



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 7b (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: October 1, 2018

SUBJECT: Proposed Silverado Trail No. 3 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations - Silverado Trail No. 3 Annexation to the Napa Sanitation District (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation. Standard conditions are also recommended.

SUMMARY

The Commission has received a proposal from a landowner requesting the annexation of approximately 12.5 acres of incorporated territory within the City of Napa ("City") to the Napa Sanitation District (NSD). The affected territory comprises one parcel with no situs address located within NSD's sphere of influence (SOI) on the west side of Silverado Trail approximately 500 feet south of Hagen Road. The County Assessor identifies the subject parcel as 052-010-011. A map of the affected territory is provided on the following page. An aerial map of the affected territory is included as Attachment Two.

The purpose of the proposal is to facilitate the planned subdivision of the subject parcel to include four single-family residential lots consistent with the Milliken Estates Parcel Map approved by the City. The subdivision will be served by a new private street off of Silverado Trail. The application materials are included as Attachment Three.

The City prepared an Initial Study and adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the Milliken Estates Parcel Map for purposes of considering and mitigating environmental impacts. The City's Initial Study, and City of Napa Resolution PC2018-16 adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Milliken Estates Parcel Map are included as Attachment Four.

Margie Mohler, Chair
Councilmember, Town of Yountville

Scott Sedgley, Commissioner
Councilmember, City of Napa

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District

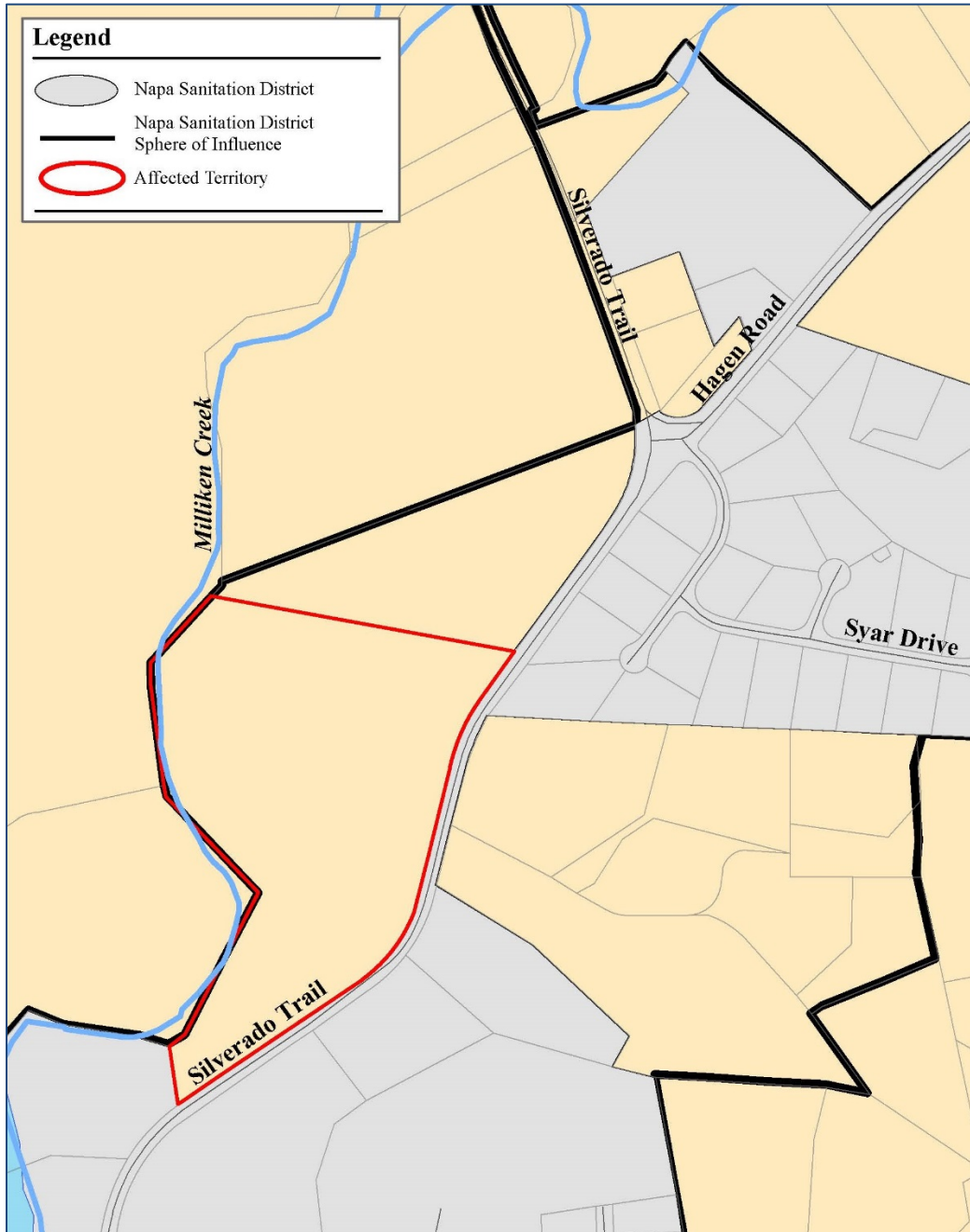
Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner
Representative of the General Public

Erik Lawrence, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer



ANALYSIS

Factors for Commission Consideration

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following 17 specific factors for a change of organization involving annexation to a special district. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices.

(1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The affected territory is incorporated within the City's jurisdictional boundary and lies within a groundwater deficient, residential area designated under the City of Napa General Plan as *Alta Heights*. The affected territory is currently undeveloped and legally uninhabited given there are currently no registered voters. The current assessment value of the affected territory totals \$334,575.¹

The affected territory is located within the *Milliken Creek – Main Fork* drainage basin. Milliken Creek is a perennial, blue-line creek that forms the west-northwestern perimeter of the affected territory. The Napa River is located approximately 0.1 miles to the west of the affected territory.

Soils within the affected territory are classified as Hambright rock-Outcrop complex with 30 to 75 percent slopes and Yolo loam with 0 to 2 percent slopes. Soils within the affected territory qualify as Class I in the USDA Natural Resources Conservation Service land use capability classification and qualify for a Grade 1 (81-100) Storie Index Rating. Therefore, the affected territory qualifies as prime agricultural land pursuant to G.C. Section 56064.

The affected territory has been planned by the City for a four-lot residential subdivision.²

Adjacent lands to the north and south of the affected territory are within the City's jurisdictional boundary and eligible for low to moderate density residential development projects under the City's land use authority.

Adjacent lands to the immediate west of the affected territory are outside the City's jurisdictional boundary and SOI, and therefore ineligible for development under the City's land use authority. These adjacent lands to the immediate west are zoned *Agricultural Preserve* by the County and therefore not anticipated to be annexed or developed with urban land uses.

Adjacent lands to the immediate east of the affected territory are outside the City's jurisdictional boundary but within the City's SOI, and therefore eligible for annexation and eventual low to moderate density residential development under the City's land use authority.

¹ The assessed value of the affected territory is entirely tied to the land given there are no structural improvements.

² At buildout, the affected territory would include a projected resident population of 11 based on the California Department of Finance's population per household estimate of 2.76 for the City of Napa.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The present need for municipal services within the affected territory is limited to public sewer for the planned four-lot subdivision. Core municipal services already provided by the City or available to the affected territory include water, fire, emergency medical, law enforcement, roads, and garbage collection; all at levels deemed adequate given current and planned uses.

Proposal approval and the planned development of the affected territory would result in new sewer flows totaling approximately 1,040 gallons per day. This amount is based on the assumptions in the City's Initial Study for the Milliken Estates Parcel Map. NSD has established sufficient capacities and controls to reasonably accommodate projected sewer service demands throughout the District's existing SOI, including projected demands at buildout within the affected territory. This statement is predicated on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.³ No service deficiencies for the area were identified in the Municipal Service Review. It should be noted the utilities for the underlying development project will require the construction of new on-site and off-site sewer improvements. However, the major trunk lines that will serve the project site have adequate capacity to accommodate sewer flows generated by the project.

(3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would eventually develop for urban type uses and require public sewer from the District as the region's sole service provider.

(4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The proposal is consistent with the Commission's adopted policies based on the affected territory's consistency with its urban land use designations and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.⁴ Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

³ The *Central County Municipal Service Review* is available online at:

http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf

⁴ The affected territory is currently unimproved but not devoted to an open-space use under the County General Plan.

(5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not qualify as “agricultural land” under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

It should be noted the affected territory does qualify as prime agricultural land as defined by G.C. Section 56064 based on soil quality classifications.⁵ However, there is no evidence that the site has ever been developed for agricultural use, supported livestock, been planted with fruit or nut bearing trees, vines, bushes, or crops, or has returned from production of unprocessed agricultural plant products. With this in mind, approval of the proposal would not have adverse impacts with respect to maintaining the physical and economic integrity of agricultural lands.

(6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The affected territory includes all of the property identified by the County of Napa Assessor’s Office as 052-010-011. The applicant has submitted a draft map and geographic description of the affected territory that is undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization.

(7) Consistency with a regional transportation plan adopted pursuant to G.C. Section 65080.

The Metropolitan Transportation Commission’s regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.⁶ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

(8) Consistency with the city or county general and specific plans.

Approval of the proposal would allow for a full range of municipal services to be provided to the affected territory to serve the planned four-lot residential subdivision. The availability and provision of these municipal services are consistent with the City’s General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential development.

⁵ Soils within the affected territory qualify as Class I in the USDA Natural Resources Conservation Service land use capability classification and qualify for a Grade 1 (81-100) Storie Index Rating.

⁶ *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region’s Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

(9) The sphere of influence of any local agency affected by the proposal.

The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

(10) The comments of any affected local agency or other public agency.

Staff provided notice of the proposal and recommended modification to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

(11) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded NSD has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,624 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge for a single-family unit is currently \$676.38 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

(12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.

The planned development of the affected territory is expected to generate new annual water demands for the City totaling approximately 0.27 acre-feet. This amount is based on current average water demands within the City of approximately 243.6 gallons per day per residence. Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded the City has established adequate water supplies to serve projected needs.

(13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

Approval of the proposal would result in a benefit to the City with respect to achieving its fair share of the regional housing needs based on the planned development of four new single-family residential units.⁷

⁷ A recent report with information on local regional housing needs allocations is available online at: http://www.napa.lafco.ca.gov/uploads/documents/6-4-18_5d_HousingUpdate.pdf

(14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The landowner of the affected territory is the petitioner seeking annexation. There are no registered voters nor residents within the affected territory.

(15) Any information relating to existing land use designations.

City General Plan: *Single-Family Residential (SFR-100)*
City Zoning Ordinance: *Single-Family Residential, Flood Plain, Floodway, Traffic Impact Overlay (RS-40: FP: TI)*

The City General Plan land use designation for the affected territory prescribes a range of development from zero to three residential units per acre. The City's zoning assignment for the affected territory contemplates residential uses with minimum lot sizes of 40,000 square feet or 0.9 acres. The proposed annexation to NSD and underlying development project are consistent with existing land use designations.

(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There is no documentation or evidence suggesting the proposed annexation will have any implication for environmental justice in Napa County.

(17) For annexations involving special districts, whether the proposed action will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.

Proposal approval would benefit the future landowners and residents within the affected territory by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.

Property Tax Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts. In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

Protest Proceedings

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City, as Lead Agency, has prepared an Initial Study and adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the Milliken Estates Parcel Map for purposes of considering and mitigating environmental impacts pursuant to City of Napa Resolution PC2018-16. The City's Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the Milliken Estates Parcel Map are included as Attachment Four.

The City also performed additional analysis related to potential impacts on prime agricultural lands as defined by Cortese-Knox-Hertzberg Act. The City determined the project site is undeveloped and qualifies as Class I in the USDA Natural Resources Conservation Service land use capability classification and qualifies for a Grade 1 (81-100) Storie Index Rating. Therefore, it qualifies as "prime agricultural land" under Government Code Section 56064. However, there is no evidence that the site has ever been developed for agricultural use, supported livestock, been planted with fruit or nut bearing trees, vines, bushes or crops or has returned from production of unprocessed agricultural plant products. Also, the site is within the City's Rural Urban Limit (RUL) and is surrounded by rural residential urban development which would not be compatible with farming activities. Furthermore, as identified in the Initial Study, the portion of the site designated as Farmland of Local Importance on the Farmland Mapping and Monitoring Program (FMMP) Map is located within a riparian setback and the RUL setback, which both prohibit development. Therefore, the project only proposes to develop the portion of the site closest to Silverado Trail and avoids the area designated on the FMMP map as Farmland of Local Importance.

Furthermore, the affected territory is designated by the City of Napa's General Plan for low density, single-family use. The proposed annexation of the affected territory to NSD is necessary to realize the General Plan's commitment to containing urban development within the RUL and to maintain an efficient and even rate of development within the RUL. The development has been designed consistent with General Plan policies which encourage new infill development to be patterned after existing nearby development. Similarly, the Housing Element contains policies that promote the efficient use of vacant land with the RUL to help maintain the region's preeminent agricultural environment and open space. Staff has evaluated the proposal and considered the Lead Agency's CEQA documents and finds the City's Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the Milliken Estates Parcel Map adequately address the potential environmental effects of the proposal and adequately mitigate any potential impacts pursuant to the Mitigation Monitoring and Reporting Program. Therefore, no new environmental document is required.

ALTERNATIVES FOR COMMISSION ACTION

Staff has identified three alternatives for Commission consideration with respect to the proposal. These options are summarized below.

Alternative Action One (Recommended):

Adopt the draft resolution identified as Attachment One approving the proposal with standard terms and conditions.

Alternative Action Two:

Continue consideration of the proposal to a specified future meeting.

Alternative Action Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Aerial Map of Affected Territory
- 3) Application Materials
- 4) Initial Study, City of Napa Resolution PC2018-16 adopting a Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the Milliken Estates Parcel Map

RESOLUTION NO. ____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS**

**SILVERADO TRAIL NO. 3
ANNEXATION TO THE NAPA SANITATION DISTRICT**

WHEREAS, an application for a proposed reorganization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposal seeks Commission approval to annex approximately 12.5 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located along Silverado Trail near its intersection with Hagen Road and identified by the County of Napa Assessor’s Office as 052-010-011; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on October 1, 2018; and

WHEREAS, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

WHEREAS, the Commission finds the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

WHEREAS, the Commission finds that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City of Napa, as Lead Agency, has prepared an Initial Study and adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the Milliken Estates Parcel Map pursuant to City of Napa Resolution PC 2018-16 for purposes of considering and mitigating environmental impacts, which environmental documents were considered by the Commission; and

WHEREAS, the Commission finds that the environmental documents prepared by the City of Napa satisfy the requirements of CEQA, the environmental impacts of the proposal have been disclosed and adequately addressed by the lead agency, and the potential environmental effects have been adequately mitigated pursuant to the Mitigation Monitoring Reporting Program.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The Commission has considered the environmental documents adopted by the lead agency, which contain mitigation measures to mitigate the potential environmental impacts, and the Commission hereby adopts such mitigation measures as approved by the Lead Agency pursuant to the Mitigation Monitoring Reporting Program pursuant to City of Napa Resolution PC2018-16.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**SILVERADO TRAIL NO. 3
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) Written confirmation by the Napa Sanitation District that its terms and conditions have been satisfied.

- 12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
- 13. The Commission hereby directs staff to file a Notice of Determination in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on October 1, 2018 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

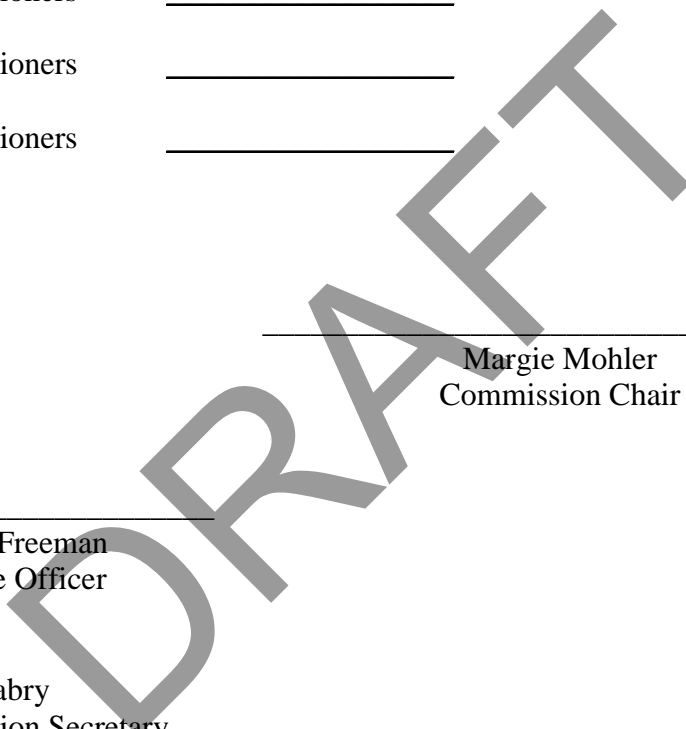
ABSENT: Commissioners _____

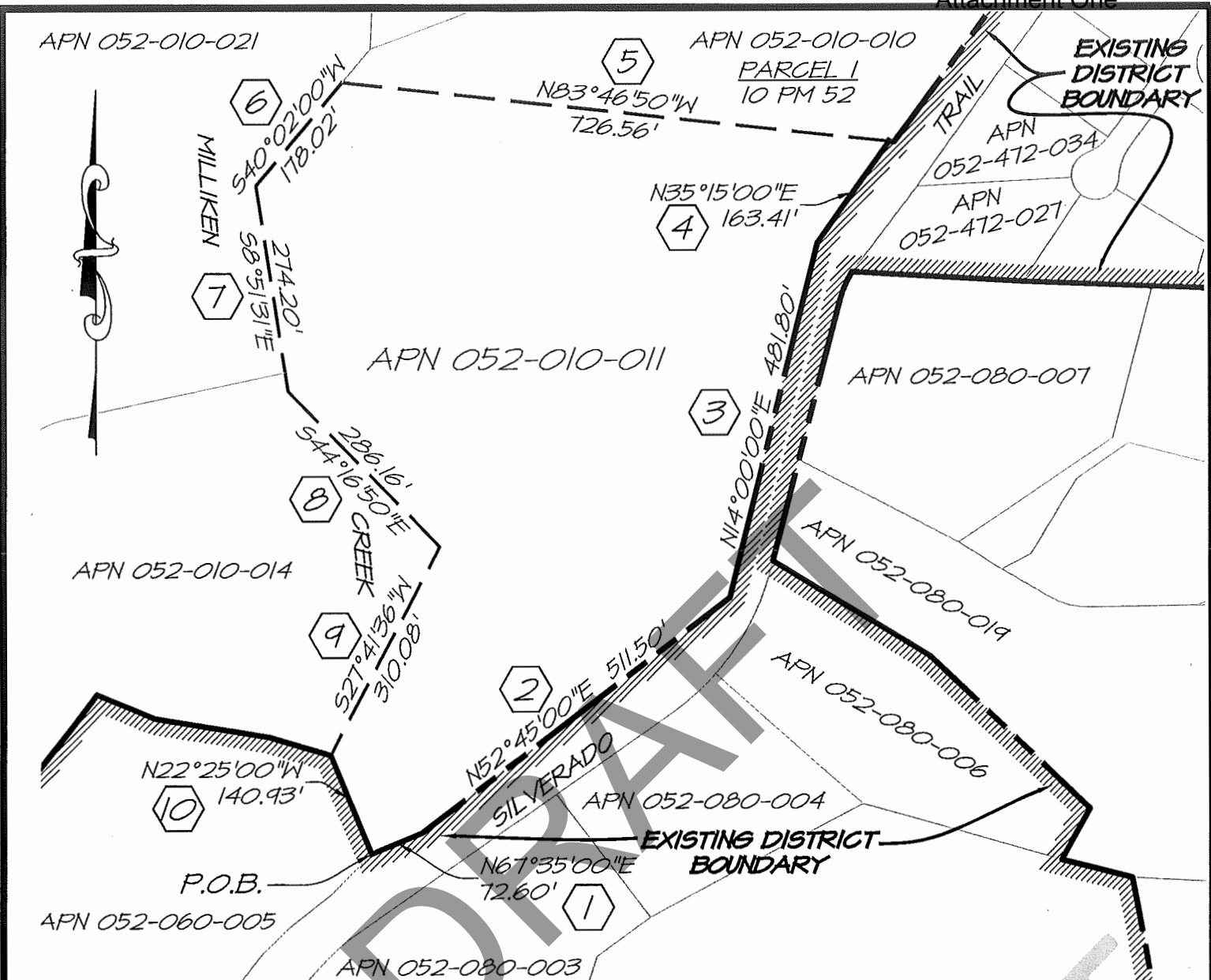
ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary





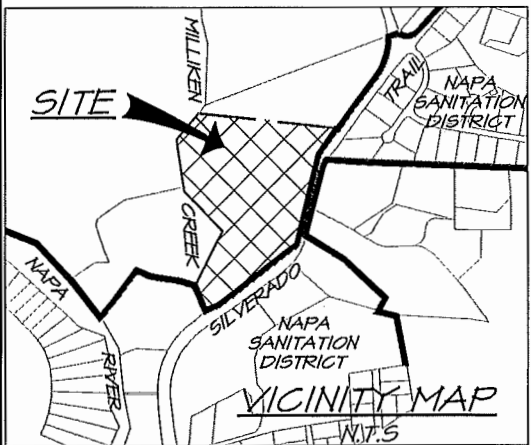
GRAPHIC SCALE



(IN FEET)
1 Inch = 200 FT

EXISTING DISTRICT BOUNDARY

PROPOSED DISTRICT BOUNDARY



PROJECT NO. 18-_____ AN
 MAP DELINEATING
 THE BOUNDARY OF THE
MILLIKEN ESTATES
 ANNEXATION TO
 NAPA SANITATION DISTRICT

RSA⁺

1515 FOURTH STREET
 NAPA, CALIF. 94559
 OFFICE | 707 | 252.3301
 + www.RSAcivil.com +

5027
01-23-2018
APN 052-010-011

Exhibit "A"

Annexation Number 2018-_____

Annexation to Napa Sanitation District

Geographic Description

The land referred to herein is situated in County of Napa, State of California, and is described as follows:

Beginning at the south corner of the Lands of Silverado Trail Project LLC described in the deed recorded April 12, 2016 as Series Number 2016-0008396, Napa County Records, State of California, said corner located on the west line of Silverado Trail and existing Napa Sanitation District corner,

thence along the west line of Silverado Trail (1) the following 6 course and curves North 67° 35' 00" East 72.60 feet;

thence (2) North 52° 45' 00" East 511.50 feet

thence (3) North 14° 00' 00" East 481.80 feet

thence (4) North 35° 24' 30" East 163.66 feet, more or less, to the south east corner of Parcel 1 of the map entitled, "Parcel Map of the Lands of J.A. Buffington" filed February 20, 1979 in Book 10 of Parcel Maps at Page 52 in the office of the Napa County Recorder;

thence (5) North 83° 46' 50" West 726.56 feet along the south line of said Parcel 1 to Milliken Creek as shown on said Parcel Map;

thence along said Milliken Creek (6) the following 4 courses South 40° 02' West 178.20 feet;

thence (7) South 8° 51' 13" East 274.20 feet;

thence (8) South 44° 16' 50" East 286.16 feet;

thence (9) South 27° 41' 36" West 310.08 feet to the north corner of the Napa Sanitation District;

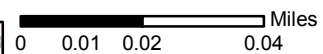
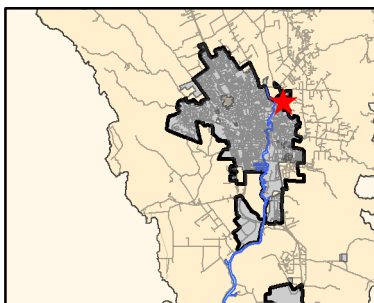
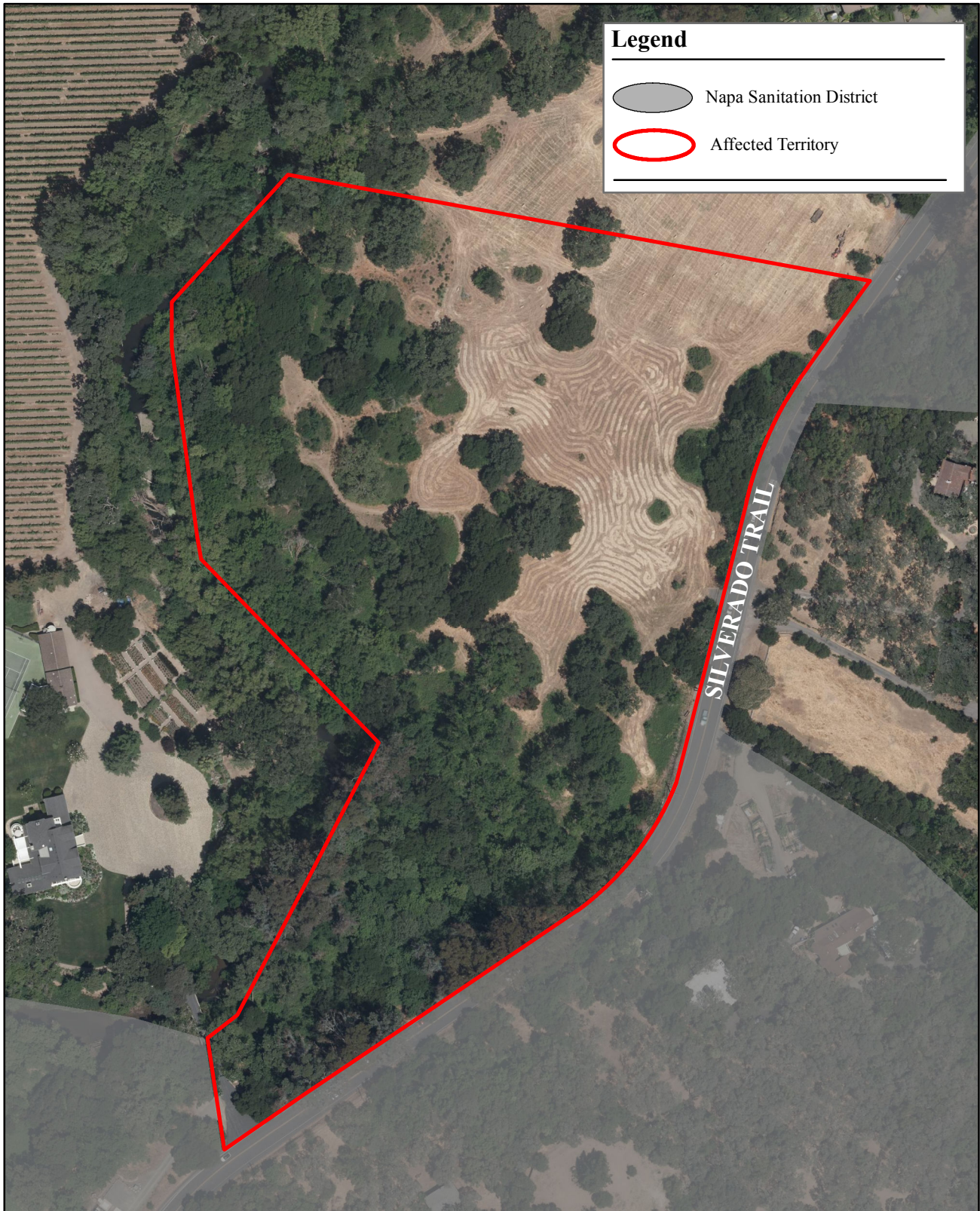
thence (10) leaving said Milliken Creek and along the north line of Napa Sanitation District South 22° 25' East 149.57 feet, more or less, to the west line of Silverado Trail and the **Point of Beginning**.

Containing 12.50 Acres of land, more or less.

For assessment purposes only. This legal description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.

Silverado Trail No. 3 Annexation to the Napa Sanitation District

Attachment Two



September 2018
Prepared by BF

LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
www.napa.lafco.ca.gov

Date Filed:

~~7/16/18~~ 7/16/18

Received By:

BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

To annex subject parcel (APN: 052-010-011) into Napa Sanitation District service area.

Description of Boundaries of Affected Territory Accompanied by Map:

See attachment.

Reason for Proposal and Any Proposed Conditions:

To be able to connect proposed subdivided parcels at subject parcel to public sewer.

Type of Petition:

Landowner


Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

- 1) Name: Silverado Trail Project, LLC c/o Parry Murray
- Mailing Address: 1070 Silverado Trail, Napa, CA 94559
- Assessor Parcel: 052-010-011
- Signature:  Date: 2-5-18
- 2) Name: _____
- Mailing Address: _____
- Assessor Parcel: _____
- Signature: _____ Date: _____
- 3) Name: _____
- Mailing Address: _____
- Assessor Parcel: _____
- Signature: _____ Date: _____

If Registered Voter Petition, Complete the Following:

- 1) Name: _____
- Mailing Address: _____
- Resident Address: _____
- Signature: _____ Date: _____
- 2) Name: _____
- Mailing Address: _____
- Resident Address: _____
- Signature: _____ Date: _____
- 3) Name: _____
- Mailing Address: _____
- Resident Address: _____
- Signature: _____ Date: _____

Date Filed:

~~7/16/18~~ 7/16/18

Received By:

BF

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Parry Murray Silverado Trail Project, LLC
 Contact Person Agency/Business (If Applicable)

Address: 1070 Silverado Trail Napa 94559
 Street Number Street Name City Zip Code

Contact: 505-977-0609 parrmurr@comcast.net
 Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One) Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies: Napa Sanitation District 1515 Soscol Ferry Road
 Name Address

 Name Address

 Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed) Annexation Detachment City Incorporation District Formation

City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement: (Specific) Annexation of parcel into NSD service area, in order to connect
future development of parcel to the public sewer.

III. GENERAL INFORMATION

A. Location:	<u>None assigned</u>	<u>052-010-011</u>	<u>11.6</u>
	Street Address	Assessor Parcel Number	Acres
	<u>Street Address</u>	<u>Assessor Parcel Number</u>	<u>Acres</u>
	<u>Street Address</u>	<u>Assessor Parcel Number</u>	<u>Acres</u>
	<u>Street Address</u>	<u>Assessor Parcel Number</u>	<u>Acres</u>
	Total Location Size (Including Right-of-Ways)		<u>11.6</u>

B. Landowners:

- (1) Assessor Parcel Number : 052-010-011 Name: Silverado Trail Project, LLC
Mailing Address: 1070 Silverado Trail, Napa, CA 94559
Phone Number: 505-977-0609 E-mail: parrmurr@comcast.net
- (2) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____
- (3) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____
- (4) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

- (1) Total Number of Residents: 0
- (2) Total Number of Registered Voters: 0

D. Land Use Factors:

- (1a) County General Plan Designation: Cities
- (1b) County Zoning Standard: City of Napa
- (2a) Applicable City General Plan Designation: SFR100
- (2b) Applicable City Prezoning Standard: RS40

E. Existing Land Uses: Undeveloped
 (Specific)

F. Development Plans:

(1a) Territory Subject to a Development Project? Yes No

(1b) If Yes, Describe Project: Milliken Estates: Parcel to be subdivided into 4 lots.

(1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics:

(1) Describe Topography:
Generally flat with sparse tree cover that grows denser as you approach the creek.

(2) Describe Any Natural Boundaries:
Milliken Creek to the west.

(3) Describe Soil Composition and Any Drainage Basins:
Approximately 13% Hambright rock-outcrop complex, 87% Yolo loam drainage basin
includes site and 8.15 acres run-on.

(4) Describe Vegetation:
Grass, weeds, and trees loosely spread out with a denser cover near the creek.

H. Williamson Act Contracts Yes No
 (Check One)

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

Public sewer service to be provided by NSD to serve proposed development project.

(2) Level and Range of Services to Be Provided to the Affected Territory:

Public sewer service to be provided is to be sufficient to serve demands of
completed development.

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

An NSD sewer main currently runs through the site.

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

Connection of sewer laterals to existing NSD sewer main on site.

(5) Information On How Services to the Affected Territory Will Be Financed:

Private financing.

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: City of Napa
Name

(2) Type of Environmental Document Previously Prepared for Proposal:

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration ~~(Not yet completed.)~~ *Milliken Parcel Map Initial Study / MND*

Categorical/Statutory Exemption: _____
Type

None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:
(Does not include affected landowners or residents)

(1) Recipient Name: Napa Sanitation District

Mailing Address: 1515 Soscol Ferry Road, Napa, CA 94559

E-Mail: info@napasan.com

(2) Recipient Name: Alan Spence, RSA+

Mailing Address: 1515 Fourth Street

E-Mail: aspence@rsacivil.com

(3) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

VII. CERTIFICATION

I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

Signature: Parry Murray

Printed Name: Parry Murray

Title: _____

Date: 2-5-18

Standard Indemnification Agreement

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant Silverado Trail Project, LLC and/or Parry Murray (real party in interest: the landowner/registered voter) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and
2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.

Applicant and/or real party in interest may be required by Napa LAFCO to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided under this legal indemnity.

City or District Application

Land Owner Petition Application

City/District Representative



Land Owner Signature

Print Name

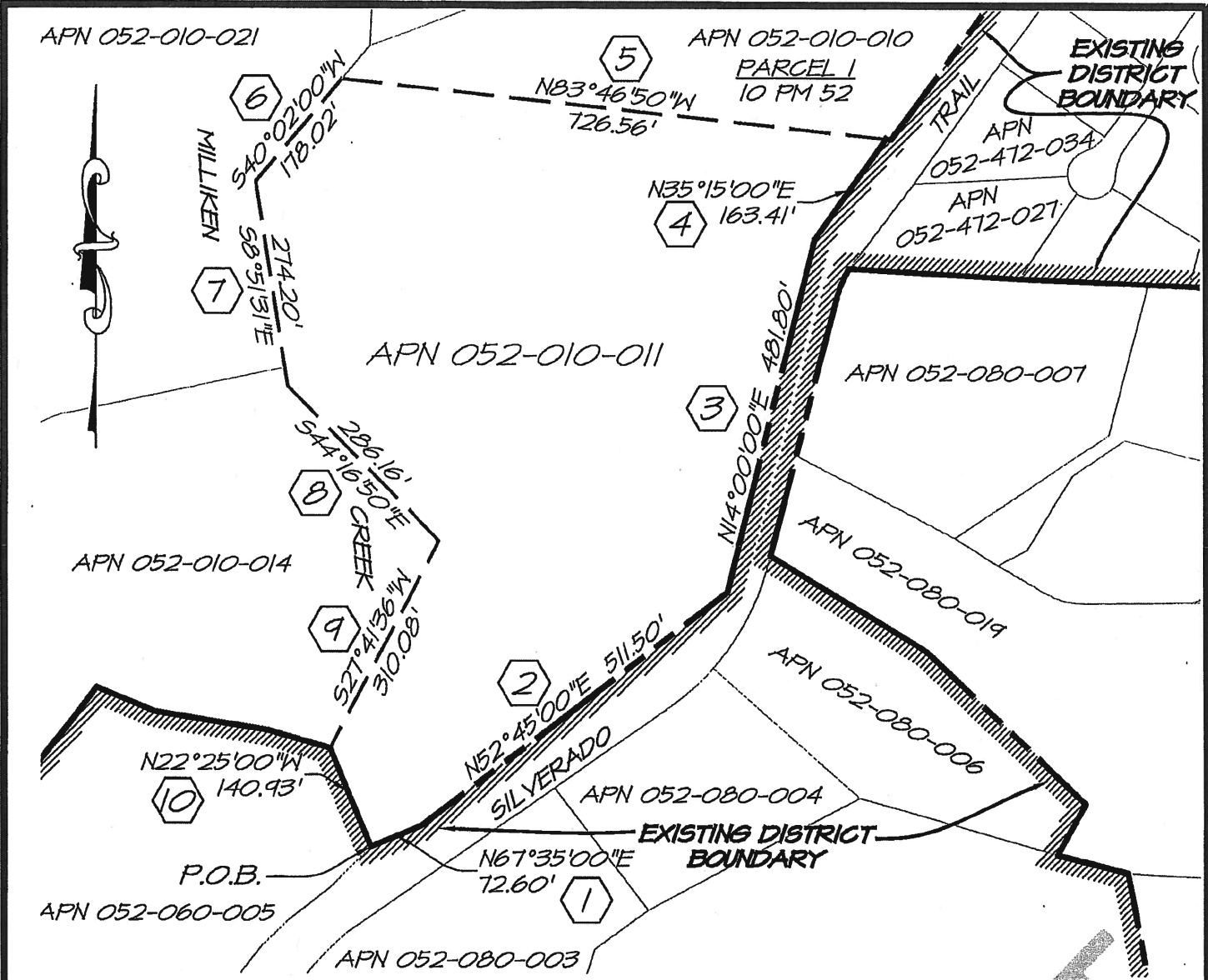
Parry Murray

Print Name

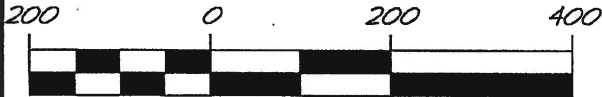
Date

2-5-18

Date

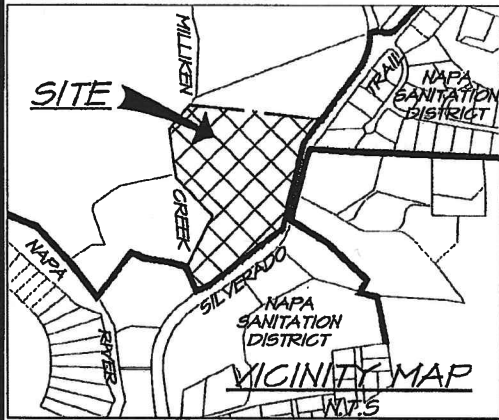


GRAPHIC SCALE



(IN FEET)
1 Inch = 200 FT

EXISTING DISTRICT BOUNDARY
PROPOSED DISTRICT BOUNDARY



PROJECT NO. 18 AN
MAP DELINEATING
THE BOUNDARY OF THE
MILLIKEN ESTATES
ANNEXATION TO
NAPA SANITATION DISTRICT



1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE | 707 | 252.3301
+ www.RSAcivil.com +

5027
01-23-2018
APN 052-010-011

Exhibit "A"

Annexation Number 2018-____

Annexation to Napa Sanitation District

Geographic Description

The land referred to herein is situated in County of Napa, State of California, and is described as follows:

Beginning at the south corner of the Lands of Silverado Trail Project LLC described in the deed recorded April 12, 2016 as Series Number 2016-0008396, Napa County Records, State of California, said corner located on the west line of Silverado Trail and existing Napa Sanitation District corner,

thence along the west line of Silverado Trail (1) the following 6 course and curves North 67° 35' 00" East 72.60 feet;

thence (2) North 52° 45' 00" East 511.50 feet

thence (3) North 14° 00' 00" East 481.80 feet

thence (4) North 35° 24' 30" East 163.66 feet, more or less, to the south east corner of Parcel 1 of the map entitled, "Parcel Map of the Lands of J.A. Buffington" filed February 20, 1979 in Book 10 of Parcel Maps at Page 52 in the office of the Napa County Recorder;

thence (5) North 83° 46' 50" West 726.56 feet along the south line of said Parcel 1 to Milliken Creek as shown on said Parcel Map;

thence along said Milliken Creek (6) the following 4 courses South 40° 02' West 178.20 feet;

thence (7) South 8° 51' 13" East 274.20 feet;

thence (8) South 44° 16' 50" East 286.16 feet;

thence (9) South 27° 41' 36" West 310.08 feet to the north corner of the Napa Sanitation District;

thence (10) leaving said Milliken Creek and along the north line of Napa Sanitation District South 22° 25' East 149.57 feet, more or less, to the west line of Silverado Trail and the **Point of Beginning**.

Containing 12.50 Acres of land, more or less.

For assessment purposes only. This legal description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.

5027
Annex Cloc Calc
01-24-2018

North: 3748.9713' East: 8223.8452'

Segment #1 : Line

Course: N67°35'00"E Length: 72.60'

North: 3776.6566' East: 8290.9592'

Segment #2 : Line

Course: N52°45'00"E Length: 511.50'

North: 4086.2644' East: 8698.1142'

Segment #3 : Line

Course: N14°00'00"E Length: 481.80'

North: 4553.7529' East: 8814.6721'

Segment #4 : Line

Course: N35°15'00"E Length: 163.41'

North: 4687.2003' East: 8908.9834'

Segment #5 : Line

Course: N83°46'50"W Length: 726.56'

North: 4765.9135' East: 8186.6998'

Segment #6 : Line

Course: S40°02'00"W Length: 178.02'

North: 4629.6088' East: 8072.1914'

Segment #7 : Line

Course: S8°51'31"E Length: 274.20'

North: 4358.6797' East: 8114.4173'

Segment #8 : Line

Course: S44°16'50"E Length: 286.16'

North: 4153.8092' East: 8314.2063'

Segment #9 : Line

Course: S27°41'36"W Length: 310.08'

North: 3879.2496' East: 8170.1000'

Segment #10 : Line

Course: S22°25'00"E Length: 140.93'

North: 3748.9689' East: 8223.8422'

Perimeter: 3145.26' Area: 492998.09 Sq. Ft.

Error Closure: 0.0038 Course: S51°09'37"W

Error North: -0.00240 East: -0.00298

Precision 1: 827700.00



INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

Community Development Department
 1600 First Street - PO Box 660
 Napa, CA 94559
 707.257.9530

STATE CLEARING HOUSE NUMBER:		2018042019	
Project Name:	Milliken Parcel Map	File Number:	PL18-0005
Site Address:	West side of Silverado Trail	APN:	052-010-011
General Plan:	SFR-100, Single Family Residential (0-3 du/ac)		
Zoning:	RS-40, Single Family Residential, :FP, Flood Plain, Floodway, :TI, Traffic Impact Overlay		
Applicant:	Silverado Trail Project (Parry Murray Mead) 1070 Silverado Trail Napa, CA 94559	Phone:	505.977.0609
City Staff:	Michael Allen, Associate Planner	Phone:	707.257.9530

PROJECT DESCRIPTION:

Development application to subdivide an 11.60-acre parcel (APN 050-010-011) on the west side of Silverado Trail into four (4) single family lots. The subdivision will be served by a new 20-foot-wide private street off of Silverado Trail. The proposed lot sizes are: Lot 1 will be 5.20 acres, Lot 2 will be 2.0 acres, Lot 3 will be 2.2 acres and Lot 4 will be 2.2 acres. The parcel map application does not include specific house plans; however, it is anticipated that the design of future homes will be subject to approval of a Design Review Permit by the Community Development Department to determine compliance with the Residential Design Guidelines. No grading is proposed for each of the individual building pads, as specific grading plans for each lot will be developed in conjunction with the future house plans. No retaining walls are proposed in conjunction with the development.

ENVIRONMENTAL SETTING:

The 11.60-acre project site is located on the west side of Silverado Trail approximately 500 feet south of Hagen Road. The project site is located in a rural-residential portion of the City. Milliken Creek, a perennial, blue-line creek, forms the west-northwestern project site boundary. The Napa River is located approximately 0.1-mile west of the project site. Rural residences are located south, east, and north of the project site, and another residence and a vineyard are located west-northwest of the project site. The site is located within a residentially zoned area containing all necessary utilities.

CITY APPROVALS REQUIRED:

1. Design Review of the proposed tentative parcel map;
2. Tentative Map to divide the property into 4 residential lots.

OTHER PUBLIC AGENCIES:

Caltrans - Encroachment Permit
 LAFCO - Annexation of Property in Napa Sanitation District
 Napa Sanitation District - Sewer Connections

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. This initial study prescribes mitigation measures to reduce all potentially significant impacts to a less than significant level.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation & Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

CEQA DETERMINATION:

- The proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- 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 or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a significant effect(s) 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, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- 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.

A Notice of Intent to Adopt a Mitigated Negative Declaration will be prepared and posted for the period of April 5, 2018 through May 4, 2018.

PREPARED BY:


Michael Allen, Associate Planner
for Rick Tooker, Community Development Director

April 5, 2018

Date

I. AESTHETICS				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
<p>Discussion: (a-c) The visual character of the project site consists of a 11.60-acre property that contains numerous ornamental landscape trees, a Mixed Oak Woodland and a Riparian Woodland scattered around the site. The existing vegetation consists of ruderal non-native grasses and forbs with native and non-native landscape trees and shrubs. Napa County does not contain any designated State Scenic Highways. While there would be visual changes from the existing viewing locations, a change in itself would not necessarily be significant and with the imposition of the special conditions noted below, the overall impact would be reduced to less than significant. Residential development has been planned since the adoption of the 1998 General Plan, which allows for residential development. The proposed single-family lots and resulting residential buildings will not have a substantial adverse effect on a scenic vista or result in substantial damage to scenic resources. Although there are views of the site from adjacent neighbors, there are no significant views of the site or from the site that are normally visible to a substantial number of people. Napa’s General Plan focuses on preserving and enhancing Napa’s special community identity by managing future growth, maintaining the qualities of its neighborhoods, and providing for maintenance of surrounding County open space.</p> <p>Potential aesthetic impacts will be reduced to a less-than-significant level through the City’s application of the standard visual mitigation measures, the architectural review process and conditions of approval. The City requires lighting to be confined to the site. Although the project may generate light and cause reflective glare, these potential impacts will be reduced to a less-than significant level through application of the City’s standard light and glare mitigation measures, and review of lighting plans during the City’s architectural review process.</p> <p>Daylight sources of light and glare can include buildings and structures, especially if they have mirrored or reflective surfaces. The imposition of the standard mitigations in Policy Resolution #27 and the special mitigation measures noted below should reduce the potential impacts to a less than significant level.</p> <p>Standard Mitigation Measures: Policy Resolution 27: Aesthetic Mitigation Measures 1-4.</p> <p>Special Mitigation Measures:</p> <ol style="list-style-type: none"> 1. All exterior lighting for the future residences shall be property shielded and directed downward to preclude glare conditions that might impact adjacent properties or public streets. 2. The four future residences and any accessory structures to be developed on the property shall be designed to have non-reflective surfaces and exterior colors that are muted, earth tones to blend into the natural scenery. All windows and glass proposed for the exterior of the building shall be non-reflective glass. <p>Conclusion: Potential aesthetic impacts mitigated to less- than-significant.</p>				

II. AGRICULTURAL & FOREST RESOURCES				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
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 or conversion of forest land to non-forest use?				X
<p><u>Discussion:</u> A project will normally have a significant environmental effect if it will convert prime agricultural land to nonagricultural use or impair productivity of prime agricultural land. This project is located within the urban boundaries of the City of Napa. The project site has a base zoning of "RS-40", Single Family Residential which provides for residential development with a minimum lot size of 40,000 square feet. Under the City's Rural Urban Limit (RUL) policy, all urban development is to take place within the RUL boundaries, with lands outside the RUL boundaries protected for agricultural use. The project site is located within the RUL boundaries, and residential development of the site as proposed would not represent a conflict with the "RS" designation within the RUL boundaries. The property has not been used for farming purposes and is not designated as a farmland property or zoned for agricultural land use. Moreover, the proposed project is not located on "agricultural land," which is defined in Public Resources Code section 21060.1 as "Prime Farmland, farmland of statewide importance, or unique farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria, as modified for California," nor is the project site subject to a Williamson Act contract. Rather, the majority of the project site is designated as "Other Land" on the 2016 Farmland Mapping and Monitoring Program Map ("FMMP Map") prepared by the California Department of Conservation, Division of Land Resource Protection, the definition of which includes low density rural developments. While western portions of the project site are identified as Farmland of Local Importance on the FMMP Map, these areas align with the riparian and RUL setbacks which prohibit development, and the proposed development will only occur on portions of the project site that are identified as "Other Land" on the FMMP map. No loss of forest land or conversion of forest land to non-forest use will occur as a result of the project. As such, the project will not result in the conversion of agricultural farmland, conflict with land zoned for agricultural use or a Williamson Act contract or have any impact on forest resources.</p> <p><u>Standard Mitigation Measures:</u> None.</p> <p><u>Special Mitigation Measures:</u> None.</p> <p><u>Conclusion:</u> No impacts to agricultural resources.</p>				

III. AIR QUALITY [significance criteria established by BAAQMD may be relied upon to make the following determinations]				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?			X	

Discussion:

A project will normally have a significant environmental effect if it will violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The proposed project is located within the San Francisco Bay Area Air Basin (SFBAAB), which is subject to the Bay Area Air Quality Management District’s (BAAQMD) air quality attainment plans. The BAAQMD, Association of Bay Area Governments, and Metropolitan Transportation Commission are responsible for developing and implementing air quality plans and future strategies for attainment and maintenance of the ambient air quality standards in the SFBAAB. The BAAQMD is the primary agency responsible for assuring that the NAAQS and CAAQS are attained and maintained in the Bay Area.

The BAAQMD has adopted the Bay Area 2010 Clean Air Plan (CAP), which serves as an update to the most recent O₃ plan, the Bay Area 2005 Ozone Strategy, to comply with state air quality planning requirements as codified in the California Health and Safety Code. The CAP provides a comprehensive multi-pollutant plan to improve Bay Area air quality and protect public health. The CAP defines a control strategy that the BAAQMD and its partner agencies will implement to (1) reduce emissions and decrease ambient concentrations of harmful pollutants, (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily impacted by air pollution, and (3) reduce greenhouse gas emissions to protect the climate (BAAQMD 2010).

If a project proposes development and associated growth projections that are greater than that anticipated in the local CAP, the project might conflict with the air quality plans.

The current General Plan designation of SFR-100, limits the size of developments to 0 to 3 units per acre. At 11.6 acres, the project site has a maximum potential density of 34 units. However, due to the existing environmental constraints on the site (setback from Milliken Creek, portions of site within a floodway), the achievable density is much lower. As proposed, the 4 single family lots equate to approximately 0.34 units per acre. As such, the anticipated development of the project site is consistent with the growth projections assumed in the City’s General Plan, Zoning Ordinance, and in other City documents. The project is proposed in an area surrounded by existing rural residential development. Surrounding properties include single-family dwellings, a boutique hotel (Milliken Inn) and State Route 221 (Silverado Trail) which is located adjacent to the east. The 4-lot subdivision does not exceed the density anticipated on this site and would be consistent with the growth forecasts upon which the CAP is based. Therefore, the proposed project would be consistent with the measures identified in the CAP, such as those aimed at increasing energy efficiency. Therefore, the proposed project would be consistent at a regional level with the underlying growth forecasts.

The most recent clean air plan is the Bay Area 2010 CAP that was adopted by BAAQMD in September 2010. The proposed project would not conflict with the latest Clean Air planning efforts since: (1) the Project would have emissions well below the BAAQMD thresholds; (2) development of the project site would be considered urban “infill”; (3) development would occur near employment centers; and (4) development would be near existing

III. AIR QUALITY [significance criteria established by BAAQMD may be relied upon to make the following determinations]

transit with regional connections. The project is too small to incorporate project-specific transportation control measures listed in the latest CAP (i.e., Bay Area 2010 Clean Air Plan).

The proposed residential uses are not expected to cause or contribute to any violation of an air quality standard, because the emissions would not exceed BAAQMD CEQA thresholds. Although there may be a temporary degradation of air quality during the construction of this project; the imposition of the special mitigation measures and the standard mitigation measures contained in Policy Resolution 27 will reduce any potential impact to a less than significant level. Dust is generally emitted by the action of construction equipment and vehicles and as a result of wind erosion over exposed earth surfaces. Clearing, grading, demolition, and earthmoving activities comprise the major source of construction dust emissions, although traffic and general disturbance of the soil would also generate significant dust emissions. The effects of construction activities would include increased settling of dust on horizontal surfaces in the vicinity of the project site and locally elevated levels of suspended particulate matter downwind of construction activity. Depending on the weather, soil conditions, amount of activity, and the nature of dust control efforts, these impacts could extend downwind from the project site, thereby affecting adjacent residential uses by increasing soiling and requiring more frequent cleaning and/or maintenance activities. The project would generate localized emissions of diesel exhaust during equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be a localized and are not likely to adversely affect people off site in that they would result in confirmed odor complaints. The project site is not affected by existing odor sources that would cause odor complaints from new residents and the proposed residences would not generate odors that would be expected to result in odor complaints. These impacts would occur primarily during site grading. Since the project would be developed in a single phase, the grading impacts would occur during a limited time period. Although most of the dust-like material is expected to be generated during grading, construction emissions would occur throughout the construction period. The scale of the proposed development is too small to alter air movement or climate either locally or regionally. Based on project location, potential sensitive receptors are not expected to be exposed to any known substantial pollutant concentrations.

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the proposed project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, paving of roads and parking areas, and architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect substantial numbers of people. Construction-related odors would not be significant. Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project entails residential uses and would not result in the creation of a land use that is commonly associated with odors. There are no other sources of noxious odors, such as dairies, treatment plants, or other odor causing uses associated with the project. Therefore, odors associated with project construction and project operations would result in a less-than-significant odor impact. Although there may be a temporary degradation of air quality during the construction of this project; with the imposition of the special mitigation measures and the standard mitigation measures contained in Policy Resolution 27 any potential impacts would be reduced to a less-than-significant level.

Pursuant to the BAAQMD Guidelines, total emissions that exceed the daily thresholds of significance shall be considered to have a potentially significant impact. The threshold of significance is defined as 54 pounds/day of Reactive Organic Gases (ROG), 54 pounds/day of Nitrogen Oxides (NO_x), 82 pounds/day of Respirable Particulate Matter (PM₁₀), and 54 pounds/day of Fine Particulate Matter (PM_{2.5}). Concern for regional air quality effects are addressed by monitoring these ROG. One of the pollutants of greatest concern is carbon monoxide, which can be elevated as a result of increased levels of traffic and congestion along streets and at intersections associated with a proposed project. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as attainment for the standard. The project would generate a small amount of traffic (about 4 net new trips per peak hour), so the contribution of project-generated traffic to these levels would be minimal and the project would not cause or contribute to a violation of an ambient air quality standard.

III. AIR QUALITY [significance criteria established by BAAQMD may be relied upon to make the following determinations]

Sensitive receptors are defined as land uses that are occupied by populations sensitive to the health impacts of air pollution such as children, the elderly, and persons with preexisting respiratory or cardiovascular illnesses. Examples of sensitive receptors are residential uses, schools, convalescent homes, and hospitals. The project is located on a residentially zoned property adjacent to SR-221 (Silverado Trail) where none of these sensitive receptors are located, except other single family residential uses. The nearest sensitive receptors (primary schools) are more than 1.6 miles away to the southeast.

The creation of four single family residential lots on the site are not expected to cause or contribute to any violation of an air quality standard, because the emissions would not exceed Bay Area Quality Management District CEQA thresholds. Dust is generally emitted by the action of construction equipment and vehicles and as a result of wind erosion over exposed earth surfaces. Clearing, grading, demolition and earthmoving activities comprise the major source of construction dust emissions, although traffic and general disturbance of the soil would also generate significant dust emissions. The effects of construction activities would include increased settling of dust on horizontal surfaces in the vicinity of the project site and locally elevated levels of suspended particulate matter downwind of construction activity. Depending on the weather, soil conditions, amount of activity, and the nature of dust control efforts, these impacts could extend downwind from the project site, thereby affecting adjacent residences by increasing soiling and requiring more frequent cleaning and/or maintenance activities. These impacts would occur primarily during site grading. Since the parcel map improvements would be developed in a single phase, the grading impacts would occur during a limited time period. Although most of the dust like material is expected to be generated during grading, construction emissions would occur throughout the construction period. Although there may be a temporary degradation of air quality during the construction of this project; the imposition of the special mitigation measures and the standard mitigation measures contained in Policy Resolution #27 will reduce any potential impact to a less than significant level. The scale of the proposed development is too small to alter air movement or climate either locally or regionally. Based on project location, potential sensitive receptors are not expected to be exposed to any known substantial pollutant concentrations. The project is not the type of development expected to emit objectionable odors.

Standard Mitigation Measures:

Policy Resolution 27: Air Quality Mitigation Measures 1-3.

Special Mitigation Measures:

Consistent with guidance from the Bay Area Air Quality Management District, the following controls shall be implemented at the construction site to control construction emissions.

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. The contractor or City official shall post several publicly visible signs at either end of the property with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 24 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.
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 equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). 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 mechanic and determined to be running in proper order.
9. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

<p>III. AIR QUALITY [significance criteria established by BAAQMD may be relied upon to make the following determinations]</p> <p>10. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>11. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>12. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</p> <p>13. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>14. Any proposed fireplaces within the development shall include a gas insert and all stoves shall be required to meet EPA certification.</p> <p><u>Conclusion:</u> Potential air quality impacts mitigated to less-than-significant.</p>

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Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	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 (CDFW) or U.S. Fish and Wildlife Service (USFWS)?			X	
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 CDFW or USFWS?		X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
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?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
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?		X		
<p><u>Discussion:</u> The information presented in the section is based on a biological resources analysis performed by Monk & Associates, a biological consulting firm. This analysis provides a description of existing biological resources on the project site and identifies impacts that could occur to sensitive biological resources from the construction of a proposed residential development. Additionally, Monk & Associates prepared a jurisdictional determination dated May 16, 2017. The Delineation identified and mapped approximately 1.036 acres of likely Waters of the United States on the project site. Of this 1.036 acres, 0.86-acres is Milliken Creek which is outside the proposed development footprint. The biological resources analysis identified potential project impacts and mitigation of any impacts. The report is attached as a part of this Initial Study, and includes the following discussion regarding the variety of plant communities and associates wildlife habitats:</p> <p>(a-d) Riparian woodland associated with Milliken Creek; which the dominant tree species associated with this community onsite include valley oak (<i>Quercus lobata</i>), black walnut (<i>Juglans nigra</i> or <i>J. hindsii</i>), California bay-</p>				

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laurel (*Umbellularia californica*), and coast live oak (*Quercus agrifolia*). Oregon ash (*Fraxinus latifolia*), box elder (*Acer negundo*), red willow (*Salix laevigata*), and arroyo willow (*Salix lasiolepis*) are also growing along this creek channel but in fewer numbers. The proposed project avoids impacts to Milliken Creek and its associated riparian vegetation.

Mixed Oak Woodland consisting of valley oak and coast live oak trees that are scattered throughout the site, providing a more open canopy in the northern portion of the project site, similar to a savanna community, and a more closed canopy in the southern portion of the project site. In some areas, the oaks occur with other California native woodland trees such as California buckeye (*Aesculus californica*), Oregon ash, and black walnut. This community does not support a shrubby understory; however, a few scattered individuals of coyote brush (*Baccharis pilularis*) and Himalayan blackberry do occur. The herbaceous understory is composed of wild oats (*Avena barbata*), rip-gut brome (*Bromus diandrus*), perennial rye grass (*Festuca perennis*), canary grass (*Phalaris aquatica*), blue wild rye (*Elymus glaucus*), chicory (*Cichorium intybus*), bur clover (*Medicago polymorpha*), and horse weed (*Erigeron Canadensis*), among others. This herbaceous layer appears to be mowed or disked somewhat regularly, most likely for fire control.

Eucalyptus Groves which are non-native and occur in clumps that were planted by people, likely as windbreaks occurring on the southern end of the project site along Milliken Creek, extending eastward into the project site to the Silverado Trail. These trees would not be impacted by the proposed project.

Wildlife corridors are linear and/or regional habitats that provide connectivity to other natural vegetation communities within a landscape fractured by urbanization and other development. Milliken Creek and its riparian woodland provides a local wildlife corridor for common amphibians, reptiles, mammals and birds. The proposed project will not impact this creek or remove the riparian canopy (shade cover) growing over this creek. The creek corridor and its associated riparian habitat provides medium and large mammal local patterns of movement along this creek that will remain unaffected by the proposed project. Also, riparian woodland provides avian nesting and resting/migration habitat that is used seasonally by migrants and year-round by resident birds. The proposed project will be unlikely to have any effects on the movements of migrants or the use of the creek corridor by nesting birds. A setback buffer is established by the project that allows for 50 feet between buildings and the riparian habitat associated with Milliken Creek. Hence there should be no adverse effects to this creek or to wildlife corridor value. Thus, the project as currently proposed would not result in significant impacts to a wildlife movement corridor.

No special-status plants have been mapped on or adjacent to the project site. However, according to the CNPS Inventory and CDFW's CNDDDB, a total of 12 special-status plant species are known to occur in the region of the project site (Table 3 in the Biological Resources Analysis). Based on the plant communities onsite, two rare plant species have the possibility of occurring onsite and cannot be dismissed without conducting focused surveys.

Napa bluecurls (*Trichostema ruygtii*) is a CNPS Rank 1B.2 species. It has no state or federal status, but if present would receive protections pursuant to the CEQA. This member of the mint family is found in a variety of habitat types including chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, and vernal pools. It is often found in open, sunny areas. This annual herb blooms from June through October. This plant is threatened by agriculture and development. The closest record for Napa bluecurls is approximately 2.3 miles north of the project site (Rare Find Occurrence No. 16). At this occurrence, in 2004, 10 individuals were observed in a 3-acre area. Open, sunny mixed oak woodland habitat on the project site appears suitable for this species ("suitable" does not imply that the species is present but only that the habitat conditions are right for this species). As such, completion of surveys for special-status plants will be required to conclude that impacts to this plant species are less than significant pursuant to the CEQA. Please see the Impacts and Mitigations sections below for further discussion.

Narrow-anthered California brodiaea (*Brodiaea leptandra*) is a CNPS Rank 1B.2 species. It has no state or federal status, but if present would receive protections pursuant to the CEQA. This perennial herb is found in broadleaved upland forest, cismontane woodland, coniferous forest, valley and foothill grasslands, and chaparral habitats. It flowers between May and July. It is threatened by development, foot traffic, and collecting. The closest known occurrence is 2.7 miles east of the project site (Rare Find 5 Occurrence No. 23).

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The project site's mixed oak woodland with an herbaceous understory provides suitable habitat for this species ("suitable" does not imply that the species is present but only that the habitat conditions are right for this species). As such, completion of surveys for special-status plants will be required to conclude that impacts to this plant species are less than significant pursuant to the CEQA. Please see the Impacts and Mitigations sections below for further discussion.

No special-status animal records have ever been mapped on or adjacent to the project site. However, a total of six special-status animal species are known to occur in the region of the project site (Table 4 in the Biological Resources Analysis). Of these six species, two have the possibility of occurring on the project site and either have been addressed by specific surveys or will need to be addressed in the future prior to site development (preconstruction surveys). A third species, steelhead trout (*Oncorhynchus mykiss*), while known to occur in Milliken Creek, will not be affected by the project.

According to the CDFW's Rare Find 5 (CDFW 2017), there are no California red-legged frog occurrences within three miles of the project site. Regardless, M&A biologists conducted two separate diurnal (day-time) and nocturnal (night-time) surveys of the project site and in adjacent Milliken Creek to verify this species' presence or absence. Milliken Creek is a wide, deep, and fast flowing perennial creek that supports a large number of California red-legged frog predators. Based on an absence of California red-legged frog records in the vicinity, the survey results, and the assessment of the creek and its environs, M&A concludes that the proposed project on this project site, which will not impact Milliken Creek, would have no effects on the California red-legged frog. Similarly, M&A concludes that construction of the project would not result in potentially significant impacts to the California red-legged frog. Accordingly, no mitigation for the California red-legged frog is warranted.

The pallid bat (*Antrozous pallidus*) is a California "species of special concern." It has no federal status. The "species of special concern" status designation does not provide any special legally mandated protection for this bat species. However, this status designation likely meets the definition of "rare" pursuant to the California Environmental Quality Act (CEQA) (14 CCR §15380(2)(A)). As such, potential impacts to this bat species should be considered during any CEQA review. Any unmitigated impacts to this species would likely be regarded by the resource agencies (the Department and the Service) as a significant adverse impact pursuant to CEQA (§21068). It is most common in open, dry habitats with rocky areas for roosting. Day roosts are in caves, crevices, mines, and occasionally in hollow trees and buildings. Roost must protect bats from high temperatures. Night roosts may be in more open sites such as porches and open buildings. This species is a social bat which roosts in groups of 20 or more. The mixed oak woodland and riparian woodland communities onsite may provide roosting sites for the pallid bat. Surveys would need to be conducted prior to tree removal. Please see the Impacts and Mitigations section for further discussion.

The project as currently proposed would not impact any federally listed species. One federally listed fish species has been identified in Milliken Creek: the Central California Coast DPS of steelhead. Sampling studies completed by the Napa County Resource Conservation District have identified steelhead in Milliken Creek. However, the project as currently proposed would not adversely affect this creek as all buildings and related development are set back more than 50 feet from the creek and its associated riparian corridor and all surface runoff will enter a bioretention basin for treatment before being dissipated into uplands above the creek. Based on this analysis, no impacts to steelhead are expected from the proposed project. Thus, consultation with NMFS for the proposed project is not warranted.

M&A biologists conducted nocturnal and diurnal surveys for the California red-legged frog on the project site and did not observe this frog species within Milliken Creek during multiple surveys for this frog. M&A has not observed any federally listed species on the project site or within Milliken Creek during our surveys. No federally listed terrestrial species are expected to occur on the project site; hence, no impact to federally listed wildlife species are expected from the proposed project. Finally, no federally listed plant species are known from the vicinity of the project site. Owing to extensive project site disturbance over the years, no federally listed plant species are expected to occur onsite. Rather, all records for special-status plants that occur in similar habitats in the area of the project site are CNPS Rank species only, which are not afforded protections pursuant to the FESA. Regardless, surveys for special-status plant species should be conducted on the project site prior to site

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grading or disturbance from the proposed project. Please see the Impacts and Mitigations sections below for further discussion.

Most birds known from the vicinity of the project site are protected pursuant to the Migratory Bird Treaty Act (MBTA). While birds in general typically are able to fly out of harm's way, when they nest, their eggs, and young, and to an extent the adult birds are susceptible to harm. Red-tailed hawk, red-shouldered hawk and other common raptor (birds of prey) species could nest on the project site. Also, many common songbird species could nest on the site. Most, if not all, would be protected pursuant to the MBTA. As long as there is no direct mortality of species protected pursuant to the MBTA caused by development of the site, there should be no constraints to development of the site. To comply with the MBTA, all active nest sites would have to be protected while birds are nesting. Upon completion of nesting, the project could commence as otherwise planned. Please review specific requirements for avoidance of nest sites for potentially occurring species in the Impacts and Mitigations section below.

No state-listed fish species are known from Milliken Creek. Longfin smelt (*Spirinichus thaleichthys*), a state listed species, while known from the Napa River is not known from Milliken Creek (Sources: UC Davis Pisces database and Napa County Resources Conservation District 2013). Regardless, the proposed project will not impact Milliken Creek. Similarly, no state-listed animal species would be impacted by the proposed project as there is no likely habitat for state-listed animals on site. While state listed plant species are not expected to occur on the project site, and thus would not be impacted by the proposed project, focused surveys for other non-listed special-status plants would be necessary to rule out impacts to rare plants (Tables 3 and 4 respectively). See the Impacts and Mitigations section for details.

Nesting raptors that could nest on within a zone of influence of the project site, and thus that could be impacted by the proposed project, include red-tailed hawk and red-shouldered hawk, among other common raptor species. Many other common song birds also are expected to nest on or near the project site. Accordingly, preconstruction nesting bird surveys would have to be conducted to ensure that there is no direct take of these birds including their eggs or young. Any active nests that were found during preconstruction surveys would have to be protected by the project via the establishment of suitable non-disturbance buffers around nest sites until the nesting cycle is complete. More specifics on when surveys should be completed, and protective buffers are provided below in the Impacts and Mitigations section.

(e) The proposed project is compliant with General Plan Goal NR-1: To manage the natural resources, wetlands and open space areas in and around the city to preserve and enhance plant and wildlife habitats. Milliken Creek within the project site boundaries is a perennial creek that supports a well-developed, mature riparian woodland. This riparian cover is protected by the proposed project. This creek provides a vegetated wildlife corridor for common wildlife, including larger mammals such as Columbian black-tailed deer and coyote, and migrant and resident birds to move unobtrusively through the area. Milliken Creek and its riparian corridor will not be impacted in any significant way by the proposed project.

The proposed project is compliant with General Plan Goal NR-2 To recognize and support preservation of rare, endangered and threatened species and of other unique and fragile biological environments. In preparation of this Biology Report, M&A reviewed the most current version of the CDFW's CNDDDB (Rare Find 5) for records of federal and state listed species and other special-status species within the project site vicinity. M&A biologists then conducted surveys of the project site to determine if suitable habitats for such species occur onsite. Focused surveys were conducted as necessary to address these special-status species. The only remaining special-status species that need to be addressed are spring blooming rare plants, nesting birds, and roosting bats. Mitigation measures, including preconstruction surveys, have been prescribed for these species and are included as special mitigation measures. When the mitigation measures are implemented, impacts to these species will mitigated to a less than significant level pursuant to the CEQA, and will ensure that all General Plan Goals and Policies are met by the proposed project.

In order to remain in compliance with the City of Napa's Municipal Code that protects creeks and other watercourses, the project's Civil Engineer, RSA+, has developed a creek setback distance consistent with City of Napa Municipal Code requirements. RSA+ Tentative Parcel Map/Site Plan (TM-1) and Stormwater Control Plan (TM-6), attached, shows Milliken Creek's "top of bank" proposed development setback which varies from 180

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feet to 680 feet, is far greater than 25 feet from the existing top of bank. Similarly, Sheet TM-1 shows the riparian vegetation boundary and indicates that all proposed constructed structures will be setback 50 feet or more from the edge of riparian vegetation. These setback distances meet the requirements of the City's Municipal Code that protects creeks and other watercourses. Also, per the Municipal Code 17.52.110.4.e the riparian area must be protected from casual access and encroachment through provision of attractive open fencing or similar barriers. This will ensure that that riparian habitat is protected during construction and after the project is built. Consistent with the requirements set forth in the Municipal Code, the proposed project includes protective fencing that will protect the avoided riparian habitat. Also, consistent with the requirements set forth in the Municipal Code, the proposed development provides erosion control plans to protect the creek corridor that are consistent with required Best Management Practices.

According to the Arborist's Revised Tree Survey Report and Map (Arborist Report; Bill Pramuk, January 15, 2018), 72 trees of the 190 that were surveyed and tagged meet the City's criteria as "protected native trees." Only two of those trees (tree tags #10 and #12) will need to be removed because they are in the direct path of site improvements such as planned driveways. Additionally, 12 protected native trees can be considered at risk because they are located within the building envelope of the proposed lot. The Arborist Report further states that: "All protected native trees on site could be at risk, in general, because of site work and construction. Tree protection measures should be developed and included in the plans." In order to remove protected trees from the project site it will be necessary for the applicant to obtain a tree permit from the City and mitigate impacts to the removed trees accordingly.

The City acknowledges the importance of protecting mature native trees and has a program to address the removal of any protected tree species. Title 12, Chapter 12.45, of the City of Napa's Municipal Code, Protected Native Tree Replacement Program, requires that for each 6 inches or fraction thereof of the protected native tree, two trees of the same species as the protected tree to be removed (or any other species with approval from the City) shall be planted within remaining open space areas on the project site or other approved location. The size of the replacement trees shall be a minimum 15-gallon container or larger size. The proposed project includes the removal of two (2) trees that are classified as Protected Native Trees (NMC 12.45.020); which include Valley Oaks. Per the Napa Municipal Code, the removal of protected trees may be approved with the requirement that the developer replace the trees in one of two ways: 1) for each tree removal, replant of two (2) trees of the same species 15 gallons size or larger, for each six inches or fraction thereof of the protected native tree; or 2) if the project site is inadequate to accommodate replacement trees on site, an in-lieu fee of \$325.00 per tree may be paid to the city for planting a tree on public land. Per City requirements, the applicant is responsible for planting nine (9) replacement trees on the site or providing the trees in the form of an in-lieu fee at 325 dollars per tree. Chapter 12.45 of the Napa Municipal Code requires on-site or off-site replacement of "protected native trees" as specified in the mitigation measure below. Compliance with these mitigations contained in the Municipal Code would reduce biological impacts associated with such tree removal to a level of insignificance. The future design review to be completed by the City of Napa for the future single-family residences will need to include additional tree surveys that are site specific to the individual house plan and lot.

Milliken Creek and several smaller other waters and wetlands that occur on the project site would likely fall under the Corps jurisdiction pursuant to Section 404 of the Clean Water Act as "waters of the United States." Only the Corps can determine the extent of area that falls under their jurisdiction. That said, Monk & Associates has been working with the Corps mapping jurisdictional wetlands for over 30 years and thus are qualified to accurately estimate areas that are likely within the Corps' jurisdiction. On May 16, 2017, M&A mapped approximately 1.036 acres of likely waters of the United States on the project site (Sheet 1 of the biological analysis). Of this 1.036 acres, 0.86-acre is Milliken Creek which is outside the proposed development footprint. Similarly, all other likely jurisdictional areas are avoided by the proposed project. As such, no permit is required for the proposed project from the Corps. M&A's Draft Aquatic Resources Map (Sheet 1 of the biological analysis) could be confirmed by the Corps to positively assess areas of the project site within this agency's Clean Water Act jurisdictional limits.

It is likely that the Corps will take jurisdiction over Milliken Creek and the other water features mapped by Monk & Associates on the project site as shown on the Draft Aquatic Resources Map (Sheet 1 of the biological analysis). Since the RWQCB does not have a formal method for technically defining what constitutes waters of

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the State, M&A expect that the RWQCB should remain consistent with the Corps' determination. Therefore, if the Corps determines there are a specified number of acres of wetland or other waters within the project site boundaries, the RWQCB will likely concur. Any Section 404 permit authorized by the Corps for the project would be inoperative without also obtaining authorization from the RWQCB pursuant to Section 401 of the Clean Water Act (i.e., without obtaining a certification of water quality). As the project will avoid all impacts to RWQCB Clean Water Act jurisdictional areas, no Clean Water Act Section 401 permit is warranted for the proposed project.

Milliken Creek is a perennial drainage that supports a bed, bank and channel; thus, it would meet the CDFW criteria as a creek channel. Any impacts to this creek's bed, bank or channel would require entering into a Streambed Alteration Agreement with the CDFW pursuant to Section 1600 of California Fish and Game Code prior to completing the work. Similarly, Milliken Creek supports a dense and diverse riparian tree canopy. The CDFW requires project applicants who encroach into riparian canopy (that is, the tree dripline), or who would remove riparian trees, to enter into a Streambed Alteration Agreement pursuant to Section 1600. The term "riparian" is defined as: "Pertaining to the banks and other adjacent terrestrial (as opposed to aquatic) environs of freshwater bodies, watercourses, estuaries, and surface-emergent aquifers (springs, seeps) whose transported freshwaters provide soil moisture sufficiently in excess of that otherwise available through local precipitation to potentially support the growth of mesic vegetation." (Johnson et al. 1984 In Warner et al. 1984). The project has been designed to avoid all impacts to Milliken Creek, its bed, bank, and channel. Similarly, the project has been designed to remain 50 feet back from Milliken Creek's outside edge of riparian habitat (Site Plan - Sheet TM1). Thus, a Streambed Alteration Agreement from CDFW should not be warranted for this project as no impacts to CDFW jurisdictional areas are proposed to occur.

Standard Mitigation Measures:

None.

Special Mitigation Measures:

1. Per City requirements, the applicant is responsible for planting an additional nine (9) replacement trees on the site or providing the trees in the form of an in-lieu fee of \$2,925. Additionally, the Applicant may use a combination of onsite planting, payment of in-lieu fees or providing offsite mitigation to satisfy this requirement or any combination of mitigation provide by NMC Section 12.45.
2. If either the onsite or offsite planting option is selected, irrigation of the planted trees would be necessary. An irrigation system would be attached to an automatic timer and operated over a minimum of three years while the trees become established. The replacement trees would be Valley Oaks native to the Napa area. The replacement trees would be distributed with adequate spacing to ensure that each tree has adequate room to grow without overcrowding a neighboring tree. Replacement trees would be 15-gallon container plants or larger. Weed mats would be installed over the cleared planting areas and anchored to the ground with landscape staples. The weed mat will function to reduce competition for light, water, and nutrients. All planted trees would be protected from rodent and deer browsing by installing protective UV-collars around the trees.

The planted oak or other native trees would be monitored annually by a qualified person for a period of three years. This would prevent large-scale unanticipated losses of establishing trees. Monitoring would be initiated one year after plants are planted, and would continue each fall until the end of the three-year monitoring program. During each annual monitoring visit the number of planted trees would be tallied to determine if there have been any tree losses within the last year. Health and vigor of the plants would also be noted. Annual monitoring reports would be submitted to the City of Napa by December 31 of each year. It is expected that four years after planting the oak trees will be well-established, self-sustaining, and that survivorship will be high. However, if at the end of the three-year monitoring period (which would be four years after the trees are planted), any of the planted trees die, they would be replanted. Monitoring of these trees would then continue annually until all trees are healthy, self-sustaining trees at the end of a consecutive three-year monitoring period. The applicant is responsible for supplemental planting.

3. Prior to City approval of the development project, special-status plant surveys shall be conducted in appropriate habitats during the appropriate period in which the species are most identifiable. These surveys

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shall be in compliance with all CDFG (2000), USFWS (1996), and CNPS (2001) published survey guidelines. All surveys for special-status plants shall follow: “*Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities*”, dated March 20, 2018. Bluecurls and narrow-anthered California brodiaea have blooming periods that overlap in June and July. Thus, rare plants surveys should be conducted in early June and July to determine if these plants could be impacted by the proposed project. Project construction shall not be initiated until all special-status plant surveys are completed and subsequent mitigation, if necessary, is implemented.

If special-status plant species are found during surveys, those individuals or populations shall be avoided to the maximum degree possible. If avoidance is not possible while otherwise obtaining the project’s objectives, then other suitable measures and mitigation shall be developed in consultation with the agencies that are responsible for protection of that plant species based on its protection status [i.e., City (protected by CEQA), CDFW (protected by California law/regulation), or USFWS (protected by federal law/regulation)].

Special-status plant surveys shall be completed as described above prior to breaking ground on any parcel within the project site. A special-status plant survey report that includes the methods used, survey participants, and findings shall then be prepared and submitted to the City demonstrating absence of special-status plants at least 30 days prior to breaking ground. The special-status plant report shall be reviewed by a City planner or biologist.

If the report documents that there are no special-status plants on the particular project site parcel surveyed, then there would be no further mitigation and the project may proceed, provided all other applicable permits and authorizations are obtained for the project. However, if a special-status plant is found on the project site, the following mitigation measures shall also be implemented as a condition of project approval.

If special-status plant species are found during surveys, project development plans shall consider avoidance to the extent practicable. If avoidance is not practicable while otherwise obtaining the project’s objectives, then other suitable measures and mitigation shall be implemented as detailed below.

A mitigation compliance report shall be submitted to the City planning staff or staff biologist at least 30 days prior to breaking ground. The compliance report shall detail the avoidance and other mitigation measures that have been implemented by the project. The City may approve grading/site disturbance in a quicker timeframe than 30 days if compliance with the mitigation measures can be verified by the City sooner than 30 days.

4. The following measures shall be implemented if special-status plants are found on the project site:

Initially the feasibility of avoidance shall be evaluated as noted above. If avoidance is not feasible, a mitigation plan shall be developed in consultation with CDFW personnel if it is a state listed (i.e., protected pursuant to the CESA) or a CNPS Rank 1B or Rank 2 plant. If the plant is state listed, an incidental take permit (i.e., a 2081 Agreement) shall be acquired for the project from CDFG prior to any grading within the project area. A copy of this permit shall be provided to the appropriate department within the City prior to any grading within the project area. Any conditions for the project established by CDFW in the 2081 Agreement shall become conditions of the project also enforceable by the City.

If the plant is federally listed (i.e., protected pursuant to the Federal Endangered Species Act), the project sponsor shall formally notify the USFWS within five days of the finding and this agency’s permitting instructions shall be incorporated into the project conditions of approval. As required in-practice by the USFWS, an “incidental take” permit may be necessary from the USFWS for any proposed impacts on any federally listed plants found within the project site. A copy of this permit or a letter from the USFWS that otherwise states this agency is satisfied with the avoidance and/or mitigation measures shall also be provided to the appropriate department at the City prior to the time the project site can be graded.

If a state listed plant species (that is, a plant protected pursuant to the California Endangered Species Act) is identified, the mitigation must be developed in consultation with CDFG personnel. If the plant is state listed, an incidental take permit (i.e., a 2081 Agreement) shall be acquired for the project from CDFW prior to any work within the project area. A copy of this permit shall be provided to the County Department of Conservation and Development prior to any earth-moving work within the project area. Any conditions for the

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project established by CDFW in the 2081 Agreement shall become conditions of the project also enforceable by the County.

If a plant is found on the project site that is a CNPS Rank 1B or 2 species, and the species is not otherwise protected pursuant to state or federal regulations, prior to construction within the project area, a qualified botanist shall collect the seeds, propagules, and top soils, or other part of the plant that would ensure successful replanting of the population elsewhere. The seeds, propagules, or other plantable portion of all plants shall be collected at the appropriate time of the year. Half of the seeds and top soils collected shall be appropriately stored in long-term storage at a botanic garden or museum (for example, Rancho Santa Ana Botanic Garden). The other half of the seeds, propagules, or other plantable portion of all plants shall be planted at the appropriate time of year (late-fall months) in an area of the subject property or off-site, protected property that will not be impacted by the project (if the project has a designated off-site mitigation site for impacts on other special-status species, the plants can be seeded on the mitigation site). This area shall be fenced with permanent fencing (for example, chain link fencing) to ensure protection of the species. The applicant shall hire a qualified biologist to conduct annual monitoring surveys of the transplanted plant population for a five-year period and shall prepare annual monitoring reports reporting the success or failure of the transplanting effort. These reports shall be submitted to the City and appropriate resource agency (CDFW and/or USFWS) no later than December 1st each monitoring year.

These steps shall be implemented prior to project site disturbance. If the seeding/transplanting effort fails, the stored seeds and top soils can be taken out of long-term storage and sown in another location (either onsite or offsite) deemed suitable by CDFG. This seeding effort shall then be monitored for an additional three-year period to ensure survivorship of the new population. Annual monitoring reports shall be submitted to the City for the three-year period.

A CNDDDB form shall be filled out and submitted to CDFW for any special-status plant species identified within the project site. Any mitigation plan developed in consultation with CDFW shall be implemented prior to the initiation of grading or issuance of a development permit.

In lieu of the above prescribed mitigation, as allowed in writing by the City (for CEQA protected species only) and/or CDFW (for state listed species), mitigation requirements may be satisfied via the purchase of qualified mitigation credits or the preservation of offsite habitat. If the species in question is federally listed, then USFWS would also have to agree in writing typically through issuance of a Biological Opinion that the purchase of qualified mitigation credits or the preservation of offsite habitat would constitute satisfactory mitigation compensation.

5. To avoid impacts to nesting birds, a nesting survey shall be conducted 15 days prior to commencing with construction work or tree removal if this work would commence between February 1st and August 31st. The nesting survey should include an examination of all buildings onsite and all trees onsite and within 200 feet of the entire project site (i.e., within a zone of influence of nesting birds), not just trees slated for removal. The zone of influence includes those areas outside the project site where birds could be disturbed by earth-moving vibrations and/or other construction-related noise.

If birds are identified nesting on or within the zone of influence of the construction project, a qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer should be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 50 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm while the project is constructed.

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No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If buffers are removed prior to August 1, the qualified avian biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Napa prior to the time that buffers are removed. If the date is prior to August 1.

6. In order to avoid impacts to roosting bats a biologist shall survey trees that would be impacted by the project 15 days prior to commencing with any removal or demolition. This survey shall happen regardless of the time of year (there is no defined season for bats as with nesting birds). All bat surveys shall be conducted by a biologist with experience surveying for bats. If no bats are found during the surveys, then there would be no further regard for bat species.
7. If bat species are found roosting on the project site the biologist shall determine if there is a maternity site that could support young bats (i.e., the biologist shall determine if there are maternal roosts). If young are found roosting in any tree that will be impacted by the project, such impacts shall be avoided until the young are flying free and are feeding without assistance from the adults. A non-disturbance buffer fenced with orange construction fencing shall also be established around the maternity site. The size of the buffer zone shall be determined by a qualified bat biologist at the time of the surveys. Tree Trimming and/or removal should only be conducted during seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies. Any trees that will be removed, and that the biologist has identified as having potentially suitable bat roost habitat, should be removed using a two-day phased removal method: On day one, in the afternoon, limbs and branches should be removed using chainsaws only. Limbs with cavities, crevices, and deep bark fissures should be avoided. On day two, the rest of the tree should be removed under the direct supervision of the biologist. If tree removal must occur outside of the seasonal activity periods mentioned above, i.e., between October 16 and February 28/29, or between April 16 and April 30, then a qualified biologist, one with at least two years of experience surveying for bats, should do pre-construction surveys within 14 days of starting work. If the qualified biologist finds evidence of bat presence during the surveys, then he/she should develop a plan for removal and exclusion, in conjunction with CDFW. All survey reports for bats and special-status plants for the project be sent to Mr. Garrett Allen at CDFW, garrett.allen@wildlife.ca.gov, (707) 944-5525.
8. Impacts to likely waters of the United States and/or State can be reduced to less-than-significant levels through implementation of a protection plan. Prior to initiating any construction on the project site, all potential jurisdictional waters within the footprint of the project, including all equipment laydown areas, parking areas, and any other proposed project site disturbance areas, shall be avoided by the project. Protective measures shall be installed around waters of the U.S. and State with minimum 25 foot buffers. Protective measures that shall be implemented can include installing orange construction fencing, silt fencing, hay or gravel waddles, and other protective measures. During project construction, a biological monitor shall be required to provide spot monitoring of the integrity of measures implemented to preserved wetlands and other waters.
9. If full avoidance of waters of the United States is not possible, potential impacts shall be minimized to the extent feasible through changes to project design. If all jurisdictional features cannot be avoided by the project, permits from the Corps and RWQCB shall be acquired that allows the removal of specified wetlands and other waters. These permits shall be provided to the City of Napa prior to implementation of the project. Mitigation measures that should be implemented for impacts to wetlands and other waters follow.

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10. Currently there is no wetland conservation bank that can be used to compensate for impacts to waters of the U.S. and State in the geographic area of the project site. Until and if such a wetland bank is approved by the Corps/RWQCB, impacts to wetlands and other waters must be through applicant provided mitigation compensation. This shall be accomplished by creation of wetlands/other waters to replace those wetlands impacted by project activities. If possible, wetlands will be created on-site and will resemble those wetlands affected by the project (known as in-kind replacement). If wetlands cannot be created in-kind and on-site, other alternatives will be explored with the regulatory agencies and approvals will be obtained for creating compensation wetlands at an off-site location. Mitigation requirements for these impacts shall be that all impacted wetlands are replaced at a minimum 2:1 ratio (for each square foot of impact, two square feet of wetland shall be enhanced/created) or as otherwise specified in permitting conditions imposed by the Corps and RWQCB.

11. Prior to impacting wetlands, topsoils should be removed from wetlands that would be impacted and placed into any re-created mitigation pool(s). These topsoils would contain a seed bank of the impacted pool plant species which would germinate with fall/winter hydration of the re-created pools. If there are impacts to wetlands, adequate compensation would include creating wetlands at a suitable location that:

- remain inundated or saturated for sufficient duration to support hydrophytic vegetation;
- exhibit plant and invertebrate species richness comparable to existing wetlands;

Minimum requirements for mitigating impacts to wetlands include:

- Replacement of impacted wetlands at a 2:1 ratio. For permanent wetland impacts, wetlands can be replaced at a minimum ratio of two acres created for each acre impacted, or fraction thereof.
- In perpetuity preservation. The Corps and other regulatory agencies generally require that any new wetlands created to mitigate project impacts be set aside in a protected preserve in perpetuity, either through a deed restriction or conservation easement.
- Establishment of a five-year monitoring program to monitor the progress of the wetland mitigation toward an established goal. At the end of each monitoring year, an annual report will be submitted to the Corps, RWQCB and other resource agencies that permitted the project. This report will document the hydrological and vegetative condition of the mitigation wetlands, and will recommend remedial measures as necessary to correct deficiencies.
- In lieu of creating compensation wetlands, as approved by the Corps and RWQCB, the applicant may purchase mitigation credits from an approved mitigation bank at a 1:1 ratio or as otherwise required by the Corps and RWQCB at the time permits are issued.

Conclusion:

Potential biological resources impacts mitigated to less-than-significant.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in Sec.15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

V. CULTURAL RESOURCES

d. Disturb any human remains, including those interred outside of dedicated cemeteries?			X	
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Discussion:

(a) The property is not listed on a City historic database as a Historic Resources Inventory property, Neighborhood Conservation Property, a Landmark Property, or within a Landmark District. However, the City's archeology database identifies the property as having high archeological sensitivity. As such a Historical Resources Study dated September 12, 2016 was prepared by Tom Origer & Associates which evaluated the cultural resources of the project site.

(b) The study prepared by Origer and Associated included archival research at the Northwest Information Center, Sonoma State University (NWIC File No. 16-0259), examination of the library and files of Tom Origer & Associates, field inspection of the project location, and contact with the Native American community. Archaeological site P-28-000928 was found within the study area. Documentation pertaining to this study is on file at the offices of Tom Origer & Associates (File No. 16-0925). The site is considered potentially sensitive for previously undiscovered subsurface prehistoric and historic-period archaeological resources. If encountered during construction, archaeological resources could be damaged or destroyed. Mitigation measure #1 below would reduce the potential for impacts on subsurface archaeological resources by ensuring that the proper procedures and protocols would be followed in the event any subsurface prehistoric or historic-period archaeological resource is unearthed during project construction. Implementation of the mitigation measure would reduce impacts to a less-than-significant level.

(c) Excavation and grading on the project site would be required for construction of new streets, building pads, driveways and underground utilities. In some areas the site will be leveled by cutting and filling, which would also require excavation and if paleontological resources are present in this area, they could be damaged or destroyed. With the inclusion of mitigation measure #2 the potential for impacts would be reduced on paleontological resources by ensuring that the proper procedures and protocols would be followed in the event any subsurface paleontological resource is unearthed during project construction. Implementation of the mitigation measure would reduce impacts to a less-than-significant level.

(d) No known burial sites or cemeteries have been identified within the project site. However, grading and excavation for project development could uncover burials, if present. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority. However, if encountered during construction, human remains could be damaged or destroyed. With the inclusion of mitigation measure #3 the potential for impacts on unknown human remains would be reduced by ensuring that the proper procedures and protocols would be followed in the event any human remains are unearthed during project construction. Implementation of the mitigation measure would reduce impacts to a less-than-significant level.

The imposition of the standard mitigations in Policy Resolution 27 and the special mitigation measures noted below would reduce the potential impacts to a less-than-significant level.

Standard Mitigation Measures:

Policy Resolution 27: Cultural Resources Mitigation Measure 1.

Special Mitigation Measures:

1. Archaeological site P-28-000928 is recorded as being within the study area, and evidence of the site was observed during this survey in proposed Lot 3. No ground disturbing activities can occur within the site boundaries. Current plans show that the site is within the proposed creek setback, and no development is planned in this area. However, if plans change and ground disturbing activities are planned within the site area, the site will need to be protected or excluded from development. If avoidance is not possible and it appears the site that will be impacted by future development, it should be subject to an investigation to determine its eligibility for inclusion on the California Register of Historical Resources.

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This investigation should be conducted by an archaeologist who meets the Secretary of the Interior's Standards for archaeology.

2. If subsurface prehistoric or historic-period archaeological deposits are identified on the project site during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist shall be contacted to determine whether such deposits are historical resources, as required by CEQA Guidelines, Section 15064.5 (c)(1). If these deposits do not qualify as archaeological resources, a determination shall be made if they qualify as unique archaeological resources, pursuant to CEQA Guidelines, Section 15064.5(c)(3). If the deposit is neither a historical nor unique archaeological resource, avoidance is not necessary. Upon completion of the significance assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the archaeological materials discovered. The report/recommendations shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.

If subsurface prehistoric or historic-period archaeological deposits are identified within Caltrans Right-of-Way during project activities, all work within 60 feet of the discovery shall be halted and Caltrans District 4 Office of Cultural Resource Studies shall be contacted at (510) 622-1673.

If the deposits qualify as a historical resource based on a review by a qualified archaeologist, they shall be preserved in place as the preferred method of mitigation, pursuant to CEQA Guidelines, Section 15126.4(b)(3)(A). If preservation in place is not feasible, impacts to the deposit shall be mitigated by other means. Other means of mitigation may include, but are not necessarily limited to systematic recovery and analysis of archaeological deposits, recording the resource, preparing a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. If the recovery and analysis of the deposit's scientific data is the only feasible option, such data recovery work shall be required, and shall be done by a qualified archaeologist in accordance with a data recovery plan in satisfaction of CEQA Guidelines, Section 15126.4(b)(3)(C). The report/recommendations shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.

If the deposits meet the definition of a unique archaeological resource based on a review by a qualified archaeologist, they shall be preserved in place as the preferred method of mitigation, pursuant to CEQA Guidelines, Section 15126.4(b)(3)(A). If preservation in place is not feasible, impacts to the deposit shall be mitigated by other means. Other means of mitigation may include, but are not necessarily limited to systematic recovery and analysis of archaeological deposits, recording the resource, preparing a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. If the recovery and analysis of the deposit's scientific data is the only feasible option, such data recovery work shall be required, and shall be done by a qualified archaeologist in accordance with a data recovery plan in satisfaction of CEQA Guidelines, Section 15126.4(b)(3)(C).

If the archaeological deposit in question is prehistoric in nature, the significance assessment and mitigation development described above shall be done in consultation with the descendant community representatives as identified by the Native American Heritage Commission, (NAHC).

3. If paleontological resources are encountered during ground-disturbing project activities, work shall be halted immediately at the location of the resources. The on-site construction foreman shall notify the City's Community Development Department to contact a qualified paleontologist to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Construction workers shall not collect or move any paleontological resources. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include on-site monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Napa Community Development

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Department and, if paleontological materials are identified, a paleontological repository, such as the University of California Museum of Paleontology.

4. In the event that human remains are encountered, the on-site construction foreman shall stop all work within 25 feet of the discovery and shall immediately contact the City's Community Development Department and the County Coroner. At the same time, a qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. On-site construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission shall identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the Most Likely Descendant. The report shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.
5. The project applicant shall assure that project personnel (e.g., contractor, construction workers) are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles as well as dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.

Conclusion:

Potential cultural resources impacts mitigated to less-than-significant.

VI. GEOLOGY & SOILS				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Expose people or structures to 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 Pub. 42				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?			X	
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)?			X	
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Discussion:

According to the Geologic Hazards Map on file with the City of Napa Planning Department, the subject property is not located in an Alquist Priolo Special Studies Zone (a recognized seismic hazard area) as the site is located approximately 4 miles from known traces of the nearest zoned active fault to the west (West Napa fault complex) which was the source of the August 2014 South Napa Earthquake. No landforms were observed within the immediate area that would indicate the presence of an active fault. The fault-line surface rupture would not be a substantial hazard at the project site because the closest faults to the project do not present any stable risk to people or structures. All future structures would be constructed as designed to meet current CBC Chapter 16 Design Standards which include seismic upgrades.

A Geotechnical Investigation was prepared by RGH Consultants dated November 2, 2016 that evaluated the subsurface conditions at the site and provided geotechnical recommendations for the proposed development. The study concluded that from a geotechnical engineering viewpoint the proposed development may be constructed as planned, provided the design is performed in accordance with the recommendations presented in the report. There are no known geologic faults that traverse the site. Well-designed structures and foundations should be able to withstand the anticipated level of potential ground shaking. The grading/filling required by this project to construct the private street and drainage swales will be require cuts and fills of approximately 1 to 5 feet. With the imposition of the mitigations measures noted below the likelihood of exposure of people and property to geologic hazards is minimal.

The imposition of the standard mitigations in Policy Resolution 27 noted below should reduce the potential impacts to a less-than-significant level.

Standard Mitigation Measures:

Policy Resolution 27: Geology and Soils Mitigation Measures 1-5.

Special Mitigation Measures:

1. All subsequent development plans and construction shall be in compliance with the recommendations set forth in the November 2, 2016 Geotechnical Investigation prepared by RGH Consultants.

Conclusion:

Potential geology and soils impacts mitigated to less-than-significant.

VII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Discussion:

According to the US Environmental Protection Agency, climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth’s surface, attributed to accumulation of Greenhouse Gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated

VII. GREENHOUSE GAS EMISSIONS

with global warming. State law defines GHG to include the following: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code, section 38505(g).) The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, recognizes that California is the source of substantial amounts of GHG emissions. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems. In order to avert these consequences, AB 32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 25 percent from forecast emission levels) with further reductions to follow.

Lead agencies are required to make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities.

The BAAQMD thresholds were developed specifically for the Bay Area after considering the latest Bay Area GHG emission inventory and the effects of AB 32 scoping plan measures that would reduce regional emissions. BAAQMD intends to achieve GHG reductions from new land use developments to close the gap between projected regional emissions with AB 32 scoping plan measures and the AB 32 targets. The BAAQMD applies GHG efficiency thresholds to projects with emissions of 1,100 metric tons of CO₂e (carbon dioxide equivalency) or greater. Projects that have emissions below 1,100 metric tons of CO₂e per year are considered to have less than significant GHG emissions. The significance threshold applied to projects with emissions greater than 1,100 metric tons of CO₂e annually is 4.6 metric tons of CO₂e per capita. The per capita emissions are computed by dividing the proposed project CO₂e emissions by the service population. Service population is the combined number of new residents and workers associated with the proposed project.

Construction Emissions:

(a) The project would result in GHG emissions from both short-term construction activities and on-going operations. Construction of the proposed project would temporarily generate GHG emissions from the use of construction equipment and vehicle trips made by construction workers and delivery vehicles. BAAQMD's CEQA Air Quality Guidelines include thresholds for greenhouse gas emissions. Under these thresholds, if a project would result in operational-related greenhouse gas emissions of 1,100 metric tons (or 4.6 metric tons per service population) of carbon dioxide equivalents a year or more, it would make a cumulatively considerable contribution to greenhouse gas emissions and result in a cumulatively significant impact to global climate change. As outlined in Table 3-1 of the Air Quality Guidelines, the four single family lots would meet or exceed the BAAQMD operational greenhouse gas emission screening levels and therefore would not require preparation of a greenhouse gas emission analysis. Since the size of this project falls well below this threshold, the project would have a less than significant impact on the emission of greenhouse gases.

(b) The proposed project falls under the BAAQMD threshold for significance and therefore is seen as being compliant with the goals of AB 32. The proposed project will create four single family lots and future buildings that will use approximately 25% less energy than buildings built to 2008 title 24 standards. The proposed project falls under the City of Napa waste reduction measures. As such, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and impacts would be less than significant.

Because the City recognizes the need to address global climate change, the City's General Plan includes several City-wide policies that will help the City reduce local emissions and thereby addressing the potential increase in greenhouse gases. The following measures are currently being implemented by the City:

VII. GREENHOUSE GAS EMISSIONS
<ul style="list-style-type: none"> ▪ Land use patterns and transportation: providing a variety of higher density land uses in proximity to each other, allowing individuals to meet daily needs without having to use a car and designed to promote ease of pedestrian and bike access. ▪ Energy sources and energy use: increasing the use of renewable energy sources, including micro-scale energy sources such as photovoltaic solar, and also reducing energy consumption. ▪ Energy efficient building practices and sustainable materials: siting and designing buildings and landscaping to reduce heating and cooling needs and provide more natural light; incorporating renewable energy and water efficiency; reducing storm runoff; using renewable, local, salvage and nontoxic building materials; improving indoor environmental [air] quality. ▪ Waste disposal and recycling: reducing use of non-recyclable materials; replacing disposable materials with reusable materials; reducing packaging and yard wastes; increasing efficiency of reuse/recycling. <p>The City considers the policies, standards and practices listed above as program level mitigation that addresses the cumulative potential for increases in greenhouse gases within the local region. Therefore, this impact would be considered less-than-significant.</p> <p>The Climate Change Scoping Plan, approved by the CARB on December 12, 2008, provides an outline for actions to reduce California’s GHG emissions. The Scoping Plan requires the CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. At this time, the City of Napa has not adopted a GHG Reduction Strategy, and while the County of Napa has taken steps to address climate change impacts through the draft Napa County Climate Action Plan, this document has yet to be adopted. As a result, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, as none have been adopted. No impact would result.</p> <p><u>Standard Mitigation Measures:</u> None.</p> <p><u>Special Mitigation Measures:</u> None.</p> <p><u>Conclusion:</u> No impacts to greenhouse gas emissions.</p>

VIII. HAZARDS & HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routing, transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
e. For a project located within an airport land use plan, would the project result in a safety hazard for people residing or working in the project area?				X

VIII. HAZARDS & HAZARDOUS MATERIALS				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
<p><u>Discussion:</u></p> <p>(a) The proposed four lot parcel map and subsequent residential development will not involve routine transport, handling or disposal of hazardous materials or emit hazardous emissions from this location. While fuels, asphalts and solvents would be used during construction, Best Management Practices (BMPs) would be utilized to ensure that no construction-related fuel hazards would occur. All use, storage, transport and disposal of hazardous materials (including any hazardous wastes) during construction activities would be performed in accordance with existing local, state, and federal hazardous materials regulations. Therefore, implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.</p> <p>(b) As described in (a) above, operation of the project would not require routine use of hazardous materials; therefore, no hazards or hazardous materials impacts related to long term operation of the project are anticipated. However, hazardous materials such as fuel, asphalt, and solvents would be used during construction. In the unlikely event of a spill, fuels would be controlled and disposed of in accordance with county and state regulations. Implementation of Special Mitigation Measure #1 would ensure that handling of materials during construction activities would not create a hazard to the public or the environment, thereby reducing potential impacts to less than significant levels.</p> <p>(c) The project site is located over a mile from the closet school. The proposed residential development is not the type of use that would create, handle or emit hazardous emissions or handle hazardous materials, substances or waste; that would be considered incompatible with schools.</p> <p>(d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.</p> <p>(e-f) The project site is not located within an airport land use plan or within close proximity of a public or private use airport. The closest airport to the project site is the Napa County Airport, approximately 7 miles to the south. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area and would not expose people to airport-related hazards. The proposed project would provide adequate emergency ingress, egress, and equipment turn-around.</p> <p>(g) The proposed project will take access from an existing State Highway and based on the driveway configuration would not physically interfere with the existing public thoroughfares, and as such there would be no impact to any emergency evacuation plan or emergency response plans.</p> <p>(f) The project site is located within a semi-urbanized and developed area of the City and is not designated as a fire hazard area. Thus, the project would not expose people or structures to wildfire hazards.</p> <p><u>Standard Mitigation Measures:</u> None.</p> <p><u>Special Mitigation Measures:</u></p> <ol style="list-style-type: none"> 1. If any contamination is discovered during site grading/construction, the contractor shall stop work immediately and contact the registered geologist from the County of Napa Planning, Building, and Environmental Services Department. 				

VIII. HAZARDS & HAZARDOUS MATERIALS

2. Project construction plans shall include emergency procedures for responding to hazardous materials release for material that will be brought onto the site as part of construction activities. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment, spill containment procedures, and training of works to respond to accidental spills/release. The Contractor shall be required to have on-hand at all times adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oils in their possession. All use, storage, transport, and disposal of hazardous materials (including any hazardous wastes) during construction activities shall be performed in accordance with existing local, state, and federal hazardous materials regulations.

Conclusion:

No impacts related to hazards or hazardous materials.

IX. HYDROLOGY & WATER QUALITY

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		X		
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j. Inundation by seiche, tsunami, or mudflow?				X

Discussion:

(a) Construction of the proposed project which would be limited to the proposed private street, would cause disturbances to the ground surface from earthwork, including excavating and grading. These activities could potentially increase the amount of sediments in site runoff that flow into the Napa River or its tributaries. Increased sediment could negatively impact water quality and aquatic life downstream of the project site. Materials used during construction of the roadway may have chemicals that are potentially harmful to aquatic resources and water quality. Accidents or improper use of these materials could release contaminants to the environment. Additionally, oil and other petroleum products used to maintain and operate construction

IX. HYDROLOGY & WATER QUALITY

equipment could be accidentally released. As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Implementation of Special Mitigation Measure #1 below would ensure compliance with the requirements of the NPDES General Permit and reduce potential impacts during project construction to a less than significant level.

(b) The proposed project would not require the use of groundwater supplies, and grading activities would not affect an aquifer or the local water table. Because the existing project site has been previously developed, the proposed project would not interfere with groundwater re-charge in the immediate project vicinity.

(c) The proposed project would not substantially alter the existing drainage pattern of the project site or area, or alter the course of a stream or a river. The proposed private street will include curbs, gutters and inlets connecting to the storm drainage system to accommodate the proposed project. The proposed drainage system has been designed to accommodate the area of disturbance and project related storm drainage improvements would minimize increases in storm water or sediment runoff and would prevent substantial erosion or siltation on or off-site. Therefore, this impact is less than significant.

(d) The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, this impact is less than significant.

(e) No violations of any water quality standards are expected from the proposed project as a preliminary Stormwater Control Plan for a regulated project was prepared by RSA+ dated January 16, 2018 which analyzed potential sources of runoff and provided mitigation measures to meet water quality standards. The report concluded that from an engineering viewpoint the proposed development may be constructed as planned, provided the design and maintenance is performed in accordance with the recommendations presented in the report.

(f - j) According to the National Flood Insurance Program, the project site is located in flood Zone A as shown on Community Panel No.06055C0509F. As such, the proposed residential buildings will not be located within a flood hazard area. While the project will introduce new impervious surfaces (such as roadways, roofs, and driveways) which will change the rate of absorption of drainage and surface water run-off; the amounts of impervious surfaces are not substantial in area and changes in absorption and run-off will be insignificant. The project site is not in a location that would be affected by seiches or tsunamis. The elevation of future buildings and the building support utility systems will be elevated above the 100-year flood event according to the City Public Works Department. All projects in the City are connected to City water supplies thus do not affect nearby wells. The property is subject to Floodplain Management Regulations contained in Chapter 17.62 of the Municipal Code. These regulations establish standards to protect persons and property from the hazards of development in the floodplain of the Napa River, and require that a flood plain permit be obtained for all developments on lots zoned :FP and that the development is secured against flotation and flood damage. The project site is not located in an area affected by seiches or tsunamis; therefore, there would be no impact.

Standard Mitigation Measures:

Policy Resolution 27: Hydrology and Water Quality Mitigation Measures 1-12.

Special Mitigation Measures:

1. All subsequent development plans and construction shall be in compliance with the recommendations set forth in the February 10, 2016 Stormwater Control Plan prepared by RSA+.
2. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall. If surface drainage is currently passing from adjoining properties onto the subject property, then the project shall be designed to continue to accept such drainage and easements shall be established in favor of the adjoining property to allow the existing drainage patterns to continue. In addition, site design shall allow for a 100-year overland release with all finish floor elevations a minimum of one foot above the 100-year overland release elevation.

IX. HYDROLOGY & WATER QUALITY

Conclusion:

Potential hydrology and water quality impacts mitigated to less-than-significant.

X. LAND USE & PLANNING				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Physically divide an established community?			X	
b. Conflict with any applicable land use plan, policy, or resolution of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p><u>Discussion:</u></p> <p>The proposed project would not physically divide an established community because the project is proposing to develop land that is essentially undeveloped but designated for development. The site is undeveloped and located in a developed area of the City with street frontage along the eastern side of the property. Residential uses exist to the north, south and east of the site. No established community currently exists on the project site that would be divided due to implementation of the project. A project would divide an established community, for example, if it were proposing to construct a roadway that would bisect an existing community essentially creating a barrier that would be considered a division of an established community. The project is not proposing to construct a barrier that would divide an existing cohesive community or introduce a land use (i.e., recycling facility) that would be incompatible with the surrounding area. The project is proposing to develop residential uses consistent with the City’s General Plan for development in this area that is compatible with adjacent residential uses. Therefore, development of the project would not physically divide an existing established and impacts would be considered less than significant.</p> <p>The neighborhood surrounding the project site is mainly comprised of single family residential with a larger county property to the west, as such, the construction of 4 single family residences is not incompatible with surrounding uses. The General Plan designation for the site is SFR-100, Single Family Residential, which provides for residential development at densities up to 3 units per acre. The 11.6-acre site will have an overall density of 0.34 units per acre, which is consistent with density range of the SFR-100 General Plan designation. Residential development has been planned and endorsed by the community with the adoption of the General Plan and Housing Element, which provides for single family residential development on this site. The project is consistent with the density of adjacent residential uses. The project site has a base Zoning Designation of RS-40, Single Family Residential. The proposed single-family lots are permitted uses in the RS-40 district and the future homes have ample building envelopes to be developed consistent with the development standards in regard to minimum lot area and width, maximum building coverage, yards, off-street parking, and building height.</p> <p>The property is subject to Floodplain Management Regulations contained in Chapter 17.38 of the Municipal Code. These regulations establish standards to protect persons and property from the hazards of development in the floodplain of the Napa River, and require that a flood plain permit be obtained for all developments on lots zoned :FP and that the development is secured against flotation and flood damage. Although a small portion of the building envelope of Lots 3 and 4 is shown within the floodway it is not anticipated that development would occur on the area. However, as the development standards do not restrict development within the floodway once it has been determined consistent with the required floodway analysis, the proposed building envelope are shown within the floodway boundary. The floodplain permit will be reviewed with each of the future design review permits for each of the four future homes to ensure compliance with floodway/floodplain requirements.</p> <p>The proposed development would not conflict with any applicable habitat conservation plans or natural community conservation plans. Development has been planned and endorsed by the community with the adoption of the General Plan and Housing Element, which provides for uses consistent with residential type development on this site. Standard mitigation measures assure compliance with requirements applicable to the project and CEQA implementation.</p>				

The proposed development would not conflict with any applicable habitat conservation plans or natural community preservation plans. The imposition of the standard mitigations in Policy Resolution 27 noted below ensures no impacts to land use and planning.

Standard Mitigation Measures:

Policy Resolution 27: Land Use and Planning Mitigation Measures 1-3.

Special Mitigation Measures:

None.

Conclusion:

No impacts to land use and planning.

XI. MINERAL RESOURCES				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	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?				X
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?				X
<p><u>Discussion:</u> There are no known or documented regionally or locally significant mineral mapped on the project site; as such mitigation measures are not required.</p> <p><u>Standard Mitigation Measures:</u> None.</p> <p><u>Special Mitigation Measures:</u> None.</p> <p><u>Conclusion:</u> No impacts to mineral resources.</p>				

XII. NOISE				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				X

XII. NOISE

Discussion:

(a) The project site is located adjacent to existing single-family homes which are considered sensitive receptors for noise. “Normally acceptable” noise levels for residential development are considered to be within a range of 60dB and under in the City of Napa General Plan Safety Element, Table 8-1. Short term noise generating uses at the project site include construction activities. Noise impacts from construction activities associated with the project would be a function of the noise generated by construction equipment, equipment location, the sensitivity of nearby land uses, and the timing and duration of construction activities. Noise from construction activities has the potential to impact adjacent sensitive receptors. However with the implementation of mitigation measures listed below the noise impacts from construction activity would be considered less than significant.

The proposed 4 lot residential subdivision would not expose people to noise levels in excess of General Plan standards or create substantial increases in background noise levels above existing levels. The project site is not within an airport land use plan area or the vicinity of any private airstrip. The closest airstrip is Napa County Airport approximately seven miles south of the project site. Any significant noise generated by this project will be limited to noise associated with construction/grading of the project. There will be a minimal increase in noise due to the replacement of existing single-family residences with new residential units; however, the noise increase will not create significant health impacts on surrounding neighborhoods.

Standard Mitigation Measures:

Policy Resolution 27: Noise Mitigation Measures 1-4.

Special Mitigation Measures:

1. The project construction contractor shall comply with the following noise reduction measures:
 - General construction activities shall be allowed only on weekdays between the hours of 7:00 a.m. to 7:00 p.m.
 - Machines or equipment shall not start up prior to 8:00 a.m. Monday through Friday
 - Deliveries of materials shall not occur prior to 7:30 a.m. or past 5:00 p.m., Monday through Friday.
 - Cleaning of machines and equipment shall not occur past 6:00 p.m., Monday through Friday.
 - Servicing of equipment shall not occur past 6:45 p.m. Monday through Friday.
 - Construction on weekends or legal holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m., unless a permit is issued by the City manager or his/her designee, pursuant to section 8.08.050 of the City of Napa Municipal Code.
 - All muffler systems on construction equipment shall be properly maintained
 - All construction equipment shall not be placed adjacent to the neighboring residential property line unless said equipment is provided with acoustical shielding.
 - The construction contractor shall post signs prohibiting unnecessary idling of internal combustion engines.

Conclusion:

Potential impacts to noise mitigated to less-than-significant.

XIII. POPULATION & HOUSING

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b. Displacing substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p><u>Discussion:</u> The proposed project would directly generate population growth through the development of 4 future single-family homes. Using the City’s average per-household population of 2.6, to estimate the population on the project site, the 4 future homes would generate a population increase of approximately 10 people. The approximately 12-acre site has a land use designation of Residential Single Family, which allows a density of up to 3 units per acre. Thus, under the General Plan density range, the site could be developed with up to 34 units, which is substantially more than the number of units currently proposed. Therefore, the growth in population that would occur with implementation of the proposed project was planned for in the General Plan, and the impacts of this growth were previously evaluated in the General Plan EIR. In addition, the project would constitute infill development within a developed urban area, and new roads and infrastructure would not be extended into an undeveloped area. The project would therefore not cause a new impact related to population growth not already evaluated the General Plan EIR.</p> <p>The proposed 4 single family lots will be developed on a parcel that is currently vacant, which does not necessitate the construction of replacement housing.</p> <p><u>Standard Mitigation Measures:</u> None.</p> <p><u>Special Mitigation Measures:</u> None.</p> <p><u>Conclusion:</u> No impacts to population and housing.</p>				

XIV. PUBLIC SERVICES				
Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including:				X
i) Fire Protection?			X	
ii) Police Protection?			X	
iii) Schools?				X
iv) Parks?			X	
v) Other Public Facilities?				X
<p><u>Discussion:</u> The development of 4 residential lots would result in an increase in the overall demand for fire protection and emergency medical services within the City. Using the City’s average persons per household of 2.6, the project would generate approximately 10 residents. Although the project would result in increased demand for fire protection staff, the Fire Department anticipates that the number of calls for fire services could be accommodated by existing staff. The project site design has been reviewed by the Fire Department and determined to provide adequate ingress and egress and turning radius for fire and emergency vehicles. In addition, the project applicant would be required to comply with Napa Municipal Code Chapter 15.78, which requires that all new development pay applicable fire and paramedic fees and the City’s standard mitigation</p>				

measures included in Policy Resolution 27. For the above reasons, implementation of the proposed project would result in a less-than-significant impact.

Government Code Section 65996(a) states that no additional mitigation beyond the payment of the Proposition 1A/SB 50 fees is permitted. This is because with regard to the construction of permanent school facilities, such fees “shall be the exclusive methods of considering and mitigating impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act [by a town or city]...involving, but not limited to, the planning, use, or development of real property.” The Code further states that the payment of fees “...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization” (Section 65995(3)(h)). The project is required to pay school impact fees to meet demand for new students consistent with State law. Therefore, with payment of school impact fees, potential impacts to schools resulting from implementation of the project would be less than significant.

New development under the proposed project has the potential to increase the demand for parks and recreational services in the City. Pursuant to City policies, a project should provide between 2.4 to 3.0 acres of new parkland for every 1,000 new residents (between 1.2 to 1.5 acres of neighborhood parks [Policy PR-1.9] and between 1.2 to 1.5 acres of community parks [Policy PR-1.4]). The City provides an adequate amount of community parks to serve residents, but the amount of neighborhood parks is low per capita. The proposed project does not include any land for a new public park. However, the Parks Department does not believe that the increase in demand for these parks would create an adverse effect on existing facilities, since the Parks Department is continuing to expand the City’s parks and trail system. Further, although the Parks and Recreational Facilities Master Plan indicates the need for additional park land in the city, there is no need for additional parks in this area of the development. See “XV Recreation” for parks discussion.

In addition, pursuant to Policy Resolution 27 and Municipal Code requirements, the proposed project would be required to pay parkland fees. The Parks Department would consider the payment of fees in accordance with Parks Department policies and ordinances in lieu of development of a new park adequate to address the increase in demand generated by the project. Therefore, potential impacts to parks and recreational facilities would be considered less than significant.

Standard Mitigation Measures:

Policy Resolution 27: Public Services Mitigation Measures 1-6.

Special Mitigation Measures:

None.

Conclusion:

Potential impacts to public services mitigated to less-than-significant.

XV. RECREATION

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated?				X
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?				X

Discussion:

As noted in the Public Services section above, this project will not significantly impact the existing parks and recreational facilities. The Parks and Recreation element of the General Plan does not identify this area of the City as underserved with parks or recreation facilities and is not anticipated that this project population will require any new or upgraded facilities. The proposed development of residential units at the project site is within the development potential anticipated by the General Plan and Housing Element, which should not represent a “significant impact” in regard to recreation. The imposition of the standard conditions found in Policy Resolution 27 (payment of quadrant fees etc.) will further reduce any impacts to parks and recreation facilities. The project includes the construction of various recreational facilities on-site which will further reduce impacts to existing recreational facilities.

Standard Mitigation Measures:

Policy Resolution 27: Recreation Mitigation Measures 1 & 2.

Special Mitigation Measures:

None.

Conclusion:

Potential impacts to recreation mitigated to less-than-significant.

XVI. TRANSPORTATION & TRAFFIC

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersection) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Result in inadequate parking capacity			X	
g. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

(a - b) The size of the proposed development (4 lots) does not rise to the level of requiring a traffic study. The scale of the proposed development of the project will not significantly impact existing roadways. The street layout for the project has taken into account the most efficient plan for overall circulation in the area. The volumes of traffic associated with the project would not result in a significant individual impact on traffic. However, the traffic generated by the project will contribute to the cumulative impact on the City’s arterial and collector street system by decreasing the available capacity of existing roadways within the project area, increasing average stopped delay for drivers using the existing facilities, decreasing average travel speed, increasing vehicle operating costs, hydrocarbon emissions, and fuel consumption, and increasing traffic safety concerns. The cumulative impact of the traffic generated by the subject project on the City’s arterial and collector street system will be mitigated by the developer paying a Street Improvement Fee in accordance with Policy Resolution 27 and Policy Resolution 16.

XVI. TRANSPORTATION & TRAFFIC

(c) The project would have no effect on air traffic patterns or air traffic levels. There are no airports within 2 miles of the project site; the nearest airport is Napa Airport, located approximately 7 miles southwest of the site. The project will not have an effect on air traffic patterns or air traffic levels.

(d) The project would connect a private street with Silverado Trail (State Route 121). A Sight Distance Evaluation was conducted by KD Anderson & Associates, Inc. dated November 17, 2017. This evaluation assessed the ability of the project access to meet sight distance standards based on City and Caltrans Highway Design Manual standards. The project site is located on a section of Silverado Trail that has a posted speed of 40 mph. The proposed access is at the apex of a horizontal curve, and this location maximizes the sight lines along both directions of Silverado Trail. In addition to vegetation along Silverado Trail that can limit the sight lines, there are curves in the roadway both north and south of the project site. The north curve is located at the Hagen Way / Silverado Trail intersection. The evaluation concluded that a new access along the west side of Silverado Trail, at the north side of the project site maximizes the ability to view traffic conditions along Silverado Trail. The available sight distances range from about 450 feet looking south from the proposed access location to about 600 feet looking south from the Hagen Road intersection towards the access. The corresponding design speeds range between 40 mph and 61 mph when considering both minimum stopping sight distance and corner sight distance standards and the available sight distance meets or exceeds the sight distance requirements for the existing 40 mph posted speed. The special mitigation measures noted below will ensure that visibility remains adequate.

(e) The project would construct a new private street within the proposed four lot development, which is sufficient for fire-fighting equipment to maneuver through. The turning movements will be verified by the Napa Fire Department during their final review of the project plans. The Department will ensure the project meets requirements for adequate emergency access as a condition of project approval.

(f) The proposed private street will be 20 feet wide which provides for the appropriate street width for access but not on-street parking. Special Mitigations measures below require that each of the proposed lots provides for the required on-street guest parking space in conjunction with the Design Review application for each future house. The future Design Review permit will ensure that each of the proposed homes within the subdivision provides for the appropriate parking requirement based on the size of the future house. As such, parking impacts are considered to be a less than significant impact.

(g) The proposed private street design and intersection location on this semi-rural location does not conflict with adopted policies supporting alternative transportation and specifically bus turnouts.

Standard Mitigation Measures:

Policy Resolution 27: Transportation and Traffic Mitigation Measures 1-5.

Special Mitigation Measures:

1. Any new landscaping along the Silverado Trail and private street intersection be set back outside of the line of sight for vehicles exiting the site, considering the 15-foot setback of the driver from the edge line of the pavement.
2. Any existing vegetation along the project's frontage be trimmed to maintain these lines of sight. Additionally, any new vegetation between the line of sight and the roadway, i.e. the sight triangle, be limited to plant growth of under 2½' or over 8 feet.

Conclusion:

Potential impacts to transportation and traffic mitigated to less-than-significant.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
Would the project:				

<p>a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				
<p>i) 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</p>				X
<p>ii) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>			X	

Discussion:

a i) The property is not listed on a City historic database as a Historic Resources Inventory property, Neighborhood Conservation Property, a Landmark Property, or within a Landmark District. No structures currently exist on the site, nor were any historic structures known to have previously existed on the site.

a ii) The City’s archeology database identifies the property as having high archeological sensitivity. As such a Historical Resources Study dated September 12, 2016 was prepared by Tom Origer & Associates which evaluated the cultural resources of the project site. The study prepared by Origer and Associates included archival research at the Northwest Information Center, Sonoma State University (NWIC File No. 16-0259), examination of the library and files of Tom Origer & Associates, field inspection of the project location, and contact with the Native American community. Archaeological site P-28-000928 was found within the study area. Documentation pertaining to this study is on file at the offices of Tom Origer & Associates (File No. 16-092S). The site is considered potentially sensitive for previously undiscovered subsurface prehistoric and historic-period archaeological resources. If encountered during construction, archaeological resources could be damaged or destroyed. Mitigation measure #1 below would reduce the potential for impacts on subsurface archaeological resources by ensuring that the proper procedures and protocols would be followed in the event any subsurface prehistoric or historic-period archaeological resource is unearthed during project construction. Implementation of the mitigation measure would reduce impacts to a less-than-significant level.

Standard Mitigation Measures:

Policy Resolution 27: Cultural Resources Mitigation Measure 1.

Special Mitigation Measures:

1. If any archaeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archaeologist is retained by the City of Napa to evaluate the finds. The project applicant shall comply with all mitigation recommendations of the archaeologist prior to commencing work in the vicinity of the archaeological finds.
2. The project applicant shall assure that project personnel (e.g., contractor, construction workers) are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles as well as dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.
3. The Yocha Dehe Winton Nation has concluded the project site is within their aboriginal territories and based on information provided in the project’s Cultural Resources Study, the Tribe has requested cultural monitors during development or ground disturbance. Prior to commencing any sitework/ground disturbance, including backhoe trenching and excavations the Developer shall contact the Tribe to arrange a monitoring agreement. Contact Reimann Rouse, GIS Analyst, Yocha Dehe Winton Nation. Ph. (530) 723-2805; E-mail: rrouse@yochadehe-nsn.gov

4. See Special Mitigation Measures V. 1 -5 from the Cultural Resources Section V.

Conclusion:

Potential tribal cultural resources impacts mitigated to less-than-significant.

XVIII. UTILITIES & SERVICE SYSTEMS

Would the project:	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. 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?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion:

The applicable utility companies or agencies have been contacted and have received copies of the proposed development plan. No significant impacts have been identified. Standard mitigation measures require water conservation and recycling measures, use of the City's franchised garbage hauler and appropriate stormwater design. The City has entitlements to ensure that water supplies are adequate to serve the project, and Napa Sanitation District has not notified the City of any critical wastewater capacity situation. The project will not generate an extraordinary amount of solid waste and both collection and disposal systems are available to adequately serve the proposed development.

(a-b, e) Wastewater collection, treatment and disposal services for the project site are provided by Napa Sanitation District (NSD) pending annexation into the District. NSD's pipelines and pumping stations convey wastewater from the point of discharge to the Waste Treatment Plant (WWTP). The utilities for the proposed project, including sewage disposal, would require the construction of new on-site and off-site sewer improvements. The project would not generate a significant amount of wastewater beyond those anticipated for the General Plan density, and therefore not exceed wastewater treatment requirements of the Regional Water Quality Control Board. Napa Sanitation District does not have an official set of wastewater generation rates for proposed development. For the purposes of this project, therefore, projections are based on a general guideline of 95 percent of water usage, excluding irrigation, returned as wastewater. Based on this assumption, the proposed project would generate a total of approximately 1,040 gallons per day (gpd) of wastewater. The major trunk lines that serve the project site have adequate capacity to handle the wastewater generated by the project. With a system design capacity of 15.4 million gpd and an average dry weather flow of 6.8 million gpd, the NSD has adequate capacity to serve the proposed project, which would increase total wastewater requiring treatment by approximately 0.00006 percent. There would therefore be a less-than-significant impact on existing treatment capacity.

(c) The stormwater runoff generated by the project site would be collected and treated on-site in compliance with the National Pollution /Discharge Elimination System (NPDES) Permit requirements and then conveyed into the City's drainage system. The use of mechanical and natural stormwater treatments as shown on the grading and drainage plan including bio-treatment areas and retention areas will reduce the amount of runoff generated by the project. Therefore, the proposed drainage facility for the project site would be a less than significant impact.

(d) The proposed project would connect to the existing City water supply for which there is sufficient capacity to serve the project. Therefore, the project would not require a new or altered service systems or new or expanded water resources or entitlements.

(f-g) The proposed development and future residential uses will not generate an extraordinary amount of solid waste and both collection and disposal systems are available to adequately serve the proposed development. Standard mitigation measures require water conservation and recycling measures, and use of the city's franchised garbage hauler.

The imposition of the standard mitigations in Policy Resolution 27 noted below ensures less-than-significant impacts to utilities and service systems.

Standard Mitigation Measures:

Policy Resolution 27: Utilities and Service Systems Mitigation Measures 1-12.

Special Mitigation Measures:

None

Conclusion:

Potential impacts to utilities and service systems mitigated to less-than-significant.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE	
a. Does the project have the potential to 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, 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?	No
b. Does the project have impacts which are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in conjunction with the effects of past projects, the effects of other current projects and the effects of probable future projects.)	No
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No
<p>Discussion:</p> <p>In regard to (a) Construction and operation of the project with mitigation, would not 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 reduce the number or restrict the range of a rare or endangered plant or animal nor eliminate important examples of California history or prehistory.</p> <p>(b) Based on the findings of this Initial Study, the impacts of the proposed project are individually limited and not cumulatively considerable. All environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through implementation of the mitigation measures recommended in this Initial Study and, when viewed in conjunction with other closely related past, present or reasonably foreseeable future projects, would not be significant.</p> <p>(c) Based on the finding of the Initial Study, there is no evidence to demonstrate that the construction related activity at the project site would have substantial adverse effect on human beings that have not been effectively mitigated to a level of less than significant through the implementation of the Standard Mitigation Measures. The project has been modified to include the Standard Mitigation Measures contained in Policy Resolution 27 and the Special Mitigation Measures identified in this Initial Study; the overall effect is that no significant impacts would occur as a result of this project.</p>	

SOURCES OF INFORMATION USED IN PREPARATION OF THIS INITIAL STUDY:

- Project Development Plans (attached)
- City of Napa; Policy Resolution 27 (attached)
- Applicant’s Project Development Plans, Elevations, Landscape Plans and Grading Plans (attached)
- A Cultural Resources Study dated June 9, 2016 prepared by Tom Origer & Associates (attached)
- Biological Assessment dated 8/2015, updated May 25, 2016 prepared by Huffman-Broadway Group Inc. (on file in the Community Development Department)
- Storm Water Control Plan dated 1/16/18 prepared by RSA+ (on file in the Public Works Department)
- Arborist Report dated 1/15/17 prepared by Bill Pramuk (on file in the Community Development Department)
- Geotechnical Investigation dated 11/2/16 prepared by RGH Consultants (attached)
- Site Distance Evaluation dated 11/17/17 prepared by KD Anderson & Associates Inc. (attached)

INCORPORATION BY REFERENCE

As permitted by Section 15150 of the State CEQA Guidelines, this initial study incorporates several documents by reference. The reference documents identified below were utilized during the preparation of the Initial Study. The relevant information and/or analysis that has been incorporated by reference into this initial study has been summarized. Each of the documents identified below, which have been incorporated by reference, are available for review at the City of Napa Community Development Department, located at 1600 First Street, Napa, California 94559.

- City of Napa; General Plan Policy Document, Adopted December, 1998
- City of Napa; General Plan Background Report, Adopted December, 1998

- City of Napa; General Plan Final Environmental Impact Report, Adopted December, 1998
- City of Napa; Zoning Ordinance, 2003
- City of Napa; Resolution 89-362 Establishing a Street Improvement Fee for all new Development within the City and subsequent Resolutions Amending this Resolution: Resolution 93-198.
- City of Napa, Water System Optimization and Master Plan, 1997; West Yost & Associates
- City of Napa; Water System Optimization and Master Plan; Final EIR; 1997
- City of Napa; Big Ranch Specific Plan and Specific Plan FEIR, October, 1996; Nichols Berman
- City of Napa; Linda Vista Specific Plan and Specific Plan FEIR; October, 1987
- County of Napa; Napa County Airport Land Use Compatibility Plan, April, 1991
- Bay Area Air Quality Management District; CEQA Guidelines, 1996
- Bay Area Air Quality Management District; Bay Area '97 Clean Air Plan, December, 1997
- U.S. Army Corps of Engineers; Napa River/Napa Creek Flood Protection Project General Design Manual and Supplemental EIR/EIR, December, 1997.
- State of California, Resources Agency; Farmland Mapping and Monitoring Program

RESOLUTION PC2018-16

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NAPA, STATE OF CALIFORNIA, ADOPTING
A MITIGATED NEGATIVE DECLARATION AND A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE MILLIKEN PARCEL MAP AT 052-010-011

WHEREAS, on January 18, 2018 Silverado Trail Project, LLC (the "Applicant") submitted an application (File No. PL18-0005) for a design review permit pursuant to Napa Municipal Code (NMC) Chapter 17.62 ("Design Review Permit") for a parcel map and a parcel map pursuant to NMC Chapter 16.28 ("Parcel Map") to subdivide an 11.6-acre property located on the west side of Silverado Trail, approximately 500 feet south of Hagen Road ("Site"), into four single-family lots (APN052-010-011) (the "Project"); and

WHEREAS, the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. ("CEQA"), requires that the City consider the potential environmental impacts of the Project prior to approving any entitlements for the Project; and

WHEREAS, in accordance with CEQA, the City of Napa Community Development Department prepared an Initial Study for the Milliken Parcel Map Project which concludes that the Project, with incorporation of certain mitigation measures, will not have a significant effect on the environment; therefore, a Mitigated Negative Declaration has been prepared for adoption; and

WHEREAS, the City of Napa prepared a Mitigated Negative Declaration for the Project, pursuant to CEQA and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Napa CEQA Guidelines, which is attached hereto as Exhibit A and incorporated herein by reference ("Mitigated Negative Declaration"); and

WHEREAS, on April 5, 2018 the City of Napa posted a Notice of Intent to Adopt a Mitigated Negative Declaration which identified the review period from April 5, 2018 to May 4, 2018, for review and comment by the public and public agencies having jurisdiction by law with respect to the Project; and,

WHEREAS, on May 17, 2018 the Planning Commission considered the Mitigated Negative Declaration and all written and oral testimony submitted to it at a noticed public hearing on the Milliken Parcel Map's Design Review Permit and Parcel Map applications, at which time the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and considered the adequacy of the Mitigated Negative Declaration; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Napa, as follows:

Section 1. The Planning Commission hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the Planning Commission's adoption of this Resolution. The record of Project's environmental review shall be kept at the Napa City Community Development Department, 1600 First Street, Napa, CA 94559.

Section 2. After reviewing the Initial Study/Mitigated Negative Declaration, all written and oral comments received on the Mitigated Negative Declaration and all responses to such comments, the Planning Commission hereby finds that there is no substantial evidence, in light of the whole record before the Planning Commission, that the Project, as analyzed in the Initial Study/Mitigated Negative Declaration prepared for the Milliken Parcel Map Project (PL #18-0005) dated April 5, 2018, as mitigated, will have a significant effect on the environment; and that this determination reflects the Planning Commission's independent judgment.

Section 3. The Planning Commission hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project attached hereto as Exhibit A.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Planning Commission of the City of Napa at a regular meeting of said Planning Commission held on the 17th day of May 2018 by the following roll call vote:

AYES: Murray, Painter, Huether, Kelley, Myers

NOES:

ABSENT:

ABSTAIN:

ATTEST: 
SECRETARY OF THE PLANNING COMMISSION

EXHIBIT A
MILLIKEN PARCEL MAP PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>Aesthetics MM -1. All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties.</p> <p>MM -2. Low-level lighting shall be utilized in any parking area(s) as opposed to elevated high-intensity light standards.</p> <p>MM-3. All new utilities shall be placed underground.</p> <p>MM-4. The plans submitted for the project improvements or building permit, whichever comes first, shall include a final landscape and irrigation plan designed and signed by a licensed landscape architect or landscape contractor. No improvement plans shall be approved nor building permit issued until the Planning Division approves the landscape and irrigation plan. Prior to occupancy, the licensed professional who signed the final landscape and irrigation plan shall certify in writing to the Planning Manager that he/she has inspected and approved the installation of landscaping and irrigation and has found them to be consistent with the approved plans and that the systems are in working order. A substitution of an alternate licensed professional may be allowed by the Planning Manager upon a showing of good cause.</p> <p>MM-5. All exterior lighting for the future residences shall be properly shielded and directed downward to preclude glare conditions that might impact adjacent properties or public streets.</p> <p>MM-6. The four future residences and any accessory structures to be developed on the property shall be designed to have non-reflective surfaces and exterior colors that are muted, earth tones</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Community Development & Public Works Department</p>

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
to blend into the natural scenery. All windows and glass proposed for the exterior of the building shall be non-reflective glass.					
<p>Air Quality MM-7. Grading and construction equipment shall be shut down when not in use.</p> <p>MM-8. Construction activities shall not occur during windy periods.</p> <p>MM-9. Exposed soil surfaces shall be periodically sprinkled to retard dust.</p> <p>MM-10. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>MM-11. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</p> <p>MM-12. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>MM-13. The contractor or City official shall post several publicly visible signs at either end of the property with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 24 hours. The Bay Area Air Quality Management District's</p>	<p>Prior to issuance of demolition, building or grading permits</p> <p>Prior to commencing construction activities and for duration of construction</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p> <p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Community Development Department/ Building Division</p> <p>City of Napa Public Works and Building Departments</p>	

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>phone number shall also be visible to ensure compliance with applicable regulations.</p> <p>MM-14. All vehicle speeds on unpaved roads shall be limited to 15 mph.</p> <p>MM-15. 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.</p> <p>MM-16. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>MM-17. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper order.</p> <p>MM-18. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>MM-19. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>MM-20. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any</p>	<p>Prior to commencing construction activities and for duration of construction</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and contracts and are met during construction</p>	<p>City of Napa Public Works and Building Departments</p>

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>MM-21. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</p> <p>MM-22. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>MM-23. Any proposed fireplaces within the development shall include a gas insert and all stoves shall be required to meet EPA certification.</p>					
<p>Biological: MM-24. Per City requirements, the Applicant is responsible for planting an additional nine (9) replacement trees on the site or providing the trees in the form of an in-lieu fee of \$2,925. Additionally, the Applicant may use a combination of onsite planting, payment of in-lieu fees or providing onsite mitigation to satisfy this requirement or any combination of mitigation provided by NMC Chapter 12.45.</p> <p>MM-25. If either the onsite or offsite planting option is selected, irrigation of the planted trees shall be necessary. An irrigation system shall be attached to an automatic timer and operated over a minimum of three years while the trees become established. The replacement trees shall be Valley Oaks native to the Napa area. The replacement trees shall be distributed with adequate spacing to ensure that each tree has adequate room to grow without overcrowding a neighboring tree. Replacement trees shall be 15-gallon container plants or larger. Weed mats shall be installed over the cleared planting areas and anchored to the ground with landscape staples. The weed mat will function to reduce competition for light, water, and nutrients. All planted trees shall be protected from rodent and deer browsing by installing protective</p>	<p>Prior to Acceptance of hardscape Improvements</p> <p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p> <p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Community Development Department</p> <p>City of Napa Community Development Department</p>	

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>UV-collars around the trees. The planted oak or other native trees shall be monitored annually by a qualified person for a period of three years. This would prevent large-scale unanticipated losses of establishing trees. Monitoring shall be initiated one year after plants are planted, and shall continue each fall until the end of the three-year monitoring program. During each annual monitoring visit the number of planted trees shall be tallied to determine if there have been any tree losses within the last year. Health and vigor of the plants shall also be noted. Annual monitoring reports shall be submitted to the City of Napa by December 31 of each year. It is expected that four years after planting the oak trees will be well-established, self-sustaining, and that survivorship will be high. However, if at the end of the three-year monitoring period (which would be four years after the trees are planted), any of the planted trees die, they shall be replanted. Monitoring of these trees shall continue annually until all trees are healthy, self-sustaining trees at the end of a consecutive three-year monitoring period. The applicant is responsible for supplemental planting.</p> <p>MM-26. Prior to City approval of the development project, special-status plant surveys shall be conducted in appropriate habitats during the appropriate period in which the species are most identifiable. These surveys shall be in compliance with all CDFG (2000), USFWS (1996), and CNPS (2001) published survey guidelines. All surveys for special-status plants shall follow: "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities", dated March 20, 2018. Bluecurls and narrow-athered California brodiaea have blooming periods that overlap in June and July. Thus, rare plants surveys should be conducted in early June and July to determine if these plants could be impacted by the proposed project. Project construction shall not be initiated until all special-status plant surveys are completed and subsequent mitigation, if necessary, is implemented. If special-status plant species are found during surveys, those individuals or populations shall be avoided to the maximum degree possible. If avoidance is not possible while otherwise attaining the project's objectives, then</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Community Development Department</p>	

Legend:

Community Development Department = CDD Public Works = PW

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>other suitable measures and mitigation shall be developed in consultation with the agencies that are responsible for protection of that plant species based on its protection status [i.e., City (protected by CEQA), CDFW (protected by California law/regulation), or USFWS (protected by federal law/regulation)]. Special-status plant surveys shall be completed as described above prior to breaking ground on any parcel within the project site. A special-status plant survey report that includes the methods used, survey participants, and findings shall then be prepared and submitted to the City demonstrating absence of special-status plants at least 30 days prior to breaking ground. The special-status plant report shall be reviewed by a City planner or biologist. If the report documents that there are no special-status plants on the particular project site parcel surveyed, then there would be no further mitigation and the project may proceed, provided all other applicable permits and authorizations are obtained for the project. However, if a special-status plant is found on the project site, the following mitigation measures shall also be implemented as a condition of project approval. If special-status plant species are found during surveys, project development plans shall consider avoidance to the extent practicable. If avoidance is not practicable while otherwise obtaining the project's objectives, then other suitable measures and mitigation shall be implemented as detailed below. A mitigation compliance report shall be submitted to the City planning staff or staff biologist at least 30 days prior to breaking ground. The compliance report shall detail the avoidance and other mitigation measures that have been implemented by the project. The City may approve grading/site disturbance in a quicker timeframe than 30 days if compliance with the mitigation measures can be verified by the City sooner than 30 days.</p> <p>MM-27. The following measures shall be implemented if special-status plants are found on the project site:</p> <p>Initially the feasibility of avoidance shall be evaluated as noted above. If avoidance is not feasible, a mitigation plan shall be developed in consultation with CDFW personnel if it is a state listed</p>	<p>Prior to Acceptance of hardscape Improvements</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Community Development Department/</p>

Legend:

Community Development Department = CDD Public Works = PW

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>(i.e., protected pursuant to the CESA) or a CNPS Rank 1B or Rank 2 plant. If the plant is state listed, an incidental take permit (i.e., a 2081 Agreement) shall be acquired for the project from CDFW prior to any grading within the project area. A copy of this permit shall be provided to the appropriate department within the City prior to any grading within the project area. Any conditions for the project established by CDFW in the 2081 Agreement shall become conditions of the project also enforceable by the City.</p> <p>If the plant is federally listed (i.e., protected pursuant to the Federal Endangered Species Act), the project sponsor shall formally notify the USFWS within five days of the finding and this agency's permitting instructions shall be incorporated into the project conditions of approval. As required in-practice by the USFWS, an "incidental take" permit may be necessary from the USFWS for any proposed impacts on any federally listed plants found within the project site. A copy of this permit or a letter from the USFWS that otherwise states this agency is satisfied with the avoidance and/or mitigation measures shall also be provided to the appropriate department at the City prior to the time the project site can be graded.</p> <p>If a state listed plant species (that is, a plant protected pursuant to the California Endangered Species Act) is identified, the mitigation must be developed in consultation with CDFW personnel. If the plant is state listed, an incidental take permit (i.e., a 2081 Agreement) shall be acquired for the project from CDFW prior to any work within the project area. A copy of this permit shall be provided to the County Department of Conservation and Development prior to any earth-moving work within the project area. Any conditions for the project established by CDFW in the 2081 Agreement shall become conditions of the project also enforceable by the County.</p> <p>If a plant is found on the project site that is a CNPS Rank 1B or 2 species, and the species is not otherwise protected pursuant to</p>				Department of Fish and Wildlife	

Legend:

Community Development Department = CDD Public Works = PW

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>state or federal regulations, prior to construction within the project area, a qualified botanist shall collect the seeds, propagules, and top soils, or other part of the plant that would ensure successful replanting of the population elsewhere. The seeds, propagules, or other plantable portion of all plants shall be collected at the appropriate time of the year. Half of the seeds and top soils collected shall be appropriately stored in long-term storage at a botanic garden or museum (for example, Rancho Santa Ana Botanic Garden). The other half of the seeds, propagules, or other plantable portion of all plants shall be planted at the appropriate time of year (late-fall months) in an area of the subject property or off-site, protected property that will not be impacted by the project (if the project has a designated off-site mitigation site for impacts on other special-status species, the plants can be seeded on the mitigation site). This area shall be fenced with permanent fencing (for example, chain link fencing) to ensure protection of the species. The applicant shall hire a qualified biologist to conduct annual monitoring surveys of the transplanted plant population for a five-year period and shall prepare annual monitoring reports reporting the success or failure of the transplanting effort. These reports shall be submitted to the City and appropriate resource agency (CDFW and/or USFWS) no later than December 1st each monitoring year.</p> <p>These steps shall be implemented prior to project site disturbance. If the seeding/transplanting effort fails, the stored seeds and top soils can be taken out of long-term storage and sown in another location (either onsite or offsite) deemed suitable by CDFW. This seeding effort shall then be monitored for an additional three-year period to ensure survivorship of the new population. Annual monitoring reports shall be submitted to the City for the three-year period.</p> <p>A CNDDDB form shall be filled out and submitted to CDFW for any special-status plant species identified within the project site. Any mitigation plan developed in consultation with CDFW shall be</p>					

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>implemented prior to the initiation of grading or issuance of a development permit.</p> <p>In lieu of the above prescribed mitigation, as allowed in writing by the City (for CEQA protected species only) and/or CDFW (for state listed species), mitigation requirements may be satisfied via the purchase of qualified mitigation credits or the preservation of offsite habitat. If the species in question is federally listed, then USFWS would also have to agree in writing typically through issuance of a Biological Opinion that the purchase of qualified mitigation credits or the preservation of offsite habitat would constitute satisfactory mitigation compensation.</p>				
<p>MM-28. To avoid impacts to nesting birds, a nesting survey shall be conducted 15 days prior to commencing with construction work or tree removal if this work would commence between February 1st and August 31st. The nesting survey should include an examination of all buildings onsite and all trees onsite and within 200 feet of the entire project site (i.e., within a zone of influence of nesting birds), not just trees slated for removal. The zone of influence includes those areas outside the project site where birds could be disturbed by earth- moving vibrations and/or other construction-related noise.</p>	<p>Prior to initiation of construction</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa Community Development Department/ Department of Fish and Wildlife</p>
<p>MM-29. If birds are identified nesting on or within the zone of influence of the construction project, a qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer should be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 50 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known the region of the project site but that are not expected to occur on the project site. Upon</p>	<p>Prior to initiation of construction</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa Community Development Department</p>

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm while the project is constructed.</p> <p>MM-30. No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If buffers are removed prior to August 1, the qualified avian biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Napa prior to the time that buffers are removed if the date is prior to August 1.</p> <p>MM-31. In order to avoid impacts to roosting bats a biologist shall survey trees that would be impacted by the project 15 days prior to commencing with any removal or demolition. This survey shall happen regardless of the time of year (there is no defined season for bats as with nesting birds). All bat surveys shall be conducted by a biologist with experience surveying for bats. If no bats are found during the surveys, then there would be no further regard for bat species.</p> <p>MM-32. If any bat species are found roosting on the project site the biologist shall determine if there is a maternity site that could</p>	<p>Prior to initiation of construction</p>		<p>Verify requirements are</p>	

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<p>support young bats (i.e., the biologist shall determine if there are maternal roosts). If young are found roosting in any tree that will be impacted by the project, such impacts shall be avoided until the young are flying free and are feeding without assistance from the adults. A non-disturbance buffer fenced with orange construction fencing shall also be established around the maternity site. The size of the buffer zone shall be determined by a qualified bat biologist at the time of the surveys. Tree Trimming and/or removal should only be conducted during seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies. Any trees that will be removed, and that the biologist has identified as having potentially suitable bat roost habitat, should be removed using a two-day phased removal method: On day one, in the afternoon, limbs and branches should be removed using chainsaws only. Limbs with cavities, crevices, and deep bark fissures should be avoided. On day two, the rest of the tree should be removed under the direct supervision of the biologist. If tree removal must occur outside of the seasonal activity periods mentioned above, i.e., between October 16 and February 28/29, or between April 16 and April 30, then a qualified biologist, one with at least two years of experience surveying for bats, should do pre-construction surveys within 14 days of starting work. If the qualified biologist finds evidence of bat presence during the surveys, then he/she should develop a plan for removal and exclusion, in conjunction with CDFW.</p> <p>MM-33. All survey reports for bats and special-status plants for the project be sent to Mr. Garrett Allen at CDFW, garrett.allen@wildlife.ca.gov, (707) 944-5525.</p> <p>MM-34. Impacts to likely waters of the United States and/or State can be reduced to less-than-significant levels through implementation of a protection plan. Prior to initiating any construction on the project site, all potential jurisdictional waters within the footprint of the project, including all equipment laydown</p>		Applicant / Developer	included in plans and construction contracts prior to construction	City of Napa Community Development Department/ Department of Fish and Wildlife

Legend:

Community Development Department = CDD Public Works = PW

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<p>areas, parking areas, and any other proposed project site disturbance areas, shall be avoided by the project. Protective measures shall be installed around waters of the U.S. and State with minimum 25 foot buffers. Protective measures that shall be implemented can include installing orange construction fencing, silt fencing, hay or gravel wattles, and other protective measures. During project construction, a biological monitor shall be required to provide spot monitoring of the integrity of measures implemented to preserved wetlands and other waters.</p> <p>MM-35. If full avoidance of waters of the United States is not possible, potential impacts shall be minimized to the extent feasible through changes to project design. If all jurisdictional features cannot be avoided by the project, permits from the Corps and RWQCB shall be acquired that allows the removal of specified wetlands and other waters. These permits shall be provided to the City of Napa prior to implementation of the project. Mitigation measures that should be implemented for impacts to wetlands and other waters follow.</p> <p>MM-36. Currently there is no wetland conservation bank that can be used to compensate for impacts to waters of the U.S. and State in the geographic area of the project site. Unfill and if such a wetland bank is approved by the Corps/RWQCB, impacts to wetlands and other waters must be through applicant provided mitigation compensation. This shall be accomplished by creation of wetlands/other waters to replace those wetlands impacted by project activities. If possible, wetlands will be created on-site and will resemble those wetlands affected by the project (known as in-kind replacement). If wetlands cannot be created in-kind and on-site, other alternatives will be explored with the regulatory agencies and approvals will be obtained for creating compensation wetlands at an off-site location. Mitigation requirements for these impacts shall be that all impacted wetlands are replaced at a minimum 2:1 ratio (for each square foot of impact, two square feet of wetland</p>					

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<p>shall be enhanced/created) or as otherwise specified in permitting conditions imposed by the Corps and RWQCB.</p> <p>MM-37. Prior to impacting wetlands, topsoils should be removed from wetlands that would be impacted and placed into any re-created mitigation pool(s). These topsoils would contain a seed bank of the impacted pool plant species which would germinate with fall/winter hydration of the re-created pools. If there are impacts to wetlands, adequate compensation would include creating wetlands at a suitable location that:</p> <ul style="list-style-type: none"> •remain inundated or saturated for sufficient duration to support hydrophytic vegetation; •exhibit plant and invertebrate species richness comparable to existing wetlands; <p>Minimum requirements for mitigating impacts to wetlands include:</p> <ul style="list-style-type: none"> •Replacement of impacted wetlands at a 2:1 ratio. For permanent wetland impacts, wetlands can be replaced at a minimum ratio of two acres created for each acre impacted, or fraction thereof. •In perpetuity preservation. The Corps and other regulatory agencies generally require that any new wetlands created to mitigate project impacts be set aside in a protected preserve in perpetuity, either through a deed restriction or conservation easement. •Establishment of a five-year monitoring program to monitor the progress of the wetland mitigation toward an established goal. At the end of each monitoring year, an annual report will be submitted to the Corps, RWQCB and other resource agencies that permitted the project. This report will document the hydrological and 	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>The monitoring plan must be in place prior to construction permits, but will include ongoing monitoring and reporting.</p>	<p>City of Napa Community Development Department/ Department of Fish and Wildlife</p>

Legend:

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<p>vegetative condition of the mitigation wetlands, and will recommend remedial measures as necessary to correct deficiencies.</p> <p>•In lieu of creating compensation wetlands, as approved by the Corps and RWQCB, the applicant may purchase mitigation credits from an approved mitigation bank at a 1:1 ratio or as otherwise required by the Corps and RWQCB at the time permits are issued.</p>					
<p>Cultural Resources, MM-38. If any archeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate the finds. Applicant shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.</p> <p>MM-39. Archeological site P-28-000928 is recorded as being within the study area, and evidence of the site was observed during this survey in proposed Lot 3. No ground disturbing activities can occur within the site boundaries. Current plans show that the site is within the proposed creek setback, and no development is planned in this area. However, if plans change and ground disturbing activities are planned within the site area, the site will need to be protected or excluded from development. If avoidance is not possible and it appears the site that will be impacted by future development, it should be subject to an investigation to determine its eligibility for inclusion on the California Register of Historical Resources. This investigation should be conducted by an archeologist who meets the Secretary of the Interior's Standards for archaeology.</p> <p>MM-40. If subsurface prehistoric or historic-period archaeological deposits are identified on the project site during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archeologist shall be contacted to determine whether such deposits are historical resources, as required by CEQA</p>	<p>Prior to and during construction and ongoing</p> <p>Prior to and during construction and ongoing</p>	<p>Applicant / Developer</p> <p>Applicant/ Developer</p>	<p>Verify requirements on the job site</p> <p>If necessary, the investigation plan must be in place prior to construction permits, but will include ongoing monitoring and reporting.</p>	<p>City of Napa Community Development Department/ Public Works</p> <p>City of Napa Community Development Department</p>	

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<p>Guidelines, Section 15064.5 (c)(1). If these deposits do not qualify as archaeological resources, a determination shall be made if they qualify as unique archaeological resources, pursuant to CEQA Guidelines, Section 15064.5(c)(3). If the deposit is neither a historical nor unique archaeological resource, avoidance is not necessary. Upon completion of the significance assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the archaeological materials discovered. The report/recommendations shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.</p> <p>MM-41. If the deposits qualify as a historical resource based on a review by a qualified archaeologist, they shall be preserved in place as the preferred method of mitigation, pursuant to CEQA Guidelines, Section 15126.4(b)(3)(A). If preservation in place is not feasible, impacts to the deposit shall be mitigated by other means. Other means of mitigation may include, but are not necessarily limited to systematic recovery and analysis of archaeological deposits, recording the resource, preparing a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. If the recovery and analysis of the deposit's scientific data is the only feasible option, such data recovery work shall be required, and shall be done by a qualified archaeologist in accordance with a data recovery plan in satisfaction of CEQA Guidelines, Section 15126.4(b)(3)(C). The report/recommendations shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.</p> <p>MM-42. If the deposits meet the definition of a unique archaeological resource based on a review by a qualified archaeologist, they shall be preserved in place as the preferred method of mitigation, pursuant to CEQA Guidelines, Section 15126.4(b)(3)(A). If preservation in place is not feasible, impacts to the deposit shall be mitigated by other means. Other means of mitigation may include, but are not necessarily limited to systematic</p>					

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<p>recovery and analysis of archaeological deposits, recording the resource, preparing a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. If the recovery and analysis of the deposit's scientific data is the only feasible option, such data recovery work shall be required, and shall be done by a qualified archaeologist in accordance with a data recovery plan in satisfaction of CEQA Guidelines, Section 15126.4(b)(3)(C). If the archaeological deposit in question is prehistoric in nature, the significance assessment and mitigation development described above shall be done in consultation with the descendant community representatives as identified by the Native American Heritage Commission, (NAHC).</p> <p>MM-43. If paleontological resources are encountered during ground-disturbing project activities, work shall be halted immediately at the location of the resources. The on-site construction foreman shall notify the City's Community Development Department to contact a qualified paleontologist to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Construction workers shall not collect or move any paleontological resources. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include on-site monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Napa Community Development Department and, if paleontological materials are identified, a paleontological repository, such as the University of California Museum of Paleontology.</p> <p>MM-44. In the event that human remains are encountered, the on-site construction foreman shall stop all work within 25 feet of the</p>					

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<p>discovery and shall immediately contact the City's Community Development Department and the County Coroner. At the same time, a qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. On-site construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission shall identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the Most Likely Descendant. The report shall be submitted to the City of Napa Community Development Department and the Northwest Information Center.</p> <p>MM-45. The project applicant shall assure that project personnel (e.g., contractor, construction workers) are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles as well as dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.</p> <p>MM-46. If subsurface prehistoric or historic-period archaeological deposits are identified within Caltrans Right-of-Way during project activities, all work within 60 feet of the discovery shall be halted and Caltrans District 4 Office of Cultural Resource Studies shall be contacted at (510) 622-1673.</p>					

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<p>MM-52. All subsequent development plans and construction shall be in compliance with the recommendations set forth in the November 2, 2016 Geotechnical Investigation prepared by RGH Consultants.</p>					
<p>Hazardous Materials MM-53. If any contamination is discovered during site grading/construction, the contractor shall stop work immediately and contact the registered geologist from the County of Napa Planning, Building, and Environmental Services Department.</p> <p>54. Project construction plans shall include emergency procedures for responding to hazardous materials release for material that will be brought onto the site as part of construction activities. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment, spill containment procedures, and training of workers to respond to accidental spills/release. The Contractor shall be required to have on-hand at all times adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oils in their possession. All use, storage, transport, and disposal of hazardous materials (including any hazardous wastes) during construction activities shall be performed in accordance with existing local, state, and federal hazardous materials regulations.</p>	<p>During construction and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa Community Development Department / Public Works Department</p>	
<p>Hydrology and Water Quality MM-55. All Project-related grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications (hereinafter referred to as PWD Standard Specifications).</p> <p>56. All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.).</p>	<p>Prior to issuance of grading and building permits and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Community Development Department</p>	

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<p>57. To insure adequate drainage control, the Applicant of any project which introduces new impervious surfaces (roof, driveways, patios) which will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan designed in accordance with Policy Resolution No. 17 and the City of Napa Public Works Department Standard Specifications to the Public Works Department for its approval.</p> <p>58. If the project is in the Flood Hazard or Floodway Areas of the Napa River or its tributaries, Applicant shall submit Certifications of Compliance by a registered architect or civil engineer required by NMC Chapter 17.62 to the Public Works Department at the times set forth in Chapter 17.62.</p> <p>59. Side yards of each lot shall have of a minimum unobstructed width of five (5) feet. No building encroachments, door landings or mechanical equipment shall be placed in this unobstructed area without the review and approval of the Public Works Director in order to assure adequate drainage.</p> <p>60. For any construction activity that results in the disturbance of five (5) acres or greater total land area, or is part of a larger common plan of development that disturbs five (5) acres or greater total land area, Applicant shall file a Notice of Intent with the California Regional Water Quality Control Board ("SWRCB") prior to any grading or construction activity. In the event construction activity for the project occurs after the SWRCB has changed its General Permit for construction activity to cover disturbance(s) of one (1) acre or more, this measure shall apply to any construction activity for this project which results in the disturbance of one (1) acre or greater total land area, or is part of a larger common plan of development that disturbs one (1) acre or greater total land area.</p>	<p>Prior to issuance of grading and building permits and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Public Works Department</p>

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<p>61. The Applicant shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system.</p> <p>62. All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site.</p> <p>63. All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system or ground water.</p> <p>64. Unless otherwise provided, all measures included in project approval pursuant to NMC Chapter 17.60 (CR suffix and flood evacuation) shall be installed or carried out prior to final clearance of the building permit or concurrently with the installation of site improvements in the case of a subdivision map.</p> <p>65. Applicant shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to storm water as stipulated in the Clean Water Act. Applicant shall meet the requirements of the National Pollutant Discharge Elimination System ("NPDES") permit in effect prior to completion of project construction for storm water discharges from the municipal storm water system operated by the City of Napa. Applicant shall comply with the Storm Water Pollution Mitigation Plan ("SWPMP") submitted by Applicant as part of its application as (modified and) approved by the Director of Public Works.</p>					

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<p>66. Applicant shall mark all new storm drain inlets with permanent markings, which state "No Dumping—Flows to River." This work shall be shown on improvement plans.</p> <p>67. Applicant shall record a plan for long-term private maintenance acceptable to the Director of Public Works and the City Attorney for any storm water detention system incorporated as part of the project.</p> <p>68. All subsequent development plans and construction shall be in compliance with the recommendations set forth in the February 10, 2016 Stormwater Control Plan prepared by RSA+.</p> <p>69. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall. If surface drainage is currently passing from adjoining properties onto the subject property, then the project shall be designed to continue to accept such drainage and easements shall be established in favor of the adjoining property to allow the existing drainage patterns to continue. In addition, site design shall allow for a 100-year overland release with all finish floor elevations a minimum of one foot above the 100-year overland release elevation.</p>					
<p>Land Use and Planning MM-70. Applicant shall comply with all requirements of federal, state, and local laws and regulations applicable to project construction and issuance of building permits.</p> <p>71. Applicant shall comply with the monitoring/reporting check lists developed pursuant to the City of Napa Resolution 96-153 regarding CEQA implementation procedures for both standard and project specific mitigation measures.</p> <p>72. Applicant shall notify all employees and agents of the mitigation measures and conditions applicable to the project and</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Community Development Department / Public Works Department / Building Division</p>	

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shall ensure compliance with such measures and conditions. Applicant shall also notify all assigns and transferees of the same.					
<p>Noise MM-73. Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.</p> <p>74. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.</p> <p>75. Grading and construction equipment shall be shut down when not in use.</p> <p>76. The project construction contractor shall comply with the following noise reduction measures:</p> <p>General construction activities shall be allowed only on weekdays between the hours of 7:00 a.m. to 7:00 p.m. Machines or equipment shall not start up prior to 8:00 a.m. Monday through Friday. Deliveries of materials shall not occur prior to 7:30 a.m. or past 5:00 p.m., Monday through Friday. Cleaning of machines and equipment shall not occur past 6:00 p.m., Monday through Friday. Servicing of equipment shall not occur past 6:45 p.m. Monday through Friday. Construction on weekends or legal holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m., unless a permit is issued by the City manager or his/her designee, pursuant to section 8.08.050 of the City of Napa Municipal Code. All muffler systems on construction equipment shall be properly maintained. All construction equipment shall not be placed adjacent to the neighboring residential property line unless said equipment is provided with acoustical shielding. The construction contractor</p>	<p>Prior to and during construction activities</p> <p>Developer shall post on-site notice of times for construction.</p> <p>Prior to and during construction activities</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>Verify in the field during construction activities</p> <p>Verify in the field during construction activities</p>	<p>City of Napa Building Division</p> <p>City of Napa Building Division</p>	

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<p>shall post signs prohibiting unnecessary idling of internal combustion engines.</p>					
<p>Public Services MM-77. Applicant shall comply with all applicable requirements of the Uniform Fire Code, the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications.</p> <p>78. Properties having common ownership shall provide the Fire Department with a notarized copy of the recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney, subject to approval of the Fire Marshall ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance district, owner's association, or similar legally responsible entity.</p> <p>79. All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three (3) or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted.</p> <p>80. The Applicant of any project proposing a change in occupancy use classification (as defined in the Uniform Building Code Table 5A) in a building protected by automatic fire sprinklers shall have the sprinkler system evaluated by a licensed fire sprinkler contractor or fire protection engineer for compliance with National Fire Protection Association Installation Standards. A written report of the inspection findings shall be submitted to the</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Fire Prevention Division / Building Division</p>	
	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Fire Prevention Division / Building Division</p>	

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<p>Fire Department prior to final occupancy clearance. A permit is required from Fire Prevention for sprinkler system alterations.</p> <p>81. The Applicant of any project which proposes commercial occupancies shall secure approval from Fire Prevention and Building Division prior to signing lease agreements and allowing occupancy of prospective occupants that pose possible fire and life safety hazards, or are classified by the Uniform Building Code as an H (hazardous) occupancy. Examples of these types of occupancies are: Storage of flammable, combustible, explosive, or toxic materials, manufacturing processes involving the above, woodworking shops, fire rebuilding or storage, automotive repair, auto body repair and/or painting, factories where loose combustible fibers are present, semi-conductor fabrication facilities, bulk paint storage, etc.</p> <p>82. Applicant shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project.</p>					
<p>Recreation MM-83. Applicant shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fee shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the Ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvements attributable to this project.</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements have been met prior to issuance of building permits</p>	<p>City of Napa Building Division / Community Development Department/ Parks and Recreation</p>	

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<p>84. Unless project approval requires only land dedication, the Applicant shall pay In-lieu Park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at time of payment. The findings set forth in the Ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs of acquisition attributable to this project.</p>					
<p>Transportation/Traffic MM-85. All required public frontage and street improvements shall be designed and built in accordance with City of Napa ordinances and the PWD Standard Specifications. Unless waived by the Public Works Director, street improvements shall include curbs, gutter, sidewalk, planting, streetlights, street trees, etc.; any additional right-of-way necessary to accommodate these improvements shall be dedicated to the City.</p> <p>86. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Street Superintendent to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards.</p> <p>87. All road surfaces shall be restored to pre-project conditions after completion of any project-related pipeline installation activities.</p> <p>88. Any pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an alternate route established as approved by the Police Chief and Public Works Director.</p>	<p>Prior to issuance of demolition, building or grading permits</p> <p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>Verify requirements have been met prior to issuance of building permits are included in construction contracts and are met during construction</p> <p>Verify requirements have been met prior to issuance of building permits are included in construction contracts and are met during construction</p>	<p>City of Napa Public Works Department</p> <p>City of Napa Public Works Department</p>	

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<p>89. In order to mitigate the cumulative impact of the traffic generated by the subject project on the City's arterial and collective street system, the Applicant shall pay a Street Improvement Fee in accordance with Napa Municipal Code Chapter 15.84 and implementing resolutions to pay for the traffic improvements identified therein. Such fee shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinance and implementing resolutions are incorporated herein. The City further finds that the calculation of the fees in accordance with the trip generation capacity of development demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this project.</p> <p>90. Any new landscaping along the Silverado Trail and private street intersection be set back outside of the line of sight for vehicles exiting the site, considering the 15-foot setback of the driver from the edge line of the pavement.</p> <p>91. Any existing vegetation along the project's frontage shall be trimmed to maintain these lines of sight. Additionally, any new vegetation between the line of sight and the roadway, i.e. the sight triangle, shall be limited to plant growth of under 2½' or over 8 feet.</p>					
<p>Tribal Cultural Resources, MM-92. If any archeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate the finds. Applicant shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.</p> <p>93. If any archaeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City of Napa to evaluate the finds. The project applicant shall</p>	<p>During construction activities</p> <p>During construction activities</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>City shall inspect construction activities</p> <p>City shall inspect construction activities.</p>	<p>City of Napa Community Development Department/ Public Works Department</p>	

Legend:
Community Development Department = CDD Public Works = PW

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<p>comply with all mitigation recommendations of the archaeologist prior to commencing work in the vicinity of the archaeological finds.</p> <p>94. The Applicant shall assure that project personnel (e.g., contractor, construction workers) are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles as well as dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.</p> <p>95. See Special Mitigation Measures No. 37 - 41 from the Cultural Resources Section.</p> <p>96. The Yocha Dehe Winton Nation has concluded the project site is within their aboriginal territories and based on information provided in the project's Cultural Resources Study, the Tribe has requested cultural monitors during development or ground disturbance. Prior to commencing any sitework/ground disturbance, including backhoe trenching and excavations the Applicant shall contact the Tribe to arrange a monitoring agreement. Contact Reimann Rouse, GIS Analyst, Yocha Dehe Winton Nation. Ph. (530) 723-2805; E-mail: rrouse@yochadehe-nsn.gov</p>					
<p>Utilities and Service Systems MM-97. Prior to trenching within existing roadway areas, the Applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such systems.</p>	<p>Prior to issuance of grading and building permits and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements have been met prior to issuance of building permits are included in construction contracts and are</p>	<p>City of Napa Public Works Department</p>	

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<p>98. Water and energy conservation measures shall be incorporated into project design and construction in accordance with applicable codes and ordinances.</p> <p>99. The project shall be connected to the Napa Sanitation District for sanitary sewer service. If the subject property is presently served by individual sewage disposal systems, the septic systems, setbacks, and reserve areas must be protected and maintained during cleaning, grading, construction, and after connection to the District, the existing septic tank(s) shall be properly destroyed.</p> <p>100. The project shall be connected to the City of Napa water system. Any existing well must be properly protected from potential contamination. If an existing well is to be destroyed, a well-destruction permit must be obtained from the Napa County Department of Environmental Management by a licensed well driller. If an existing well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water District's specifications.</p> <p>101. The project shall be designed and built in accordance with the PWD Standard Specification regarding the adequate conveyance of storm waters.</p> <p>102. All faucets in sinks and lavatories shall be equipped with faucet aerators designed to limit the maximum flow to two and two tenths (2.2) gallons per minute.</p> <p>103. All showerheads shall be of a design to limit the maximum flow to two and one-half (2.5) gallons per minute.</p>	<p>Prior to issuance of grading and building permits and ongoing</p>	<p>Applicant / Developer</p>	<p>met during construction</p>	<p>Napa Sanitation</p>	
	<p>Prior to issuance of grading and building permits and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements have been met prior to issuance of building permits</p>	<p>City of Napa Building Department</p>	

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Mitigation Measures	Timing	Implementation Responsibility	Verification		
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<p>104. The Applicant shall completely offset the water requirements of this project by complying with the retrofit requirements of Napa Municipal Code Chapter 13.09.</p> <p>105. During the construction/demolition/renovation period of the project, Applicant shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Applicant transports project waste. If the Applicant transports the project's waste, Applicant must use the appropriate landfill for the service area in which the project is located.</p> <p>106. Applicant shall provide for the source separation of wood waste for recycling. Applicant shall use the franchised garbage hauler for the service area in which is located for the collection of such wood waste, unless the Applicant transports such wood waste to a location where wood waste is recycled.</p>			are included in construction contracts and are met during construction		