



Local Agency Formation Commission
LAFCO of Napa County

1700 Second Street, Suite 268
Napa, California 94559
Telephone: (707) 259-8645
Facsimile: (707) 251-1053
<http://napa.lafco.ca.gov>

August 4, 2008
Agenda Item No. 6a

July 28, 2008

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: St. Helena: Sphere of Influence Review (Public Hearing)

The Commission will receive a report representing its scheduled sphere of influence review of the City of St. Helena. The Commission will consider a draft resolution approving the recommendation of the report to modify St. Helena's existing sphere of influence and make related statements pursuant to California Government Code Section 56425. The Commission will also consider adopting a negative declaration confirming the findings of an initial study that the modifications contemplated in the report will not have a significant effect on the environment.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 directs Local Agency Formation Commissions (LAFCOs) to review and update the sphere of influence of each city and special district within its jurisdiction every five years. LAFCO updates spheres to designate the territory it believes represents the appropriate and probable service area and jurisdictional boundary of the affected agency. All jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions.

As a prerequisite to sphere reviews, LAFCOs must prepare municipal service reviews to determine the adequacy and range of governmental services provided within the region. The collective purpose of these reviews is to inform and direct LAFCOs in their legislative mandate to coordinate the logical and timely development of local governmental agencies and services in a manner that meets the present and future needs of the community.

A. Discussion

The attached report represents LAFCO of Napa County's ("Commission") scheduled sphere review of the City of St. Helena. The report marks the first comprehensive review of St. Helena's sphere in 20 years and draws on information collected as part of the Commission's recent municipal service review on the City completed in May 2008. The report focuses on whether changes to the sphere are appropriate with respect to facilitating St. Helena's orderly growth and development consistent with Commission policies.

Jack Gingles, Commissioner
Mayor, City of Calistoga

Juliana Inman, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

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

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Vice Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

B. Summary

The report uses four factors in identifying possible study areas to evaluate adding or removing from St. Helena's sphere: (a) relationship to incorporated boundary; (b) land use designations; (c) infrastructure capacities; and (d) agency comments. Based on a review of these factors, the report analyzes the merits of adding two distinct study areas to St. Helena's sphere. Study Area "A" has been chosen for analysis primarily because it comprises lands east of the intersection of Howell Mountain Road and Silverado Trail that are already in St. Helena and designated for an urban use under both the County and St. Helena General Plans. (This selection is also consistent with a request from St. Helena to add the affected lands to the sphere to correspond with its incorporated boundary.) Study Area "B" has been chosen for analysis in response to an additional request from St. Helena and comprises lands northwest of Zinfandel Lane's intersection with Silverado Trail that are owned and used by the City to discharge treated wastewater. St. Helena is seeking this addition to facilitate an annexation that will allow the City not to pay property taxes on the affected lands.

The report recommends modifying St. Helena's sphere to only include the lands comprising Study Area A. Notably, adding Study Area A is consistent with the St. Helena and County General Plans given both documents contemplate the development of the affected lands under the land use authority of the City. This addition also recognizes the affected lands' social and economic ties to St. Helena that have developed over the last 40 years and drawn from residents and landowners participating in local elections, paying special taxes, and receiving City services. In contrast, the report does not recommend adding Study Area B because the affected lands are generally designated for agricultural use under the County General Plan, which conflicts with the Commission's policy to use a city sphere to designate and direct urban development. The report does identify, however, an alternative approach involving Study Area B that appears to address the interests of both the Commission and St. Helena under California Government Code Section 56742. This code section allows the Commission to approve the annexation of non-contiguous land if the subject territory is less than 300 acres and owned and used by a city for municipal purposes. Markedly, this type of detached annexation does not require consistency with the affected city's sphere. This alternative would provide the Commission assurance the affected lands remain under municipal use consistent with its agricultural land use assignments while providing St. Helena costs-savings by not having to pay property taxes. The report suggests the Commission consider the merits of this alternative approach and provide direction to staff as appropriate as part of this review.

Two draft resolutions have been prepared as part of this sphere review and are being presented for Commission consideration. The first draft resolution adopts a negative declaration consistent with the findings of an initial study prepared by staff that the modifications contemplated in the report will not have a significant effect on the environment. The second draft resolution codifies the recommendation of the report to add the lands comprising Study Area A to St. Helena's sphere and makes statements addressing the four planning factors the Commission must consider anytime it makes a sphere determination. The adoption of both draft resolutions would fulfill the Commission's sphere review requirement for St. Helena through 2013.

C. Recommendation

It is recommended the Commission take the following actions:

- 1) Receive and file the attached report representing the sphere of influence review of the City of St. Helena; and
- 2) Approve the attached draft resolution with any desired changes adopting a negative declaration for the proposed sphere of influence review of the City of St. Helena; and
- 3) Approve the attached draft resolution with any desired changes making statements with respect to updating the sphere of influence for the City of St. Helena pursuant to California Government Code Section 56425.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Sphere of Influence Review: Final Report
- 2) Sphere of Influence Review: Initial Study
- 3) Draft Resolution: Negative Declaration
- 4) Draft Resolution: Sphere of Influence Review
- ~~5) Correspondence from the City of St. Helena, Dated July 24, 2008~~

LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

CITY OF ST. HELENA SPHERE OF INFLUENCE REVIEW

**Final Report
August 2008**

Prepared by:

LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559

Committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

Brad Wagenknecht, Chair, County Member
Brian J. Kelly, Vice-Chair, Public Member
Bill Dodd, Commissioner, County Member
Jack Gingles, Commissioner, City Member
Juliana Inman, Commissioner, City Member
Cindy Coffey, Alternate Commissioner, City Member
Mark Luce, Alternate Commissioner, County Member
Gregory Rodeno, Alternate Commissioner, Public Member

Keene Simonds, Executive Officer
Jacqueline Gong, Commission Counsel
Brendon Freeman, Analyst
Kathy Mabry, Commission Secretary



This page has been left intentionally blank

TABLE OF CONTENTS

Section	Page
I. Introduction.....	4
A. Local Agency Formation Commissions.....	4
B. Sphere of Influences.....	4
C. City of St. Helena.....	4
II. Overview.....	5
A. Background.....	5
B. Sphere of Influence.....	5
C. Land Use Policies.....	6
III. Discussion.....	6
A. Objective.....	6
B. Timeframe.....	7
IV. Study Areas.....	7
A. Criteria and Selection	7
V. Analysis.....	8
A. Evaluation Factors.....	8
B. Study Areas.....	8
VI. Recommendation.....	12
VII. Attachments.....	
Map of St. Helena’s Sphere and Incorporated Boundary.....	One
Aerial Map of Land Uses in St. Helena.....	Two
Map of St. Helena’s Land Use Designations.....	Three
Map of County of Napa’s Land Use Designations.....	Four
Map of Study Areas A and B.....	Five
Letter from the County of Napa, Dated December 12, 2007.....	Six
Letter from the City of St. Helena, Dated April 23, 2008.....	Seven

This page has been left intentionally blank

I. INTRODUCTION

A. Local Agency Formation Commissions

Local Agency Formation Commissions (LAFCOs) were established in 1963 and are responsible for administering a section of California Government Code now known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. LAFCOs are delegated regulatory and planning responsibilities to coordinate the logical formation and development of local governmental agencies and services, preserve agricultural and open-space resources, and discourage urban sprawl. LAFCOs are located in all 58 counties in California and are generally governed by a five-member commission that includes two county supervisors, two city councilmembers, and one representative of the general public.¹

B. Sphere of Influence

A central planning responsibility for LAFCO is the determination of a sphere of influence (“sphere”) for each local agency under its jurisdiction.² LAFCO establishes, amends, and updates spheres to designate the territory it believes represents the appropriate and probable future service area and jurisdictional boundary of the affected agency. All jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions. LAFCO is required to review each local agency’s sphere by January 1, 2008 and every five years thereafter as needed.

In making a sphere determination, LAFCO is required to prepare written statements addressing four specific planning factors listed under California Government Code §56425. These factors range from present and planned land uses to the existence of any social or economic communities of interest. The intent in preparing the written statements is to capture the legislative intent of the sphere determination with regard to coordinating the sensible and timely development of each local agency.

Beginning in 2001, to help inform the sphere review process, LAFCO is responsible for preparing municipal service reviews to determine the level and range of governmental services provided in the region. The municipal service review can focus on a particular agency or type of service and culminates with LAFCO making determinations on a number of governance-related factors and may lead it to take other actions under its authority.

C. City of St. Helena

This report represents LAFCO of Napa County’s (“Commission”) scheduled sphere review of the City of St. Helena. The report represents the first comprehensive review of St. Helena’s sphere in 20 years and draws on information collected as part of the Commission’s recent municipal service review on the City. The focus of the report is to consider whether changes to the sphere are warranted to facilitate the orderly development of St. Helena consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and the Commission’s adopted policies.

¹ Several LAFCOs also have two members from independent special districts within their county. Each category represented on LAFCO has one alternate member.

² LAFCOs have been required to determine spheres for cities and special districts within its jurisdiction since 1972.

II. OVERVIEW

A. Background

The City of St. Helena was incorporated in 1876 and operates under a council-manager system of government. St. Helena is approximately 5.1 square miles in size and provides a full range of municipal services directly or through contracts with other public or private entities. Municipal services provided directly by St. Helena include fire, police, sewer, and water. St. Helena has experienced a slight annual growth rate of 0.8% over the last 10 years and has a current estimated resident population of 5,993, making it the third largest municipality in Napa County.³

St. Helena has experienced steady growth in property, sale, and transient-occupancy tax revenues over the last several years reflecting a relatively strong local economy. On a regional level, St. Helena collects almost more than double the amount of sale tax revenue than any other jurisdiction in Napa County as measured on a per capita basis. St. Helena also enjoys significant cost-savings associated with having an all-volunteer fire department, which permits the City to fund several community-oriented programs that are not available in neighboring communities, such as operating its own public library.

B. Sphere of Influence

St. Helena's sphere was established by the Commission in 1974. The Commission designated the sphere to be coterminous with St. Helena's incorporated boundary with the notable exception of excluding an approximate 245 acre hillside area located along Howell Mountain Road east of its intersection with Silverado Trail. The Commission's decision to exclude the incorporated hillside area from the sphere was consistent with its determination one year earlier to approve St. Helena's request to detach the affected lands after a planned 148-lot subdivision failed to materialize. Detachment proceedings, however, were subsequently abandoned due to sufficient protest from affected property owners. The Commission also excluded from the sphere an approximate 95 acre detached incorporated area comprising the lower portion of Bell Reservoir, which serves as the City's primary water supply.

The Commission has approved two amendments to St. Helena's sphere since its establishment in 1974. The first amendment was approved in 1994 and extended the sphere as part of concurrent annexation proposal to add an approximate 8.09 acre area located next to the City's Lower Reservoir and the site of a water storage tank. The second amendment was approved in 1997 and reduced the sphere as part of a concurrent detachment proposal to exclude an approximate 2.36 acre area located near the intersection of State Highway 29 and Deer Park Road.

In terms of proportions, St. Helena's sphere is approximately 2,891 acres or 4.5 square miles in size. The sphere includes a total of 2,229 assessor parcels with an average size of 1.28 acres. The sphere excludes nearly 10% of St. Helena's incorporated boundary, which is approximately 3,238 acres or 5.1 square miles in size. The incorporated boundary includes a total of 2,270 assessor parcels with an average size of 1.41 acres.

³ Population estimates calculated by the California Department of Finance.

City of St. Helena: Adopted Boundaries
(Source: County of Napa Geographic Information System)

	Sphere of Influence	Incorporated Boundary
Total Acres:	2,891	3,238
Assessor Parcels:	2,229	2,270

C. Land Use Policies

St. Helena's General Plan was comprehensively updated in 1993 and codifies land use policies for the City through 2010. The St. Helena General Plan is predicated on maintaining the City's existing small-town character through a number of growth control measures. This includes establishing an urban limit line that comprises less than two-thirds of St. Helena's incorporated boundary and designating the majority of properties within and along the perimeter of the City for agricultural use. The substantive effect of these two growth control measures is a municipal-controlled greenbelt. St. Helena recently initiated work on preparing a comprehensive update to its General Plan. It is anticipated the update will be completed by 2010.

Unincorporated lands adjacent to St. Helena are designated under the County of Napa General Plan as *Agricultural Resource* or *Agriculture, Watershed and Open Space*. These designations support the preservation of existing agricultural and open-space land uses characterizing most of the area by requiring minimum parcel sizes of 40 and 160 acres, respectively. The majority of these unincorporated lands are also zoned by the County as *Agricultural Watershed* or *Agricultural Preserve* and include a number of commercial vineyards and wineries. Exceptions involve the 40-lot Madrone Knoll subdivision and Meadowood Resort, which are immediately east of St. Helena and zoned for residential and planned development by the County. The County has also zoned several properties south of St. Helena along State Highway 29 for commercial use.

- * An aerial map depicting current land uses within and adjacent to St. Helena is provided in Attachment Two.
- * A map depicting the land use designations under the St. Helena General Plan is provided in Attachment Three.
- * A map depicting the land use designations under the County General Plan is provided in Attachment Four.

III. DISCUSSION

A. Objective

The objective of this report is to identify and evaluate areas that warrant consideration for inclusion or removal from St. Helena's sphere as part of a comprehensive review. Underlying this effort is to designate the sphere to facilitate the sensible and timely development of St. Helena consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and the Commission's adopted policies.

The Commission's "General Policy Determinations" provide direction with respect to establishing and amending an agency's sphere in relationship to local conditions and circumstances. The General Policy Determinations state that a city's sphere shall exclude lands designated as agricultural or open-space for the purpose of urban development unless it is demonstrated that infill opportunities are limited or non-existent. The General Policy Determinations also state that the Commission will use the County General Plan to determine agricultural and open-space land use designations.

B. Timeframe

State law requires all LAFCOs review and update each local agency's sphere by January 1, 2008 and every five years thereafter as needed. Accordingly, it has been the practice of the Commission to review and update each local agency's sphere in a manner that emphasizes a probable five-year service area.

IV. STUDY AREAS

A. Criteria and Selection

Four factors were used in selecting areas to evaluate adding or removing from St. Helena's sphere as part of this comprehensive review. These factors include (a) relationship to incorporated boundary, (b) land use designations, (c) infrastructure capacities, and (d) agency comments. Based on these factors, two study areas have been selected to consider the merit of their inclusion into the sphere. Study Area "A" has been chosen because it comprises lands that are already in St. Helena and designated for an urban use under both the County and St. Helena General Plans. This selection is also consistent with a request from St. Helena to add the affected lands to the sphere to correspond with its incorporated boundary. Study Area "B" has been chosen in response to an additional request from St. Helena and comprises lands owned and used by the City to discharge treated wastewater. St. Helena is seeking this inclusion to facilitate an annexation that will allow the City not to pay property taxes on the affected lands.

It is important to note consideration was given to establishing a third study area to reflect St. Helena's outside water service area, which extends along State Highway 29 north to Lodi Lane and south to Niebaum Lane. St. Helena also provides outside water service east to the Meadowood Resort. The merits in establishing this third study area relates to the role of the sphere in designating each agency's present and probable future service area. It also reflects recent changes in the law that now requires cities and special districts to request and receive written approval from LAFCO before providing new or extended services by contract or agreement outside their jurisdictions but within their spheres.⁴ However, because the affected lands are designated and primarily used for agricultural purposes, adding the outside water service area to the sphere would conflict with LAFCO's principal mandate to protect agricultural and open-space resources from

⁴ City and special district requests to provide new or extended services outside their sphere may only be approved by LAFCO under certain conditions. (California Government Code §56133)

premature annexation and development. Accordingly, expanding the sphere to include the outside water service area is not further considered as part of this review.⁵

* A map depicting Study Areas A and B is provided in Attachment Four.

V. ANALYSIS

A. Evaluation Factors

Evaluation of each study area is organized to address the four planning factors the Commission is required to consider anytime it makes a sphere determination. These planning factors are (a) present and planned land uses, (b) present and probable need for public facilities and services, (c) present adequacy and capacity of public services, and (d) existence of any social or economic communities of interest. Conclusions are offered for each study area with respect to whether a sphere modification is appropriate.

B. Study Areas

Study Area A

Study Area A comprises 36 incorporated parcels located along Howell Mountain Road generally east of its intersection with Silverado Trail. It is approximately 245 acres in size and was annexed to St. Helena in 1966 in anticipation of a 148-lot hillside residential subdivision referred to as “Stonebridge.” In 1973, after development plans failed to materialize, St. Helena requested and the Commission approved the detachment of the study area. Detachment proceedings, however, were abandoned after 60% of affected property owners protested. In 1974, the Commission excluded the study area from St. Helena’s sphere at the time of its establishment in support of its earlier determination that the affected lands should be detached. The Commission considered adding the study area to the sphere in 1988 as part of comprehensive review but concluded it was not appropriate due to the lack of adequate water and sewer services as well as its underlying rural character.

As part of this scheduled review, St. Helena has requested the Commission add the lands comprising the study area to its sphere to correspond with its incorporated boundary. As provided under LAFCO law, representatives with St. Helena and the County met to discuss the pending sphere review and offer an agreement on possible modifications for consideration by the Commission. Towards this end, the County has submitted a letter to the Commission supporting St. Helena’s request to add the affected lands to its sphere.

⁵ As discussed in the municipal service review, it is recommended St. Helena and the Commission work on a local policy to ensure new and extended services provided by the City outside its jurisdiction is consistent with State law.

Present and Planned Land Uses

The predominant land use in the study area is rural residential with 21 of the 36 affected parcels comprising single-family residences. Parcels range in size from 1.18 to 20.26 acres. The average parcel size is 6.6 acres. An aerial view also indicates a small number of parcels include vineyards, which may qualify as prime agricultural land under LAFCO law.⁶ As land use authority, St. Helena designates and zones the study area *Woodlands and Watershed*. These assignments require a minimum parcel size of five acres, and as a result, could accommodate the creation of an additional 10 lots. The County designates the entire study area as *Cities* with no zoning assignment. None of the parcels are under a Williamson Act contract.

Present and Probable Need for Public Facilities and Services

St. Helena provides a partial range of municipal services to the study area that includes street maintenance and fire and police protection. St. Helena also provides water service to three parcels that are all located along Howell Mountain Road south of Sarah's Way. Due to topography, pump stations are needed to extend water service to the remainder of the study area. St. Helena's sewer services do not extend east of the Napa River and therefore are not available to the study area. It appears this level and range of municipal services is consistent with the present and probable needs within the study area given its current and planned land uses under the St. Helena General Plan.

Present Capacity of Public Facilities and Adequacy of Public Services

The Commission's recent municipal service review of St. Helena indicates the City has adequate infrastructure capacities, administrative controls, and funding streams to continue providing the current level and range of municipal services to the study area. St. Helena would need to make significant infrastructure improvements to extend water service north of Sarah's Way as well as to establish sewer services in the study area. It is not expected St. Helena will pursue these improvements to its water and sewer systems in the foreseeable future.

Existence of Social or Economic Communities of Interest

The study area has established social and economic communities of interests with St. Helena that are distinct from adjacent unincorporated lands. These interests are drawn from social and economic ties associated with the study area having been part of St. Helena for the past 40 years. Residents have participated in local elections while landowners have contributed to St. Helena's development through taxes and assessments and in return have received an elevated level of municipal services with respect to street maintenance and fire and police protection.

⁶ Prime agricultural land is broadly defined under G.C. 56064(d) to include "land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production no less than \$400 per acre per acre."

Conclusion

Modifying St. Helena's sphere to include the study area appears appropriate at this time. Inclusion is consistent with the St. Helena and County General Plans and would support the planned development of the City by modifying the sphere to become congruent with its incorporated boundary. Inclusion would recognize and strengthen the social and economic communities of interest existing between St. Helena and the affected lands and reflect the City's current service obligations as it relates to street maintenance and fire and police protection. Finally, inclusion appears consistent with the preferences of the affected landowners and residents to remain part of St. Helena rather than seek detachment proceedings.

Study Area B

Study Area B comprises two unincorporated parcels located approximately 1,800 feet northwest of the intersection of Silverado Trail and Zinfandel Lane along the western side of the Napa River. The two affected parcels are collectively 101 acres in size and are owned and used by St. Helena to discharge treated wastewater.⁷ The Commission considered adding the study area to the sphere in 1988 as part of comprehensive review at the request of St. Helena.⁸ The Commission concluded adding the study area to the sphere was inappropriate because it would facilitate the annexation of agricultural zoned land and set a precedent for other cities and special districts to seek similar proposals. St. Helena resubmitted their request to add the study area to the sphere in 1989 as part of a concurrent annexation proposal. The Commission denied the request, and in response, St. Helena filed a lawsuit claiming an abuse of discretionary power.⁹ The lawsuit was eventually dismissed, and St. Helena resubmitted a modified proposal to the Commission in 1991. The modified proposal sought only the annexation of a portion of the study area under a special section of LAFCO law pertaining to non-contiguous city owned land. The Commission, however, denied the modified proposal in 1992 and restated its concerns of establishing a precedent of annexing agricultural zoned lands.

⁷ St. Helena purchased the two affected parcels from Mont LaSalle Vineyards in 1987.

⁸ As part of a planned reclamation project, St. Helena was initially interested in annexing and leasing the affected lands for development of a private golf course which would be irrigated using the City's treated wastewater. The reclamation project, however, was reduced in scope to involve its present-use of irrigating forage crops.

⁹ St. Helena asserted LAFCO's denial was unreasonable, arbitrary and a prejudicial abuse of discretion. LAFCO's position was that its boundary decisions were quasi-legislative in nature and exclusively within the discretion of LAFCO, and thus the court had no power to compel LAFCO to approve essentially a legislative action. The court agreed that it did not have the power to compel LAFCO to take a specific quasi-legislative action, but further allowed the City to file amended pleadings to seek an alternative form of relief (one other than to compel LAFCO to approve the boundary changes). On this basis, St. Helena amended its court pleadings, seeking to set aside LAFCO's denial of the request for detached annexation on grounds that the denial was not supported by substantial evidence. LAFCO asserted that the city's amended action should be dismissed for the following main reasons: 1) the city failed to show any right or beneficial interest affected by the boundary disapproval- e.g. the property tax payments by the City was not a protected beneficial interest; and 2) LAFCO's concerns formed an adequate basis for its quasi-legislative determinations to neither expand the sphere nor approve the detached annexation. Ultimately, in December 1995, the court issued an order denying St. Helena's petition. (Summary prepared by J. Gong)

As part of this scheduled review, St. Helena has again requested the Commission add the lands comprising the study area to its sphere to facilitate an annexation that would allow the City to no longer pay property taxes on the affected lands. As provided under LAFCO law, representatives with St. Helena and the County met to discuss this sphere review and offer an agreement on possible modifications for consideration by the Commission. The County has submitted a letter to the Commission supporting St. Helena's request to add the affected lands to its sphere provided that there are sufficient assurances that it would remain in use as a spray field or as agriculture.

Present and Planned Land Uses

The two parcels comprising the study area are undeveloped and used by St. Helena as spray fields to discharge treated wastewater from its adjacent sewer plant. The two parcels are 63.7 and 37.2 acres in size. As land use authority, the County designates the northern portion of the study area as *Cities* and the southern portion as *Agricultural Resource*. The County clarifies the intended land use for the study area by zoning both affected parcels as *Agricultural Preserve*. This zoning assignment requires a minimum parcel size of 40 acres, and as a result, prohibits the creation of additional lots within the study area. No land use designations exist for the study area under the St. Helena General Plan. Similar to the County, St. Helena has rezoned both affected parcels as *Agriculture Preserve*, which permits one dwelling unit per existing parcel. Both parcels qualify as prime agricultural land and are under the same Williamson Act contract. This contract restricts the land to agricultural or open-space uses for the next 10 years and is automatically renewed each year unless cancelled by St. Helena or the County. In return, the two parcels are assessed below market value to reduce annual property tax charges. In 2007, the two parcels have a combined property tax charge of \$1,120.

Present and Probable Need for Public Facilities and Services

St. Helena presently provides first-response fire protection services to the study area as part of a contract with the County. St. Helena provides no other municipal service to the study area. It does not appear that other municipal services provided by St. Helena are needed given the present and planned land uses for the study area under both the County and City General Plans.

Present Capacity of Public Facilities and Adequacy of Public Services

The Commission's recent municipal service review of St. Helena indicates the City has adequate infrastructure capacities, administrative controls, and funding streams to extend a full range of municipal services to the study area. The extension of additional municipal services, however, would be inconsistent with the present and planned uses for the study area under both the County and St. Helena General Plans.

Existence of Social or Economic Communities of Interest

There are no discernable social or economic communities of interest existing between the study area and St. Helena.

Conclusion

Modifying St. Helena's sphere to include the study area does not appear appropriate at this time. Inclusion would be inconsistent with the basic policy of the Commission to use a city sphere to direct the location of urban development given the affected lands are generally designated for agricultural use under the County General Plan. Inclusion also appears inconsistent with LAFCO law that states the Commission shall not approve a modification to a sphere to include lands under a Williamson Act contract unless it makes a special finding that the change will facilitate planned orderly growth.

Notwithstanding the aforementioned recommendation, St. Helena's present and planned uses for the study area to discharge treated wastewater appears compatible with the County and St. Helena's agricultural zoning assignments for the affected lands. St. Helena's interest in adding the study area to its sphere to facilitate an annexation in order not to pay property taxes also appears reasonable and would generate savings for the City that could be used for other municipal purposes. With these factors in mind, it seems an appropriate alternative in addressing the interests of both the Commission and St. Helena is provided under California Government Code §56742. This code section allows the Commission to approve the annexation of non-contiguous land if the subject territory is less than 300 acres and owned and used by a city for municipal purposes. The code section also specifies that the subject territory shall be immediately detached from a city upon its sale. Markedly, this type of detached annexation does not require consistency with the affected city's sphere. This alternative would provide the Commission assurance the affected lands remain under municipal use consistent with its agricultural zoning assignments while providing St. Helena costs-savings by not having to pay property taxes. Although it has previously denied this type of proposal involving the study area, the Commission should revisit its preferences regarding this alternative and provide direction to staff as appropriate as part of this comprehensive review.

VI. RECOMMENDATION

It is recommended the Commission modify St. Helena's sphere to include the lands comprising Study Area A as part of this comprehensive review. In accordance with California Government Code §56425(e), the following statements have been prepared in support of the recommendation:

1. The present and planned land uses in the sphere, including agricultural and open-space lands.

The present and planned land uses in the sphere are adequately contemplated under the St. Helena General Plan. The St. Helena General Plan provides for the current and future agricultural and urban land uses within the sphere. Existing agricultural uses will not be affected by their retention in the sphere.

2. The present and probable need for public facilities and services in the sphere.

The City of St. Helena provides a full range of municipal services within the sphere either directly or through contracts with other public or private entities. These public services support the present and planned urban uses within the sphere as contemplated in the St. Helena General Plan.

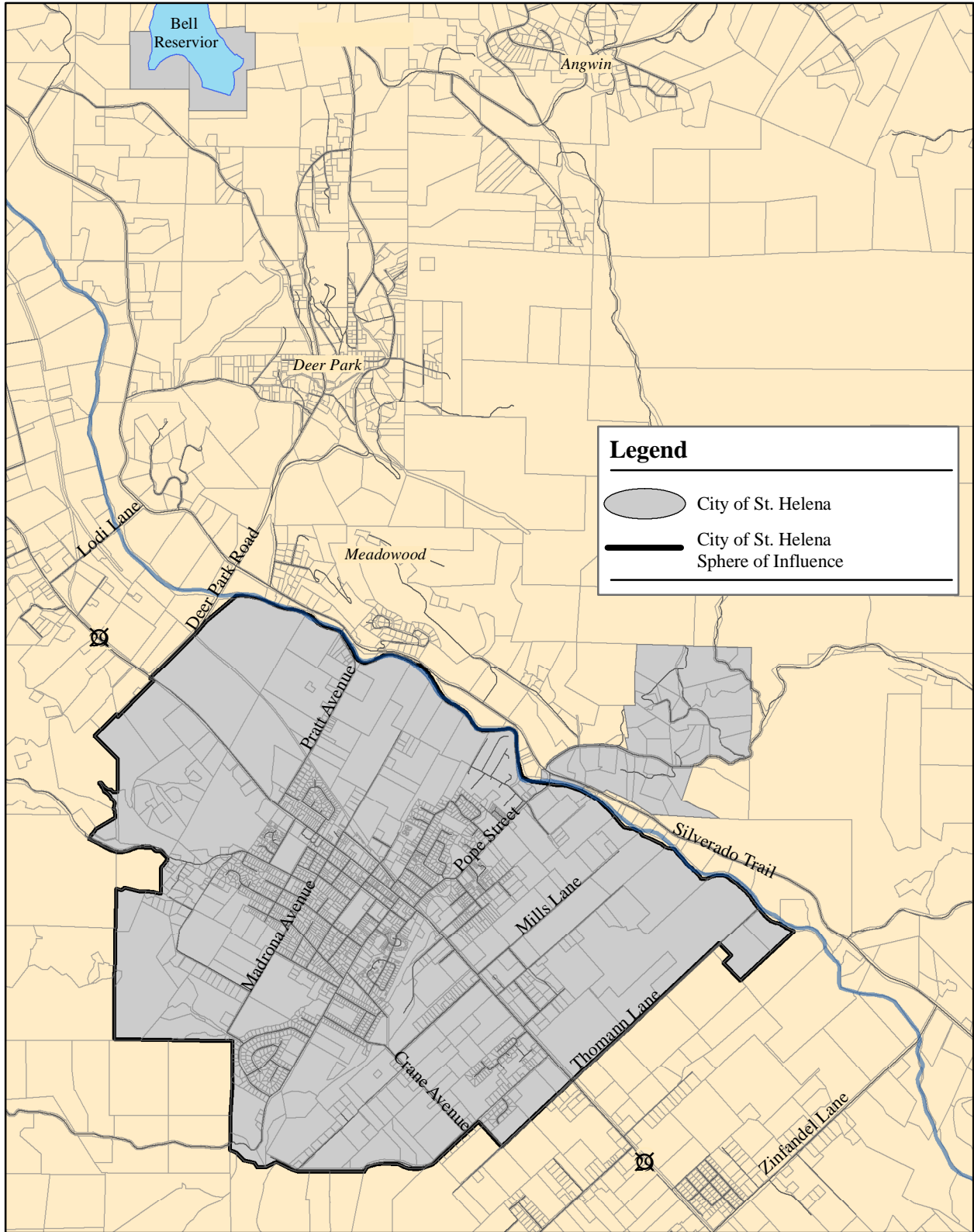
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City of St. Helena has demonstrated its ability to provide an adequate level and range of public services within the sphere. These public services were comprehensively evaluated by LAFCO as part of a recent municipal service review completed in June 2008.



4. The existence of any social or economic communities of interest in the sphere if the commission determines that they are relevant to the agency.

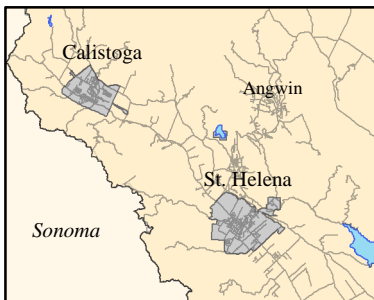
The City of St. Helena has established social and economic interdependencies within the sphere that are distinct from neighboring unincorporated areas.

City of St. Helena



Legend

-  City of St. Helena
-  City of St. Helena Sphere of Influence



*Not to Scale
June 30, 2008
Prepared by KS*

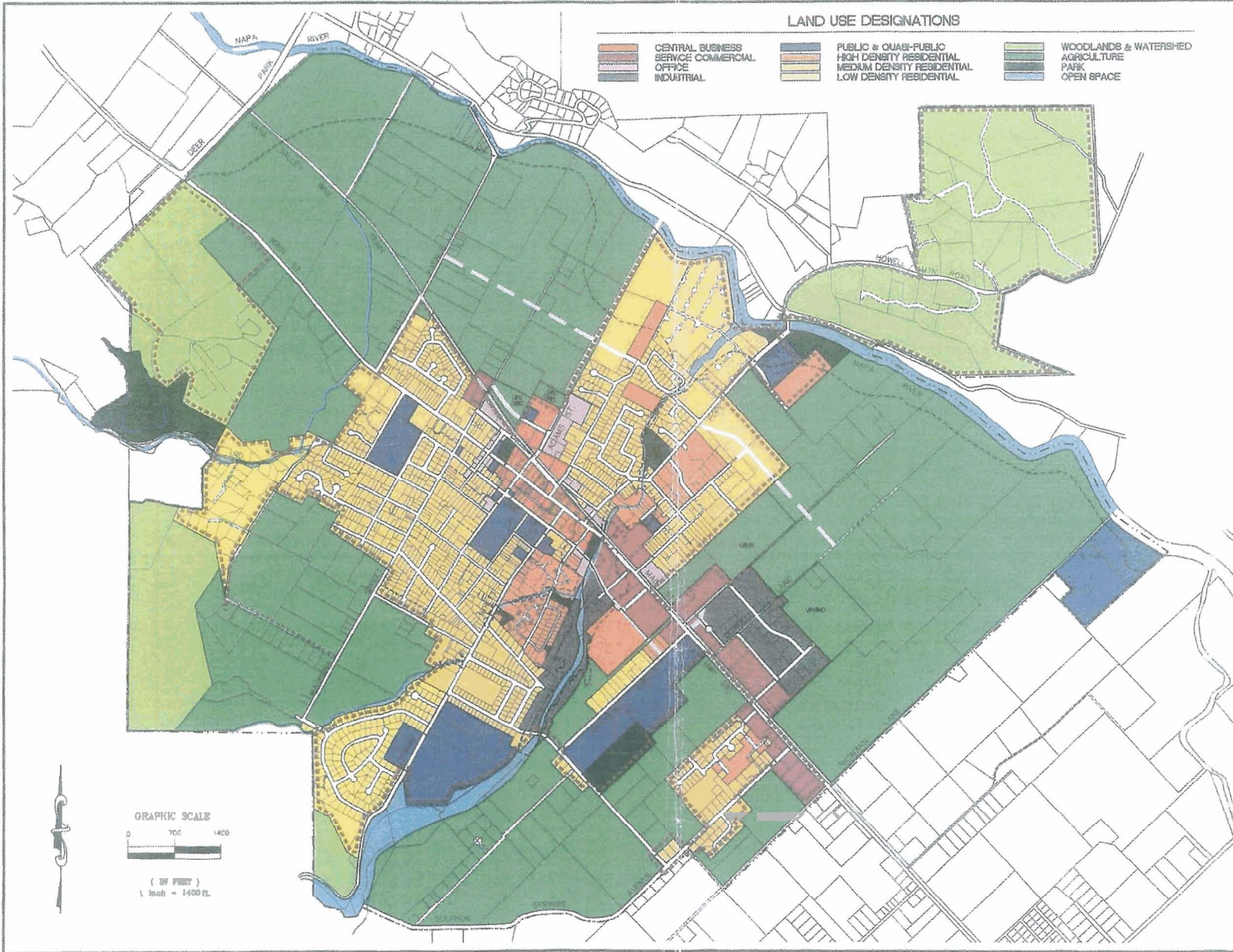


LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
<http://napa.lafco.ca.gov>

PLOT DATE: 08-04-03

REF FILE NAME: SHEL.DWG, D.CCORN, SHEL-0P

DRAWING FILE PATH: C:\P\IN\MAP-STD\STHEL\BASE\MAP\VERDEL-UPCLDWS



LAND USE DESIGNATIONS

	CENTRAL BUSINESS		PUBLIC & QUASI-PUBLIC		WOODLANDS & WATERSHED
	OFFICE COMMERCIAL		HIGH DENSITY RESIDENTIAL		AGRICULTURE
	INDUSTRIAL		MEDIUM DENSITY RESIDENTIAL		PARK
			LOW DENSITY RESIDENTIAL		OPEN SPACE

**CITY OF
ST. HELENA**

**GENERAL PLAN
LAND USE MAP**

AUGUST 2000

ADOPTED: SEPTEMBER 20, 1991
 REVISION: FEBRUARY 2000
 ENGINEER: [Signature]
 DATE: [Signature]

GENERAL PLAN MAP
 CITY OF ST. HELENA
 THIS GENERAL PLAN MAP REPRESENTS THE LAND USE DESIGNATIONS ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 20, 1991, IN CONFORMANCE WITH THE ADOPTION OF THE 1993 GENERAL PLAN.
 * WOODLANDS LISTED BETWEEN FIGURE 1-4 AND FIGURE 2-2 IN THE ORIGINAL PLAN DOCUMENT AND THIS MAP, THIS MAP SHALL PREVAIL.

LEGEND

- - - - - APPROX FLOOD HAZARD ZONE EXCEED 1% CHANCE OF EXCEEDING FLOOD PROBABILITY (100-YEAR FLOOD)
- PROPOSED FUTURE PARKS
- HIGHWAY
- CITY LIMITS
- ORIGINAL CITY LIMIT
- GENERAL PLAN BOUNDARY
- ROAD/RIGHT OF WAY
- PROPERTY LINE
- PRIVATE ROAD
- RAILROAD
- UNWCED URBAN RESERVE/COMMERCIAL BUSINESS DISTRICT
- URBN URBAN RESERVE/RESIDENTIAL
- URWD URBAN RESERVE/INDUSTRIAL

Coastland Civil Engineering, Inc.
 1025 HARRISON PARKWAY, SUITE 100, ST. HELENA, CA 94752
 (707) 762-1100

Land Use Map

The Land Use Map Provides a Generalized Picture of the Goals and Policies Contained in the Land Use Element Report Using eight Broad Land Use Classifications and Eight Symbols. The Map Presents a Graphic Overview of the General Distribution and Location of Major Land Use Areas and Facilities



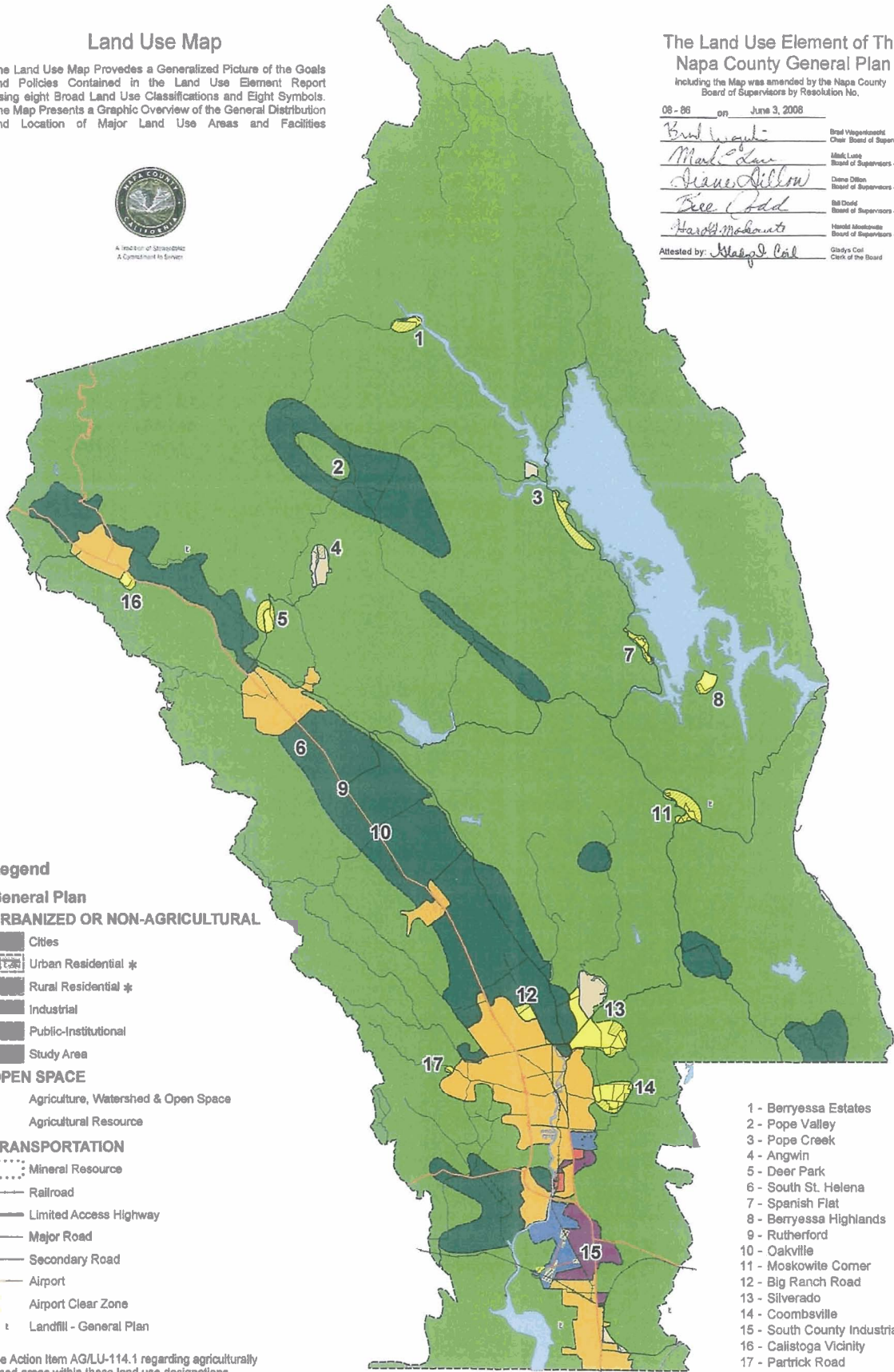
A Tradition of Strength
A Commitment to Service

The Land Use Element of The Napa County General Plan

Including the Map was amended by the Napa County Board of Supervisors by Resolution No.

08-86 on June 3, 2008

<i>Bruce Wagner</i>	Board Supervisor - District 1
<i>Mark Lane</i>	Board of Supervisors - District 2
<i>Diane Dillon</i>	Board of Supervisors - District 3
<i>Bill David</i>	Board of Supervisors - District 4
<i>Harold Moskowitz</i>	Board of Supervisors - District 5
Attested by: <i>Gladya Col</i>	Clerk of the Board



Legend

General Plan

URBANIZED OR NON-AGRICULTURAL

- Cities
- Urban Residential *
- Rural Residential *
- Industrial
- Public-Institutional
- Study Area

OPEN SPACE

- Agriculture, Watershed & Open Space
- Agricultural Resource

TRANSPORTATION

- Mineral Resource
- Railroad
- Limited Access Highway
- Major Road
- Secondary Road
- Airport
- Airport Clear Zone
- Landfill - General Plan

* See Action Item AG/LU-114.1 regarding agriculturally zoned areas within these land use designations

- 1 - Berryessa Estates
- 2 - Pope Valley
- 3 - Pope Creek
- 4 - Angwin
- 5 - Deer Park
- 6 - South St. Helena
- 7 - Spanish Flat
- 8 - Berryessa Highlands
- 9 - Rutherford
- 10 - Oakville
- 11 - Moskowite Corner
- 12 - Big Ranch Road
- 13 - Silverado
- 14 - Coombsville
- 15 - South County Industrial Areas
- 16 - Calistoga Vicinity
- 17 - Patrick Road

Revised Date: 06/03/2008

Horizontal Datum: NAD 83,
CA State Plane Coordinates,
Zone 11, feet

Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated hereon.

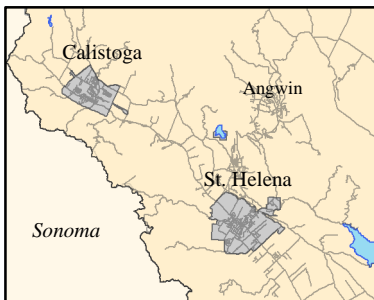
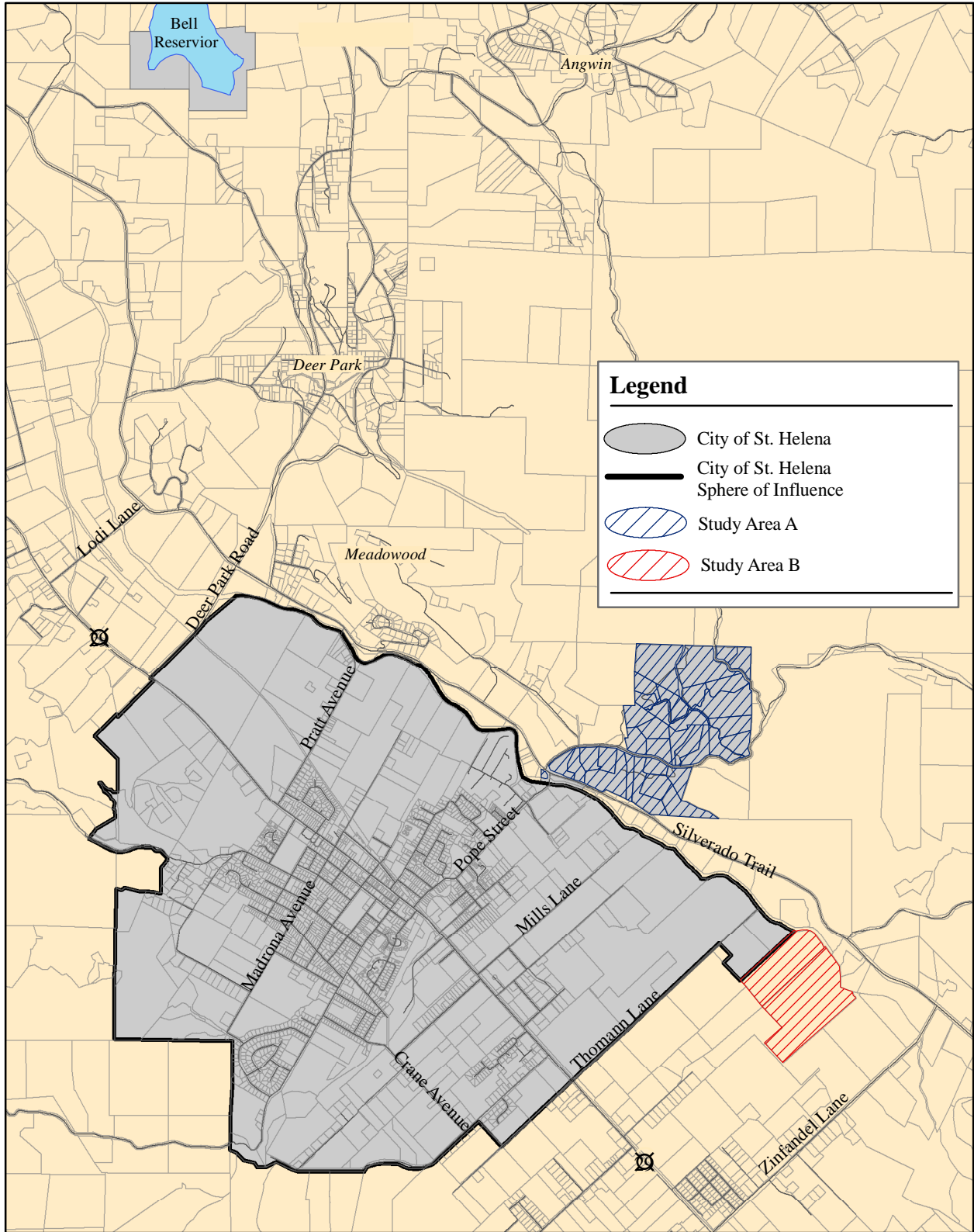
Napa County Land Use Plan 2008 - 2030

County of Napa

Office of Conservation
Development and Planning

0 0.5 1 2 3 4 Miles

City of St. Helena



Not to Scale
June 30, 2008
Prepared by KS



LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
<http://napa.lafco.ca.gov>



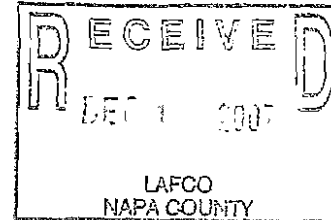
NANCY WATT
County Executive Officer

COUNTY of NAPA

BRITT FERGUSON
Assistant County Executive Officer

December 12, 2007

Keene Simonds
Executive Officer
LAFCO of Napa County
1700 Second Street, Suite 268
Napa, CA 94559



RE: Comprehensive Study of the City of St. Helena

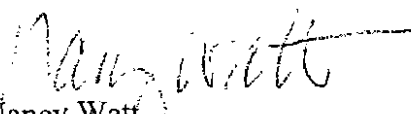
Dear Mr. Simonds:

I'm writing in response to your letter of September 27, 2007 regarding LAFCO's comprehensive study of the City of St. Helena. At your request, staff of the County and the City of St. Helena met on November 1, 2007 and agreed that the City's Sphere of Influence (SOI) should logically extend to include the parcels within the City's jurisdiction and east of Silverado Trail.

City staff also asked whether the County would support expansion of the SOI to include a 90 acre City-owned parcel (spray field) immediately adjacent to the City's sewer treatment plant. We see no reason why the County would object to this parcel being included in the SOI, provided there are sufficient assurances that it would remain in use as a spray field or as agriculture.

Please don't hesitate to contact me or Hillary Gitelman 253-4805 if you have any questions.

Sincerely,


Nancy Watt
County Executive Officer

cc. Board of Supervisors
Bert Johansson, City Manager
Carol Poole, Planning Director
Hillary Gitelman



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

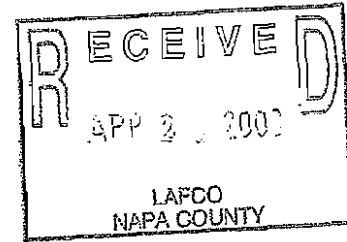
ATTACHMENT SEVEN

Phone: (707) 967-2792

Fax: (707) 963-7748

www.sthelenacity.com

April 23, 2008



Keene Simonds
Executive Officer
LAFCO of Napa County
1700 Second Street, Suite 268
Napa, CA 94559

RE: Comments on St. Helena Municipal Services Review draft document

Dear Mr. Simonds,

This letter is offered as the City of St. Helena's comments to the draft City of St. Helena Municipal Services Review. The City Council discussed the report at their April 22, 2008, scheduled Council meeting.

The City concurs with the determinations cited in the report. In preparation for the next phase, the City requests that LAFCO expand the City's Sphere of Influence (SOI) to include all lands within our City Limits, specifically the inclusion of the Howell Mountain Road acreage. In addition, the City requests that a City owned 100 ac parcel of land, contiguous to the Waste Water Treatment Plant and currently used by the Plant as spray fields, be included in the SOI (the parcel of land is currently located outside of our City limits). Nancy Watt, Napa County's Executive Officer, has previously submitted a letter of support for including the spray fields within the new SOI.

For your consideration, in the context of extended services, the City does provide water service to long time existing customers located outside our City limits. However, the City has a long standing policy prohibiting new connections which is memorialized in the following excerpts of our Municipal Code. Please note that the prohibition against new service is mandatory (shall not) whereas the allowance for fire service is discretionary (may).

Section 13.04.050 Water service connections

H. Service Outside City Limits. No water service connection or water main extension shall be made or given to premises located outside the city limits except (1) to provide private fire service in accordance with Section 13.04.200 and (2) to provide reclaimed water in accordance with city policies and procedures.

Section 13.04.200 Private fire service—Requirements

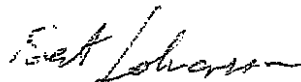
The department may install a private fire service; provided that the applicant complies with the general requirements governing water services set forth in this chapter or Chapters 13.08 and 13.12, together with the following special requirements:

- A. The applicant shall enter into a private fire service agreement with the department, the terms of which shall be satisfactory to the department.
- B. The services shall be satisfactory to the head of the public agency responsible for fire protection on the premises involved and to the Pacific Fire Rating Bureau. Each private fire service shall have installed therein a detector check valve of pattern and design approved by the superintendent. A "detector check valve" is defined as a spring-loaded or weight-loaded swing check valve equipped with a metered bypass.
- C. The private fire service shall be used only for fighting fires and testing the fire protection system. The charge for the service shall be on a flat basis as provided below. The charge shall include the cost of water used to fight fires and for authorized testing of the fire protection system. Any other use of water from the private fire service shall constitute a breach of the private fire service agreement.

The County of Napa works closely with the City of St. Helena when evaluating any plans proposing a change to the existing water use outside the city limits. The City is willing to have further discussions with LAFCO for the purposes of developing a guiding policy document.

The City appreciates the opportunity to offer comments. Please do not hesitate to contact me or Planning Director Carol Poole if you have any questions.

Sincerely,



Bert Johansson
City Manager

cc: St. Helena City Council
Jonathon Goldman, Director of Public Works
Carol Poole, Planning Director
Nancy Watt, County Executive Officer
Hilary Gitelman, County Planning Director



Local Agency Formation Commission of Napa County

LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
<http://napa.lafco.ca.gov>

July 8, 2008

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

- 1. Project Title:** *City of St. Helena: Sphere of Influence Review*
- 2. Lead Agency:** LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
- 3. Contact Person:** Keene Simonds, Executive Officer
LAFCO of Napa County
ksimonds@napa.lafco.ca.gov
- 4. Project Location:** The project location consists of two distinct study areas. Study Area “A” is located generally east of the intersection of Silverado Trail and Howell Mountain Road in St. Helena. Study Area “B” is located northwest of the intersection of Silverado Trail and Zinfandel Lane in unincorporated Napa County. A map depicting both study areas is reflected in Exhibit One.
- 5. Project Sponsor:** LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
- 6. General Plan Designations:** Study Area A is under the land use authority of St. Helena and designated under the City General Plan as *Woodlands and Watershed*. The County General Plan designates Study Area A as *Cities*. Study Area B is under the land use authority of the County and designated under the County General Plan as *Cities* or *Agricultural Resource*. The City General Plan does not have a land use designation for Study Area B.
- 7. Zoning Standards:** Study Area A is zoned by St. Helena as *Woodlands and Watershed*. The County does not zone Study Area A. Study Area B is zoned *Agricultural Preserve* by the County and *prezoned Agriculture Preserve* by St. Helena.

8. Description of Project:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCOs to review and update each city and special district's sphere of influence in their respective jurisdiction every five years as needed. A sphere of influence is defined as "a plan for the probable physical boundary and service area of a local agency as determined by the commission." Jurisdictional changes, such as annexations and detachments, must be consistent with the affected agencies' spheres of influence with limited exceptions.

As part of its legislative responsibilities, LAFCO of Napa County has prepared a sphere of influence review of St. Helena. The review considers the merits of adding Study Areas A and B to the existing sphere of influence. These study areas are collectively 196 acres in size and include 38 assessor parcels. This initial study considers the potential environmental impacts associated with adding both study areas to the existing sphere. Through this approach, this initial study considers the impact of all sphere configurations the Commission might adopt.

Study Area A is already located within St. Helena, and therefore no subsequent projects would be facilitated by its addition into the City's sphere of influence. Inclusion of Study Area B into St. Helena's sphere of influence would facilitate the annexation of the affected parcels to the City.

9. Surrounding Land Uses:

Study Area A is approximately 245 acres in size. The predominant land use in the study area is rural residential with 21 of the 36 affected parcels comprising single-family residences. All parcels are incorporated within St. Helena and range in size from 1.18 to 20.26 acres. The average parcel size is 6.6 acres. The study area is generally surrounded by undeveloped unincorporated territory.

Study Area B is approximately 95 acres in size. The study area comprises two unincorporated and undeveloped parcels owned and used by St. Helena to discharge treated wastewater from its adjacent sewer plant. Other surrounding land uses to the study area includes planted vineyards.

10. Other Agency Approval:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

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

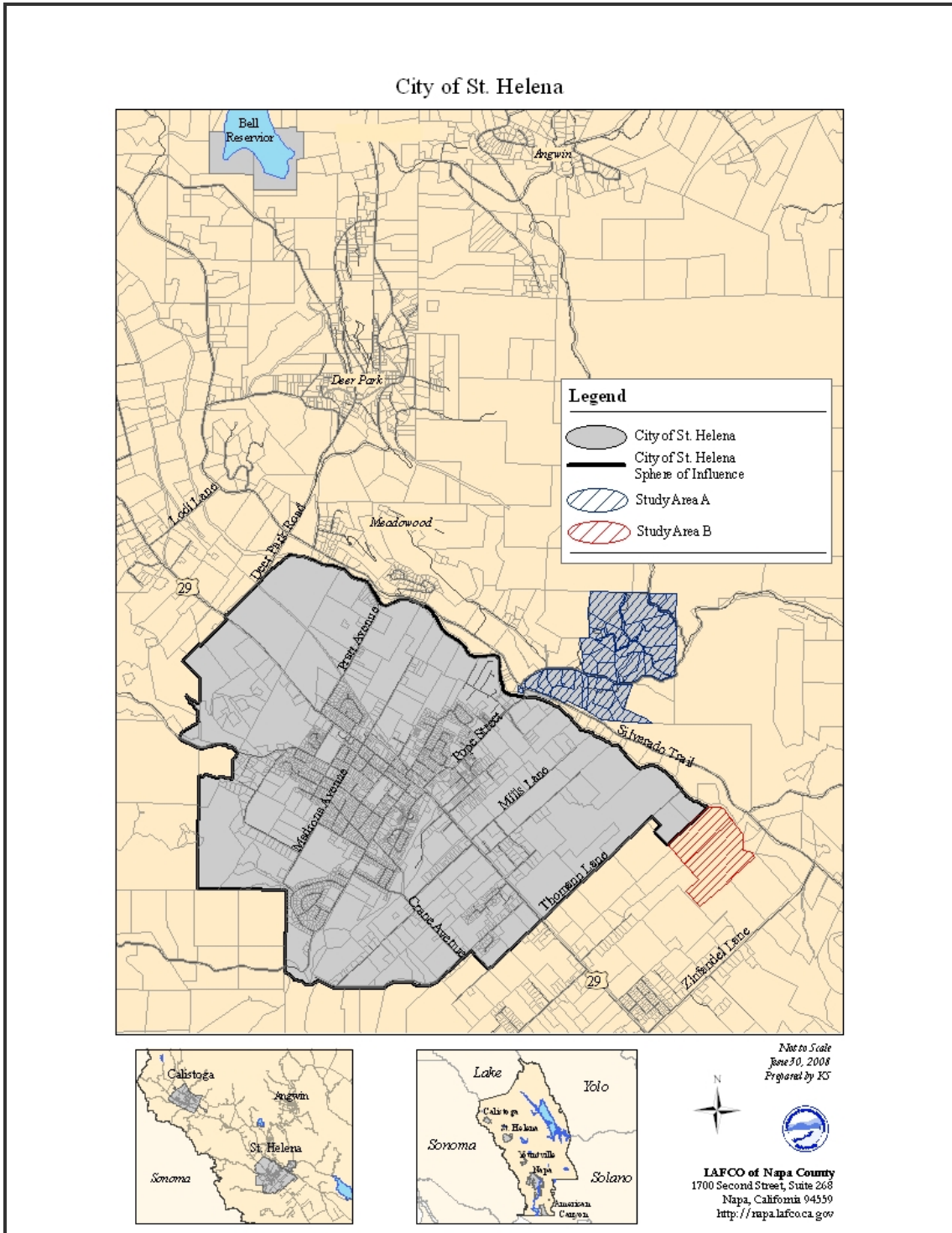
Signature

Date

Keene Simonds
Print Name

LAFCO of Napa County
Lead Agency

Exhibit One



ENVIRONMENTAL CHECKLIST

The following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the potential environmental impacts of the proposed project with respect to 17 factors prescribed for consideration. A brief discussion follows each environmental issue identified in the checklist.

For this checklist, the following four designations are used:

- **Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- **Potentially Significant Unless Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact:** The project would not have any impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

1. AESTHETICS

Would the project:

- a. Have a substantial adverse effect on a scenic vista? ■
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? ■
- c. Substantially degrade the existing visual character or quality of the site and its surroundings? ■
- d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on aesthetics. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on aesthetics given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on aesthetics associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 4.5.1 through 4.5.3, 4.6.1 through 4.6.3, and 4.7.1 through 4.7.4 also contemplates and provides guidance to the City in managing aesthetic resources relating to open-space character, views, and visual entrances if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential aesthetic impacts.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

2. AGRICULTURE RESOURCES

Would the project:

- 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? ■
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? ■
- c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on agricultural resources. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on agricultural resources given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. Markedly, the affected lands are under an active Williamson Act contract and are considered prime agricultural land by the California Resources Agency. These affected lands are also designated for agricultural use under the County General Plan. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on agriculture resources associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 2.6.58 through 2.6.61 also contemplates and provides guidance to the City in managing and protecting agriculture resources if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on agricultural resources.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

3. AIR QUALITY

Would the project:

- a. Conflict with or obstruct implementation of the applicable air quality plan? ■
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ■
- 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)? ■
- d. Expose sensitive receptors to substantial pollutant concentrations? ■
- e. Create objectionable odors affecting a substantial number of people? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on air quality. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on air quality given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on air quality associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 8.2.1 through 8.2.5 also contemplates and provides guidance for the City to protect air quality if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on air quality.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

4. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adversely 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 Game or U.S. Fish and Wildlife Service? ■
- b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ■
- 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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ■
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? ■
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ■
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on biological resources. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on biological resources given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on biological resources associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no

new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 6.2.1 through 6.2.5 and 6.2.10 through 6.2.12 also contemplates and provides guidance for the City in managing and protecting biological resources relating to wildlife, habitat, and riparian habitat if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on biological resources.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

5. CULTURAL RESOURCES

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? ■
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? ■
- c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature? ■
- d. Disturb any human remains, including those interred outside of formal cemeteries. ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on cultural resources. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on cultural resources given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on cultural resources associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policy 7.5.1 also contemplates and provides guidance for the City in managing and protecting cultural resources if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on cultural resources.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

6. GEOLOGY AND SOILS

Would the project:

- 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 Publication 42. ■
 - ii. Strong seismic ground shaking? ■
 - iii. Seismic-related ground failure, including liquefaction? ■
 - iv. Landslides? ■
- c. Result in substantial soil erosion or the loss of topsoil? ■
- d. 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? ■
- e. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ■
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on geology and soils. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on geology and soils given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on geology and soils associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also prezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St.

Helena General Plan Policy 8.4.2 also requires a soil and geological report to be prepared before issuing a grading or building permit if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on geology and soils.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

7. HAZARDS & HAZARDOUS MATERIALS

Would the project:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ■
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ■
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ■
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ■
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? ■
- 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? ■
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ■
- h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts with respect to creating hazards or hazardous materials. Adding Study Area B to St. Helena’s sphere could indirectly create hazards or hazardous materials given it is a precursor to annexation and represents the first step in the possible development of the affected

lands under St. Helena's land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects involving hazards and hazardous materials associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City's Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 8.5.1 through 8.5.3 also contemplates and provides guidance to the City in protecting against hazards and hazardous materials if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address impacts involving hazards or hazardous materials.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

8. HYDROLOGY & WATER QUALITY

Would the project:

- a. Violate any water quality standards or waste discharge requirements? ■
- 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)? ■
- 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? ■
- 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? ■
- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control? ■
- f. Otherwise substantially degrade water quality? ■
- h. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ■
- i. Place within a 100-year floodplain structures which would impede or redirect flood flows? ■
- j. 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? ■
- j. Inundation by seiche, tsunami, or mudflow? ■

Discussion:

The addition of Study Areas A and B to St. Helena's existing sphere of influence will not result in any direct impacts on hydrology and water quality. Adding Study Area B to St. Helena's sphere could indirectly impact hydrology and water quality given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena's land use authority. Markedly, the affected lands are located within the 100-year floodplain of the Napa River as determined by the Federal Emergency Management Agency. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on hydrology and water quality associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City's Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 6.2.1 through 6.2.5 as well as 8.6.1 through 8.6.8 also contemplates and provides guidance for the City in preserving local water resources and protecting against flood-related damages if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts to hydrology and water quality.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

9. LAND USE PLANNING

Would the project:

- a. Physically divide an established community? ■
- b. Conflict with any applicable land use plans, policies, or regulations 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 on environmental effect? ■
- c. Conflict with any applicable habitat conservation plan or natural communities conservation plan? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on land use planning. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on land use planning given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on land use planning associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also prezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 2.6.1 and 2.6.3 through 2.6.5 also contemplates and provides guidance for the City in managing land use planning if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts to land use planning.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

10. MINERAL RESOURCES

Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? ■
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on mineral resources. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on mineral resources given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on mineral resources associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on mineral resources.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

11. NOISE

Would the project result in:

- 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? ■
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ■
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ■
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ■
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ■
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on noise. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on noise given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects relating to noise associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 8.3.1 through 8.3.4 also contemplates and provides guidance for the City in managing noise levels if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on noise.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

12. POPULATION AND HOUSING

Would the project:

- a. Induce substantial growth in an area, either directly or indirectly? ■
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ■
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on population and housing. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on population and housing given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on population and housing associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on population and housing.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

13. PUBLIC SERVICES

Would the project 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:

- a. Fire protection? ■
- b. Police protection? ■
- c. Schools? ■
- d. Parks? ■
- e. Other public facilities? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on public services. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on public services given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because St. Helena already provides fire protection services to the affected lands based on support services agreement with the County. Potential indirect impacts are also diminished because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on public services associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 9.4.1 through 9.4.5, 9.5.1, and 9.6.1 through 9.6.5 also contemplates and provides guidance for the City in managing public service resources relating to storm, garbage, and schools if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on public services.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

14. RECREATION

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ■
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on recreation. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on recreation given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on recreation associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 10.3.1 through 10.3.8 also contemplates and provides guidance for the City in managing and protecting recreation resources if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on recreation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

15. TRANSPORTATION AND TRAFFIC

Would the project:

- 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)? ■
- b. Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways? ■
- 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? ■
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ■
- e. Result in inadequate emergency access? ■
- f. Result in inadequate parking capacity? ■
- g. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on transportation and traffic. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on transportation and traffic given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on transportation and traffic associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also rezoned for agricultural use by St. Helena and located outside the City’s Urban Service Area, which helps to ensure no new develop will occur if annexed within the foreseeable future under St. Helena General Plan Policy 2.6.2. St. Helena General Plan Policies 5.3.1, 5.4.1 through 5.5.4, and 5.7.1 through 5.9.1 also contemplates and provides guidance for the City in managing transportation and traffic

resources if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on traffic and transportation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

16. UTILITIES & SERVICE SYSTEMS

Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ■
- 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? ■
- 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? ■
- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ■
- 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? ■
- f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? ■
- g. Comply with federal, state, and local statutes and regulations related to solid waste? ■

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on utilities and service systems. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on utilities and service systems given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects on utilities and service systems associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also prezoned *Agriculture Preserve* by St. Helena and lie outside the City’s Urban Service Area, which helps to ensure no further develop will occur if annexed

within the foreseeable future under St. Helena General Plan FEIR Policy 2.6.2. St. Helena General Plan Policies 9.2.1 through 9.2.4, 9.3.1 through 9.3.4, 9.4.1 through 9.4.5, and 9.5.1 also contemplates and provides guidance for the City in managing utilities and service systems relating to water, sewer, storm drainage, and solid waste if development is proposed. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on utilities and service systems.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

17. 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? ■

- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? ■

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

Discussion:

The addition of Study Areas A and B to St. Helena’s existing sphere of influence will not result in any direct impacts on the environment. Adding Study Area B to St. Helena’s sphere could result in indirect impacts on the environment given it is a precursor to annexation and represents the first step in the possible development of the affected lands under St. Helena’s land use authority. The potential for indirect impacts is diminished, however, because the affected lands are owned and used by St. Helena to discharge treated wastewater through a spray irrigation system. The environmental effects associated with this current use were most recently evaluated by St. Helena as part of its Wastewater Treatment and Reclamation Plant Upgrade Project FEIR. The affected lands are also zoned *Agriculture Preserve* by St. Helena and lie outside the City’s Urban Service Area, which helps to ensure no further develop will occur if annexed within the foreseeable future under St. Helena General Plan FEIR Policy 2.6.2. Future discretionary approvals associated with the possible annexation and development of the affected lands will require the preparation of additional environmental documentation to address potential impacts on the environment.

Sources of Information Used in the Preparation of this Initial Study

- *CEQA Deskbook*, Bass, Herson, and Bogdan, 2001
- County of Napa: *General Plan*, 2008
- County of Napa: *General Plan: Final Environmental Impact Report*, 2008
- City of St. Helena: *General Plan Update*, 1993
- City of St. Helena: *General Plan Update: Final Environmental Impact Report*, 1993
- City of St. Helena: *Environmental Impact Report Wastewater Treatment and Reclamation Plant Upgrade Project*, 2006
- California Department of Conservation, Division of Land Resources Protection, *Napa County Important Farmland Map*, 2006
- Local Agency Formation Commission of Napa County, *City of St. Helena: Municipal Service Review*, 2008

These documents are available for review at the LAFCO office, 1700 Second Street, Suite 268, Napa, California.

RESOLUTION NO. ____

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

**ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**CITY OF ST. HELENA
SPHERE OF INFLUENCE REVIEW**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for reviewing the spheres of influence for local governmental agencies in Napa County pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer of the Commission, hereinafter referred to as the “Executive Officer,” has prepared a report reviewing the sphere of influence of the City of St. Helena; and

WHEREAS, the report evaluates the merits of adding two distinct areas to the existing sphere of influence identified as “Study Area A” and “Study Area B” as depicted in Attachment One; and

WHEREAS, sphere of influence reviews are projects and subject to the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to CEQA, the Commission is the lead agency for the sphere of influence review and the possible addition of Study Areas A and B, hereinafter referred to as the “project”; and

WHEREAS, in accordance with the California Code of Regulations Section 15074, the Commission has been presented with and duly considered an initial study assessing the impact of the project on the environment; and

WHEREAS, the Commission held a duly noticed public hearing on August 4, 2008 to consider the initial study and has determined the project could not have a significant effect on the environment.

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

1. The Commission considered the initial study prepared for the project.

2. The Commission finds the initial study shows there is no substantial evidence in the record as a whole that the project shall have any significant environmental impact and that a negative declaration is appropriate.
3. The negative declaration is based on the independent judgment of the Commission.
4. The Executive Officer is the custodian of the records of the proceedings on which this decision is based. The records upon which these findings are made are located at the office of the Commission located at 1700 Second Street, Suite 268, Napa, California.
5. The Commission hereby adopts a negative declaration for the project.

The foregoing resolution was duly and regularly adopted by the Commission at a meeting held on August 4, 2008 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

ATTEST: Keene Simonds
 Executive Officer

Recorded by: _____
 Kathy Mabry
 Commission Secretary

RESOLUTION NO. ____

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

**CITY OF ST. HELENA
SPHERE OF INFLUENCE REVIEW**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as “the Commission”, adopted a schedule to conduct studies of the provision of municipal services in conjunction with reviewing the spheres of influence of the local governmental agencies whose jurisdictions are within Napa County; and

WHEREAS, the Executive Officer of the Commission, hereinafter referred to as “the Executive Officer”, prepared a review of the sphere of influence of the City of St. Helena pursuant to said schedule and California Government Code Section 56425; and

WHEREAS, the Executive Officer prepared a written report of the review, including his recommendation to update and add certain territory to the existing sphere of influence; and

WHEREAS, said Executive Officer’s report has 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 August 4, 2008; and

WHEREAS, the Commission considered all the factors required by law under California Government Code Section 56425; and

WHEREAS, in accordance with the provisions of the California Environmental Quality Act, the Commission confirmed the findings of an initial study showing the proposed update to the sphere of influence shall not have any significant environmental impact and adopted a negative declaration as part of separate resolution approved on August 4, 2008.

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

1. The proposed sphere of influence review for the City of St. Helena is APPROVED.

2. This sphere of influence review is assigned the following distinctive short-term designation:

**CITY OF ST. HELENA
SPHERE OF INFLUENCE REVIEW**

3. The sphere of influence for the City of St. Helena is hereby updated and shown on the attached map identified as "Exhibit A."
4. Pursuant to California Government Code Section 56425, the Commission makes the statements of determinations in the attached "Exhibit B."
5. The effective date of this sphere of influence review shall be immediate.
6. The Executive Officer shall revise the official records of the Commission to reflect this review of the sphere of influence.

The foregoing resolution was duly and regularly adopted by the Commission at a meeting held on August 4, 2008 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

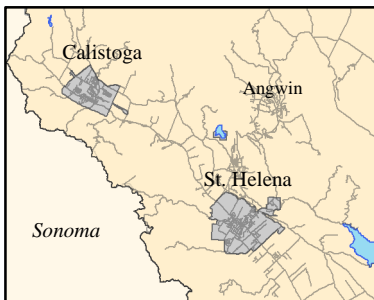
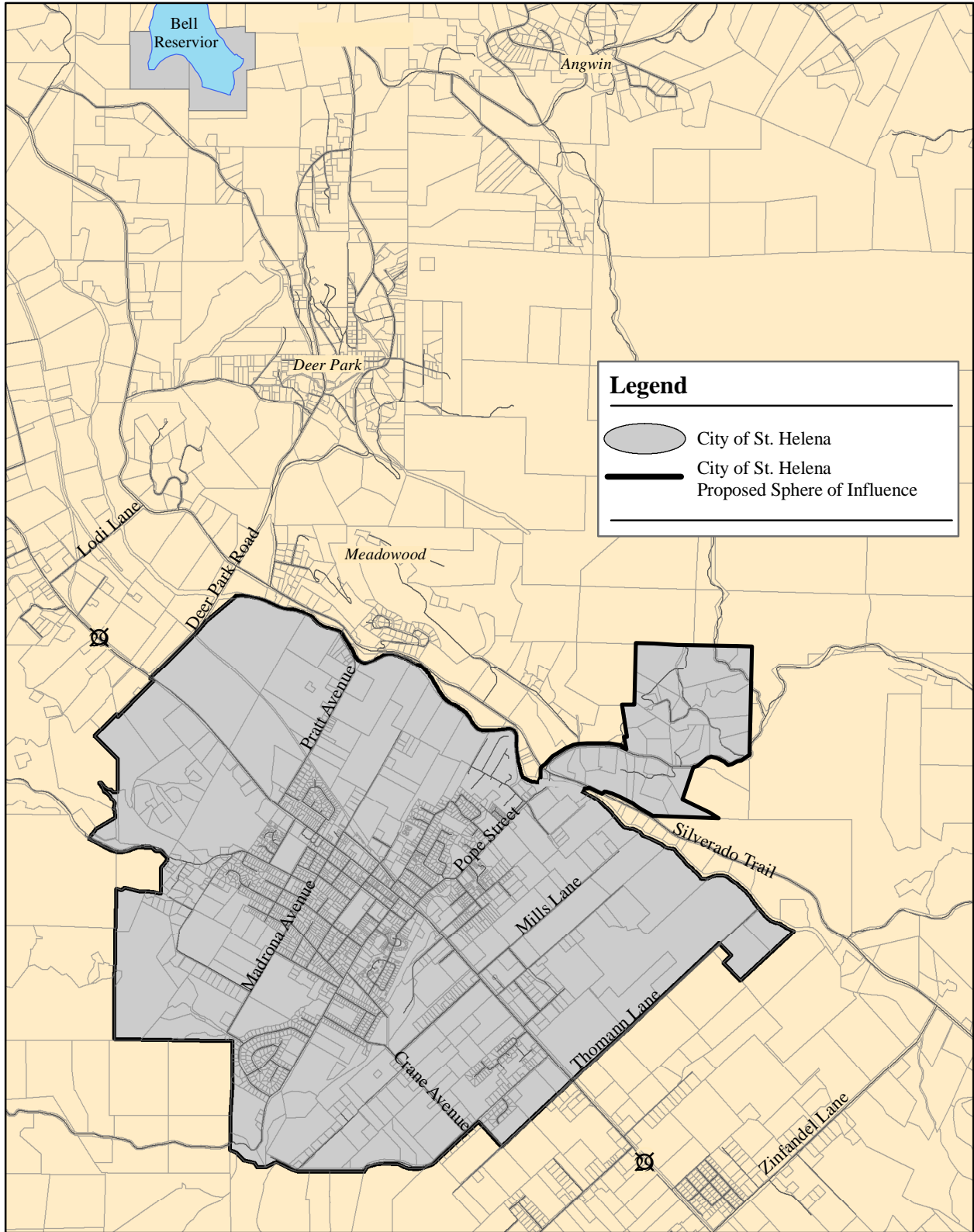
ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

ATTEST: Keene Simonds
 Executive Officer

Recorded by: _____
 Kathy Mabry
 Commission Secretary

City of St. Helena



*Not to Scale
June 30, 2008
Prepared by KS*



LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
<http://napa.lafco.ca.gov>

EXHIBIT B
STATEMENT OF DETERMINATIONS

CITY OF ST. HELENA
SPHERE OF INFLUENCE REVIEW

- 1. The present and planned land uses in the area (sphere), including agricultural and open-space lands.**

The present and planned land uses in the sphere are adequately contemplated under the St. Helena General Plan. The St. Helena General Plan provides for the current and future agricultural and urban land uses within the sphere. Existing agricultural uses will not be affected by their retention in the sphere.

- 2. The present and probable need for public facilities and services in the area (sphere).**

The City of St. Helena provides a full range of municipal services within the sphere either directly or through contracts with other public or private entities. These public services support the present and planned urban uses within the sphere as contemplated in the St. Helena General Plan.

- 3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

The City of St. Helena has demonstrated its ability to provide an adequate level and range of public services within the sphere. These public services were comprehensively evaluated by the Commission as part of a recent municipal service review completed in May 2008.

- 4. The existence of any social or economic communities of interest in the area (sphere) if the commission determines that they are relevant to the agency.**

The City of St. Helena has established social and economic interdependencies within the sphere that are distinct from neighboring unincorporated areas.