish and wildlife resources:</p> <ol style="list-style-type: none"> 1) Sufficient dissolved oxygen in the water. 2) Adequate amounts of proper food. 3) Adequate amounts of feeding, escape, and nesting habitat. 4) Proper temperature through maintenance and enhancement of streamside vegetation, volume of flows, and velocity of water. ... <p>c) Employ supplemental planting of grasses, shrubs, and trees of like quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife and maintain the watersheds, especially in stream side areas, in good condition.</p> <p>d) Provide protection for wildlife habitat and special-status species through buffering or other means.</p> <p>e) Provide replacement habitat of like quantity and quality on- or off-site for special-status species.</p> <p>f) Enhance existing habitat values, particularly for special-status species, through restoration and replanting of native plant species as part of discretionary permit review and approval.</p>	<p>The proposed erosion control plan would control sediment production through its design and implementation. Drainage and surface erosion control measures include water bars to divert concentrated flow and straw bale dikes, silt fencing, and/or rock barriers to protect the nearby watercourses. Rocks may be stacked in a row outside of setback areas to create a filter media. Vegetative erosion control measures consist primarily of seeding and management of a no-till cover crop and straw mulch, which would be used between vine rows and disturbed areas outside the vineyard blocks such as the vineyard avenues and roads. Vineyard roads and avenues are all pervious surfaces.</p> <p>Project specific biological and botanical surveys were done. (2002, 2004, & 2008) with the conclusion that the project would not have any significant project-specific effects to biological, botanical or wildlife resources.</p> <p>The cattle grazing on the project site occurs to keep the vegetation in check to reduce the potential for wildfire. With the project, the existing number of cattle (approximately 50 head) would be reduced (to approximately 20-30). The cattle would graze during spring and summer (with supplemental feed if necessary) and would be removed during the fall and winter to allow the vegetation to grow back.</p>

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<p>g) Require temporary or permanent buffers of adequate size (based on requirements of the subject special-status species) to avoid nest abandonment by birds and raptors associated with construction and site development activities. ...</p> <p>CON-16: The County shall require a biological resources evaluation for discretionary projects in areas identified to contain or potentially contain special-status species based upon data provided in the Baseline Data Report (BDR), California Natural Diversity Database (CNDDDB), or other technical materials. This evaluation shall be conducted prior to the approval of any earthmoving activities.</p> <p>CON-18: To reduce impacts on habitat conservation and connectivity:</p> <p>a) In sensitive domestic water supply drainages where new development is required to retain between 40 and 60 percent of the existing (as of June 16, 1993) vegetation on-site, the vegetation selected for retention should be in areas designed to maximize habitat value and connectivity.</p> <p>b) Outside of sensitive domestic water supply drainages, streamlined permitting procedures should be instituted for new vineyard projects that voluntarily retain valuable habitat and connectivity, including generous setbacks from streams and buffers around ecologically sensitive areas.</p> <p>c) Preservation of habitat and connectivity of adequate size, quality, and configuration to support special-status species should be required within the project area. The size of habitat and connectivity to be preserved shall be determined based on the specific needs of the species.</p> <p>d) The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.</p> <p>e) The County shall require new vineyard development to be designed to minimize the reduction of wildlife movement to the maximum extent feasible. In the event the County concludes that such development will have a significant impact on wildlife movement, the County may require the applicant to relocate or remove existing perimeter fencing installed on or after February 16, 2007 to offset the impact caused by the new vineyard</p>	<p>Access to the existing stock ponds will remain open and available to the wildlife and cattle as it is currently. Access to streams will remain unimpaired with a minimum 65 foot stream setback from the nearest vineyard block to them. The erosion and sediment control measures would reduce the amount from entering the streams over the existing conditions.</p> <p>227 acres of the total 678 acre site is located in a sensitive domestic water supply of the Lake Hennessey Municipal of which 36 acres will be developed as vineyard. 77-85% of the existing tree & brush cover shall remain undisturbed in the designated municipal watershed, and wildlife corridors would be maintained as discussed above.</p> <p>For all of these reasons, the project would be generally consistent with these general plan policies.</p>

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<p>development.</p> <p>f) The County shall disseminate information about impacts that fencing has on wildlife movement in wild land areas of the County and encourage property owners to use permeable fencing.</p> <p>g) The County shall develop a program to improve and continually update its database of biological information, including identifying threats to wildlife habitat and barriers to wildlife movement.</p> <p>h) Support public acquisition, conservation easements, in-lieu fees where on-site mitigation is infeasible, and/or other measures to ensure long-term protection of wildlife movement areas.</p> <p>CON-19: The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways.</p> <p>CON-26: Consistent with Napa County’s Conservation Regulations, natural vegetation retention areas along perennial and intermittent streams shall vary in width with steepness of the terrain, the nature of the undercover, and type of soil. The design and management of natural vegetation areas shall consider habitat and water quality needs, including the needs of native fish and special status species and flood protection where appropriate. Site-specific setbacks shall be established in coordination with Regional Water Quality Control Boards, California Department of Fish and Game, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration National Marine Fisheries Service, and other coordinating resource agencies that identify essential stream and stream reaches necessary for the health of populations of native fisheries and other sensitive aquatic organisms within the County’s watersheds...</p> <p>CON-27: The County shall enforce compliance and continued implementation of the intermittent and perennial stream setback requirements set forth in existing stream setback regulations, provide education and information regarding the importance of stream setbacks and the active management and enhancement/</p>	

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restoration of native vegetation within setbacks, and develop incentives to encourage greater stream setbacks where appropriate.	
<p>CON-17: Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The County, in its discretion, shall require mitigation that results in the following standards:</p> <p>a) Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species.</p> <p>b) In other areas, avoid disturbances to or removal of sensitive natural plant communities and mitigate potentially significant impacts where avoidance is infeasible.</p> <p>c) Promote protection from overgrazing and other destructive activities.</p> <p>d) Encourage scientific study and require monitoring and active management where biotic communities and habitats of limited distribution or sensitive natural plant communities are threatened by the spread of invasive non-native species.</p> <p>e) Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.</p>	<p>The proposed project would remove two areas of native grassland and would be potentially inconsistent with this general plan policy.</p>
<p>CON-24: Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through the following measures:</p> <ul style="list-style-type: none"> • Preserve, to the maximum extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects. • Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral 	<p>The proposed project would remove oak trees and oak woodland habitat. Mitigation would be included in the project to require replacement of lost oak woodland habitat or permanent protection of comparable habitat at a 2:1 ratio. For this reason, the project would be generally consistent with this general plan policy.</p>

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<p>communities and other significant vegetation as part of residential, commercial and industrial approvals.</p> <ul style="list-style-type: none"> • Provide replacement or preservation of lost oak woodland and native vegetation at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible. • Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing. • Maintain, to the maximum extent feasible a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub and live oaks are common associations. • Encourage and support the County agricultural Commission’s enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands. 	
<p>Goal CON-10: Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.</p> <p>Goal CON-11: Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.</p> <p>CON-52: Groundwater is a valuable resource in Napa County. The County encourages responsible use and conservation of groundwater and regulates groundwater resources by way of its groundwater ordinances.</p> <p>CON-53: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances,</p>	<p>The proposed project would maintain existing surface water resources and rely on groundwater for irrigation. Because irrigation would only be applied as needed, there could be 1 to 4 weeks between irrigation applications between the spring and harvest. The annual groundwater recharge rate is estimated to be approximately 305 acre-feet for the project site. The new vineyard would use approximately 131 acre-feet or less than half of the available recharge, so there would no net deficit or lowering of the groundwater table. For these reasons, the project would be generally consistent with these general plan goals and policies related to water supply.</p>

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<p>adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code “fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.</p>	
<p>CON-45: Protect the County’s domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with state regulations and guidelines. Continue implementation of current Conservation Regulations relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses.</p> <p>CON-47: The County shall comply with applicable Water Quality Control/Basin Plans as amended through the total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken: ...</p> <p>f) Ensuring continued effectiveness of the County’s Conservation Regulations related to vineyard projects and other earth-disturbing activities.</p> <p>g) Addressing effects related to past and current mining, grazing, and other activities to the extent feasible. ...</p> <p>CON-48: Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain pre-development sediment erosion conditions or at minimum comply with state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County’s sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.</p>	<p>#02454-ECPA is a site specific erosion control plan. #02454-ECPA measures and features as designed for the installation of the vineyard and once installed/implemented will reduce the amount of sediment and water run-off from the existing natural conditions. Supporting technical (geology, soil type and hydrology) documents were prepared. There are temporary, seasonal and permanent erosion control measures in #02454-ECPA. The Project would have yearly (winterization) inspections to assure that the measures and features of ECPA #02454 are properly functioning come the first rain event until the vineyard is entirely installed. The maintenance component of the #02454-ECPA would continue to assure that the measures and features properly function for the life of the vineyard.</p> <p>Stream setbacks and habitat retention has been described above.</p> <p>For these reasons, the project is generally consistent with these general plan policies related to water quality.</p>

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<p>CON-50: The County will take appropriate steps to protect surface water quality and quantity, including the following:</p> <p>a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams (also see Policy CON-27 which retains existing stream setback requirements). ...</p> <p>c) The county shall require discretionary projects to meet performance standards designed to ensure peak runoff following development is not greater than predevelopment conditions.</p>	
<p>Economic Development Element</p>	
<p>Policy E-1: The County’s economic development will focus on ensuring the continued viability of agriculture in Napa County.</p>	<p>The project proposes a new vineyard that is consistent with the agriculture economy in Napa County. Therefore, the project would be generally consistent with this general plan policy about economic development.</p>