



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

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

October 3, 2011
Agenda Item No. 6a (Public Hearing)

September 26, 2011

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Garfield Lane No. 2 Annexation to the Napa Sanitation District

The Commission will consider two related actions concerning a proposal from an interested landowner to annex approximately 1.33 acres of incorporated territory to the Napa Sanitation District. The affected territory is located at 48 Garfield Lane in the City of Napa and the purpose of the annexation is to establish permanent public sewer service to an existing single-family residence; a residence currently receiving public sewer from the District through a temporary outside service extension previously approved by the Commission. The first recommended action is for the Commission to adopt a negative declaration consistent with the findings of an initial study concluding the annexation will not have any significant impacts on the environment. The second recommended action is for the Commission to approve the proposed annexation with standard conditions.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFCOs are authorized with broad discretion in establishing conditions in approving changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

A. Proposal Summary

LAFCO of Napa County (“Commission”) has received a proposal from landowner Ralph Lippert requesting the annexation of approximately 1.33 acres of incorporated territory in the City of Napa (“City”) to the Napa Sanitation District (NSD). The affected territory comprises one residential parcel located at 48 Garfield Lane adjacent to its intersection with Old Vine Way. The existing single-family residence is 1,500 square feet in size with two bedrooms built in 1950. The County of Napa’s Assessor’s Office identifies the affected parcel as 038-160-034.

Lewis Chilton, Vice Chair
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

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

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

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

As detailed in the following section, the single-family residence occupying the affected territory currently receives public sewer service from NSD through a temporary outside service extension approved by the Chair in June 2011 and formally ratified by the Commission in August 2011. The outside service extension expires on January 1, 2012. Annexation would provide permanent public sewer service to the single family residence as well as be made available to the rest of the affected territory if and when it is further developed as contemplated under the City's General Plan and Zoning Ordinance. An aerial map of the affected territory is provided below.



B. Discussion

Agency Profile

NSD was formed in 1945 as a dependent enterprise district to provide public sewer service for the City and the surrounding unincorporated area. NSD presently provides sewer service to most of the City along with several surrounding unincorporated areas, including Silverado, Napa State Hospital, and the Napa County Airport. NSD currently serves 31,829 residential customers with an estimated resident service population of 83,392.¹

¹ The resident service projection based on the 2011 California Department of Finance population per household estimate (2.62) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (31,829). NSD also serves 4,409 non-residential customers, including industrial and commercial users.

NSD's current operating budget is \$15.3 million. NSD anticipates collecting \$19.4 million in general revenues resulting in an operating surplus of \$4.1 million. NSD's fund balance as of the beginning of the fiscal year totaled \$8.8 million.² Markedly, this unrestricted fund balance is sufficient to cover over six months of operating expenses.

Proposal Purpose

The underlying purpose of the proposal before the Commission is to provide permanent public sewer service to a residential parcel located within the City's "Vintage" neighborhood. As mentioned in the preceding section, the single-family residence occupying the affected territory currently receives public sewer service from NSD through a temporary outside service extension that was approved by the Chair on June 24, 2011 and ratified by the Commission on August 1, 2011. Markedly, the Chair's approval was conditioned on the landowner first submitting an application to annex the entire residential parcel; a condition satisfied on July 1, 2011.³ Additionally, though no development plans presently exist, the annexation of the entire residential parcel could facilitate the future division of the affected territory to include a total of 11 lots under the City's General Plan and Zoning Ordinance. Consideration of the service needs and related impacts associated with the future potential development of the affected territory, accordingly, are incorporated into the following analysis section.

C. Analysis

G.C. Section 56375 delegates LAFCOs the responsibility to approve or disapprove, with or without amendment, proposals for change of organization or reorganization consistent with its adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving proposals as long as they do not directly regulate land uses. Underlying LAFCOs' determination in approving or disapproving proposals for change of organization or reorganization is to consider the logical and timely development of the affected agencies in context with statutory objectives and local circumstances.

Required Factors for Review

G.C. Sections 56668 and 56668.3 require the Commission to consider 16 specific factors anytime it reviews proposals for change of organization or reorganization involving special districts. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process. An evaluation of these factors as it relates to the proposal follows.

² NSD expects its operating fund balance to increase at the end of the fiscal year from \$8.8 to \$9.5 million following all budgeted transfers.

³ The landowner officially connected his single-family residence to NSD on July 17, 2011.

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

Less than one-twentieth of the affected territory is currently developed. The developed portion is dedicated to a two-bedroom single-family residence built in 1950. The remaining undeveloped portion is dedicated to natural vegetation complimented by ornamental landscaping and a 3,500 square foot man-made pond. The landowner is the only resident. The current assessed value of the entire affected territory totals \$69,881.



Topography within the affected territory is relatively flat with the exception of a berm encircling the man-made pond located towards the northern end of the parcel. The peak terrain point is estimated at 35 feet above sea-level. Salvador Creek lies close to 800 feet to the west of the affected territory; a natural boundary resulting in the western terminus of Garfield Lane.

The affected territory is located within a developing residential area highlighted by the construction of the adjacent 37-lot “Old-Vine” subdivision completed in 2003. Although no development plans currently exist, the affected territory could be divided into a total of 11 residential lots under the City’s General Plan and Zoning Ordinance with an estimated population of 29 at buildout.⁴ Further, three lots immediately adjacent to the west and south are also subject to further division and could accommodate a total of 15 new lots, though no development inquiries have been made to the City as of the date of this report.

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

The present need for municipal services within the affected territory is tied to the existing two-bedroom single-family residence that comprises less than one-twentieth of the subject land. Core municipal services already provided or available to the affected territory directly or indirectly by the City include fire, emergency medical, police, roads, and garbage collection; all at levels deemed adequate given

⁴ Buildout population of the affected territory is based on the 2011 California Department of Finance population per household estimate (2.62) assigned to Napa County.

current and planned uses.⁵ NSD also recently extended municipal sewer service to the single-family residence through a temporary outside service extension approved and ratified by the Commission in August 2011. Notably, the outside service extension was approved by the Commission in response to a failed septic system reported by the landowner and verified by County Environmental Management.

NSD’s ability to adequately accommodate sewer demands within the affected territory consistent with the land’s current and planned uses is the central focus of the Commission in assessing municipal service needs given the proposed action. A review of current usage patterns within NSD’s jurisdictional boundary indicates the typical single-family residence produces average-day and peak-day sewer flows of 210 and 525 gallons, respectively. Based on these assumptions, the estimated flows at baseline and buildout will have *negligible* impacts on NSD’s overall infrastructure system as depicted in the following table (emphasis added).

NSD’s Sewer System

Period Type	Systemwide Flows (Baseline @ 48 Garfield)¹	Systemwide Flows (Buildout @ 48 Garfield)²	Total Treatment Capacity
Average Day:	6,700,200	6,702,310	15,400,000
Peak Day:	33,700,500	33,705,775	126,200,000 ⁶

¹ Assumes the current residence within the affected territory produces an average and peak-day sewer demand of 210 and 525 gallons, respectively. These amounts are consistent with current average single-family uses within NSD.

² Assumes the buildout of the affected territory will result in 11 total single-family residences with combined average and peak-day demands at 2,310 and 5,775 gallons.

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

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD’s sphere of influence, marking an overt expectation the site would eventually develop for urban type uses and require public sewer from the region’s sole service provider, the District. These ties were further formalized earlier this year with the Commission authorizing NSD to provide public sewer to the affected territory through an outside service agreement in explicit expectation of a future annexation.

No alternative boundaries – specifically as it relates to expansions – are warranted given the affected territory is entirely surrounded by NSD’s jurisdictional boundary.

⁵ The term “planned” for purposes of this section refers to the City’s General Plan and Zoning Ordinance.

⁶ Capacity during peak-day incorporates 340 acre-feet of adjacent pond storage.

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

The proposal is generally consistent with the Commission's policies as codified under its General Policy Determinations. This includes conforming urban land use designations for the affected territory under the County and City General Plans, avoidance of premature conversion of agricultural uses, and consistency with NSD's adopted sphere of influence. The proposal is inconsistent, however, with the General Policy Determination Section II/B/3 in prescribing the timing of urban development. This provision discourages annexing undeveloped or underdeveloped lands to cities or special districts providing water, sewer, emergency response, or police and fire protection unless subject to a specific development plan or agreement under consideration by a land use authority.⁷ The affected territory, notably, is not subject to a known development project or agreement and could be divided to include a total of 11 residential lots under the City's land use authority.

In reviewing the proposal, staff believes it would be appropriate for the Commission to waive General Policy Determination Section II/B/3 given the following considerations:

- The affected territory is located within a developing residential area of the City and is entirely surrounded by NSD's jurisdictional boundary. Connection to public sewer systems are generally preferred alternatives to maintaining septic tanks in protecting public health given the increased susceptibility of leakage and breakdowns associated with the latter option.
- The affected territory already receives public sewer service from NSD through a temporary outside service extension approved and ratified by the Commission in August 2011; an action taken by the Commission to abate a public health threat given the home's septic system had failed despite corrective actions taken by the landowner.
- Annexations are inherently preferred alternatives to outside service extensions in terms of memorializing an agency's long-term service commitment to affected lands in an accountable and transparent manner.

The affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. Specifically, the affected territory is not substantially unimproved and devoted to an open-space use under the County or City General Plan.

⁷ As a separate matter, the Commission's Ad Hoc Committee on Policies and Procedures is proposing an amendment to Section II/B/3 as part of Agenda Item No. 7a. The proposed amendment does not affect or change the application of this policy statement as it relates to the proposed annexation.

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

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

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

A draft map and geographic description have been prepared by a licensed surveyor as part of the application materials and adequately depicts the boundary of the affected territory to include one entire legal parcel identified by the County Assessor’s Office as 038-160-034. (The adjacent right-of-ways are already within NSD.) Proposal approval would include a standard term requiring the landowner submit a final map and geographic description of the approved annexed territory in conformance with the requirements of the Board of Equalization.

7) Consistency with the city or county general plans, specific plans, and adopted regional transportation plan.

The proposal would provide permanent public sewer service to the affected territory. The availability of this municipal service is consistent with the City General Plan, which designates the affected territory for moderately dense single-family residential uses (*Single-Family Residential – 33C*). The design and development standards associated with these residential uses are further outlined in the City’s Big Ranch Specific Plan.

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

The affected territory is located entirely within NSD’s sphere of influence, which was comprehensively updated by the Commission in August 2006.

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

LAFCO staff circulated copies of the application materials for review and comment to affected local governmental agencies on July 6, 2011. All written comments received are summarized below.

- **Napa Sanitation District**

NSD has adopted a resolution consenting to the annexation and waiver of protest proceedings subject to the inclusion of certain conditions. These conditions primarily address payments needed to finalize the annexation and are incorporated into the draft resolution of approval as Exhibit “B.”

- **County of Napa**

The County’s Environmental Management Department has provided written support of the proposed annexation as well as confirming the landowner has removed the septic tank in accordance with a Department permit.

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

Information collected in the Commission’s recent municipal service review on NSD indicates the District has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD’s two principal user fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) connection fees and (b) user fees. The connection fee is currently \$5,660 and serves as NSD’s buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The user fee for a single-family unit is currently \$435 annually and is intended to proportionally recover NSD’s ongoing maintenance and operation expenses. The landowner for the affected territory has already paid a connection fee as a result of the earlier outsider service extension and the user fee will be pro-rated and billed at the end of the calendar year.

Supplemental information collected and analyzed as part of this proposal shows NSD’s current operating budget is \$15.3 million. NSD anticipates collecting \$19.4 million in general revenues resulting in an operating surplus of \$4.1 million. NSD’s unrestricted fund balance as of the beginning of the fiscal year totaled \$8.8 million.⁸ This balance is sufficient to cover over six months of operating expenses.

⁸ NSD expects its operating fund balance to increase at the end of the fiscal year from \$8.8 to \$9.5 million following all budgeted transfers.

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

The affected territory currently receives water from an onsite private well. Staff estimates the single-family residence's annual groundwater demand is approximately 0.3 acre-feet.⁹ It is reasonable to assume the affected territory's projected annual water demand would increase to 3.3 acre-feet if developed to its maximum density of 11 residential lots as allowed under the City's General Plan and Zoning Ordinance. It is also reasonable to assume any new development would require connection to the City's potable water system in order to satisfy recently updated fire-flow standards.

The City's water supplies are drawn from three sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. The City's most recent Urban Water Management Plan (UWMP) estimates its total annual water supply generated from these three sources during normal and multiple-dry years is 29,296 and 16,957 acre-feet, respectively.¹⁰ The City also reports its annual water demand over the last five years is approximately 16,100 acre-feet. Accordingly, water demands tied to the future potential development of the affected territory would not adversely impact the City and existing customers.

12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

The affected territory is located entirely within the City. All current and potential units associated with the site are already assigned to the City as part of the Association of Bay Area Governments regional housing needs allocation system.

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

The landowner of the affected territory has petitioned the proposal. There are no other residents occupying with affected territory.

14) Any information relating to existing land use designations.

See analysis on page seven of this report.

⁹ The estimated current water demand assumes 250 gallons per day and based on average use information collected by staff during the inaugural round of municipal service review.

¹⁰ The City's UWMP defines a multiple-dry year period as a period generally considered to have the lowest average runoff for a consecutive multiple year period (three years or more) for a watershed since 1903.

- 15) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.**

There is no documentation or evidence suggesting the proposed annexation will have a measurable effect with respect to promoting environmental justice.

- 16) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.**

The proposed annexation will benefit current and future landowners and residents associated with the affected territory by providing permanent access to public sewer service. The provision of permanent public sewer service will eliminate set-aside land requirements previously dedicated to the septic system, which will assist in intensifying future residential development opportunities within the site.

Property Tax Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts.

In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall occur as a result of jurisdictional changes involving the District. This resolution has been applied to all subsequent changes of organization involving NSD. In processing this proposal, staff provided notice to the affected agencies the Commission would apply this resolution again unless otherwise informed. No comments were received.

Environmental Review

The Commission serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is solely responsible for approving the underlying activity: annexation. Staff has determined the activity is a project under CEQA and no existing categorical or statutory exemptions apply. Accordingly, staff has prepared an initial study to assess the environmental impacts associated with the annexation. The initial study identifies the annexation may generate future indirect impacts given it does remove an obstacle in accommodating the future division and development of the site to include up to 11 total single-family lots as allowed under the City’s General Plan and Zoning Ordinance. None of the indirect impacts identified

with the annexation, however, are deemed significant and therefore a draft negative declaration has been prepared.

A copy of the initial study and notice of intent to adopt a negative declaration were circulated for a 21-day review to local agencies as well as all adjacent neighbors to the affected territory.¹¹ No comments were received. A copy of the initial study is attached for Commission review along with a draft resolution adopting a negative declaration.

Conducting Authority Proceedings

The affected territory is uninhabited under LAFCO law and the sole landowner has consented to the proposal. NSD has also consented to the annexation with the inclusion of its terms and conditions, which staff has incorporated into the attached draft resolution of approval. Conducting authority proceedings, accordingly, may be waived under G.C. Section 56663.

D. Alternatives for Commission Action

The following alternative actions are available for Commission consideration with respect to (a) making an environmental determination and (b) considering the proposed annexation.

Environmental Determination

Option 1A: Adopt the draft resolution identified as Attachment Three approving a negative declaration for the proposed annexation. If this option is selected, the Commission can consider making a determination on the proposed annexation.

Option 1B: Continue consideration of the negative declaration for the proposed annexation to a future meeting. If this option is selected, the Commission cannot consider making a determination on the proposed annexation.

Proposal Determination

Option 2A: Adopt the draft resolution identified as Attachment Four approving the proposed annexation as submitted with standard terms and conditions.

Option 2B: Continue consideration of the proposed annexation to a future meeting if more information is required.

Option 2C: Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

¹¹ A copy of the initial was also sent to the California Department of Fish and Game as part of a request for the agency to waive their filing fee in anticipation of recording the adopted negative declaration. DFG has approved the fee waiver.

E. Recommendation

Staff recommends the Commission adopt draft resolutions approving the negative declaration and proposed annexation as identified in the preceding sections as Options 1A and 2A. Markedly, annexation approval is generally consistent with the Commission's established policies with the lone exception the affected territory is underdeveloped and not subject to a known project or development agreement; factors that conflict with General Policy Determinations Section II/B/3. Nevertheless, as detailed on page six, staff believes it would be appropriate to waive this policy consideration given the permanent connection to a public sewer line is a preferred alternative to maintaining a septic system within a developing urban area given public health considerations. The corresponding analysis provided in this report also independently confirms NSD has established adequate controls and capacities to provide public sewer to the affected territory at its maximum density allowance without adversely affecting other ratepayers.

F. Procedures for Consideration

The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open hearing and receive public comment; and
- 3) Close hearing and consider action on recommendation.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Application Materials
- 2) Initial Study
- 3) Draft Resolution Approving the Negative Declaration
- 4) Draft Resolution Approving the Proposal

FORM D

Date Filed: _____
Received By: _____

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Ralph Lippert
Contact Person Agency/Business (If Applicable)
Address: 48 Garfield Lane, Napa CA 94558
Street Number Street Name City Zip Code
Contact: 707-224-8701
Phone Number Facsimile Number E-Mail Address

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

II. PROPOSAL DESCRIPTION

A. Affected Agencies: NSD 935 Hantle Court, Napa CA 94559
Name Address
Name Address
Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)
 Annexation Detachment City Incorporation District Formation
 City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement: (Specific)
Annex existing home to NSD to connect to public sewer line; concurrently processing outside service agreement to expedite connection due to failing septic.

III. GENERAL INFORMATION

A. Location:

Street Address	Assessor Parcel Number	Acres
48 Garfield	038-160-034	1.33 acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres

Total Location Size (Including Right-of-Ways) _____

B. Landowners:

(1) Assessor Parcel Number : 038-160-034 Name: Ralph Lippert
Mailing Address: 48 Garfield Lane, Napa Ct 94558
Phone Number: 707-224-8701 E-mail: _____

(2) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

(3) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

(4) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

(1) Total Number of Residents: 1

(2) Total Number of Registered Voters: 1

D. Land Use Factors:

- (1a) County General Plan Designation: City
- (1b) County Zoning Standard:
- (2a) Applicable City General Plan Designation: SFR-33C (Vintage)
- (2b) Applicable City Rezoning Standard: RS-10 ; 5,000 sqft lot

E. Existing Land Uses:
(Specific)

- One 2-BR home
- Basic landscaping

F. Development Plans:

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

(1b) If Yes, Describe Project: _____

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

G. Physical Characteristics:

(1) Describe Topography: Flat

(2) Describe Any Natural Boundaries:
- Man-made ponds (50 x 70)
- Burms / rolling

(3) Describe Soil Composition and Any Drainage Basins:
Drainage path to south

(4) Describe Vegetation: Natural

H. Williamson Act Contracts
(Check One)

Yes

No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

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

Annexation will facilitate connection to MSD sewer line

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

Consistent w/ residential service

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

ASAP

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

Lateral box has already been installed on property; connection would involve minor line extension from lateral to collection line.

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

Connection fee to be paid to MSD

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal:

LAFCO

Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption:

Type

None

Initial Study
to be completed

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(1) Recipient Name:

Ralph Lippert, Owner

Mailing Address:

E-Mail:

(2) Recipient Name:

Mailing Address:

E-Mail:

(3) Recipient Name:

Mailing Address:

E-Mail:

VII. CERTIFICATION

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

Signature: Ralph H. Lippert
Printed Name: Ralph H. Lippert
Title: Land owner
Date: 6/15/11



Local Agency Formation Commission of Napa County
LAFCO of Napa County
1700 Second Street, Suite 268
Napa, California 94559
Telephone: 707-259-8645
Facsimile: 707-251-1053

August 16, 2011

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

Project Name: Garfield Lane No. 2 Annexation to the Napa Sanitation District

Project Description: Local Agency Formation Commissions (LAFCOs) are responsible for administering the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. LAFCOs are located in all 58 counties in California and are directed to coordinate the logical formation and development of cities and special districts. This includes approving proposals to form, expand, merge, or dissolve cities and special districts.

LAFCO of Napa County has received an application from the property owner of 48 Garfield Lane to annex the approximate 1.33 acre residential lot to the Napa Sanitation District. The purpose of the annexation is to establish permanent public sewer service to an existing single-family residence, which is already connected to the District through a temporary outside service agreement approved by LAFCO on August 1, 2011 to address a failed septic system. The initial study assesses the environmental impacts associated with the annexation and concludes the project will not have any direct or indirect significant effects. Copies of the initial study and proposed negative declaration are available for viewing at <http://napa.lafco.ca.gov>. Copies are also available for review at the LAFCO office.

Project Location: The project location comprises all of 48 Garfield Lane (038-160-034) lying entirely within the City of Napa.

Review Period: The period for accepting written comments on the initial study and negative declaration recommendation extends from August 16, 2011 to September 16, 2011. Written comments should be directed to Keene Simonds by mail or by e-mail at ksimonds@napa.lafco.ca.gov.

Hearing Date: It is anticipated the Commission will consider staff's recommendation to adopt a negative declaration for the project as part of a regular meeting calendared for October 3, 2011. The meeting is scheduled to begin at 4:00 PM in the Board Chambers at the County of Napa Administration Building located at 1195 Third Street, Napa.



Local Agency Formation Commission of Napa County

1700 Second Street, Suite 268

Napa, California 94559

<http://napa.lafco.ca.gov>

August 16, 2011

INITIAL STUDY OF ENVIROMENTAL SIGNIFICANCE

- 1. Project Title:** Garfield Lane No. 2 Annexation to the Napa Sanitation District
- 2. Lead Agency:** Local Agency Formation Commission (LAFCO) of Napa County
1700 Second Street, Suite 268
Napa, California 94559
- 3. Contact Person:** Keene Simonds, Executive Officer
LAFCO of Napa County
(707) 259-8645
ksimonds@napa.lafco.ca.gov
- 4. Project Location:** The project location consists of 1.33 acres of incorporated territory in the City of Napa. It includes one residential lot located at 48 Garfield Lane (County of Napa Assessor Number 038-160-034), hereinafter referred to as the “project site.” A map depicting the project site is depicted in Figure “A” on page three.
- 5. Project Sponsor:** Ralph Lippert, Property Owner
c/o Sudhir Chaudhary, Designated Representative
851 Napa Valley Corporate Way, Suite G
Napa, California 94558
- 6. General Plan Designation:** The City of Napa designates the entire project site as *Single Family Residential – 33C*. This designation contemplates a density range of three to six dwelling units for every acre.
- 7. Zoning Standard:** The City of Napa zones the project site *Residential Single 5*. This zoning standard requires a minimum lot size of 0.11 acres.
- 8. Background/ Project Description** Ralph Lippert has filed an application with LAFCO to annex the project site to the Napa Sanitation District (NSD). The purpose of the annexation is to establish permanent public sewer service to an existing single-family residence, which is already connected to NSD as a result of a recently approved outside service agreement (OSA). LAFCO approved the OSA to expedite sewer service to the project site given the affected residence’s septic system had failed causing a public health threat. The OSA expires on January 1, 2012.
- 9. Surrounding Land Uses:** The project site is entirely surrounded by existing incorporated residential uses within the City of Napa’s “Vintage” neighborhood.
- 10. Other Agency Approval:** NSD

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"/> Findings of Significance |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population and Housing | |

DETERMINATION:

On the basis of information analyzed in 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Nothing further is required.



Signature

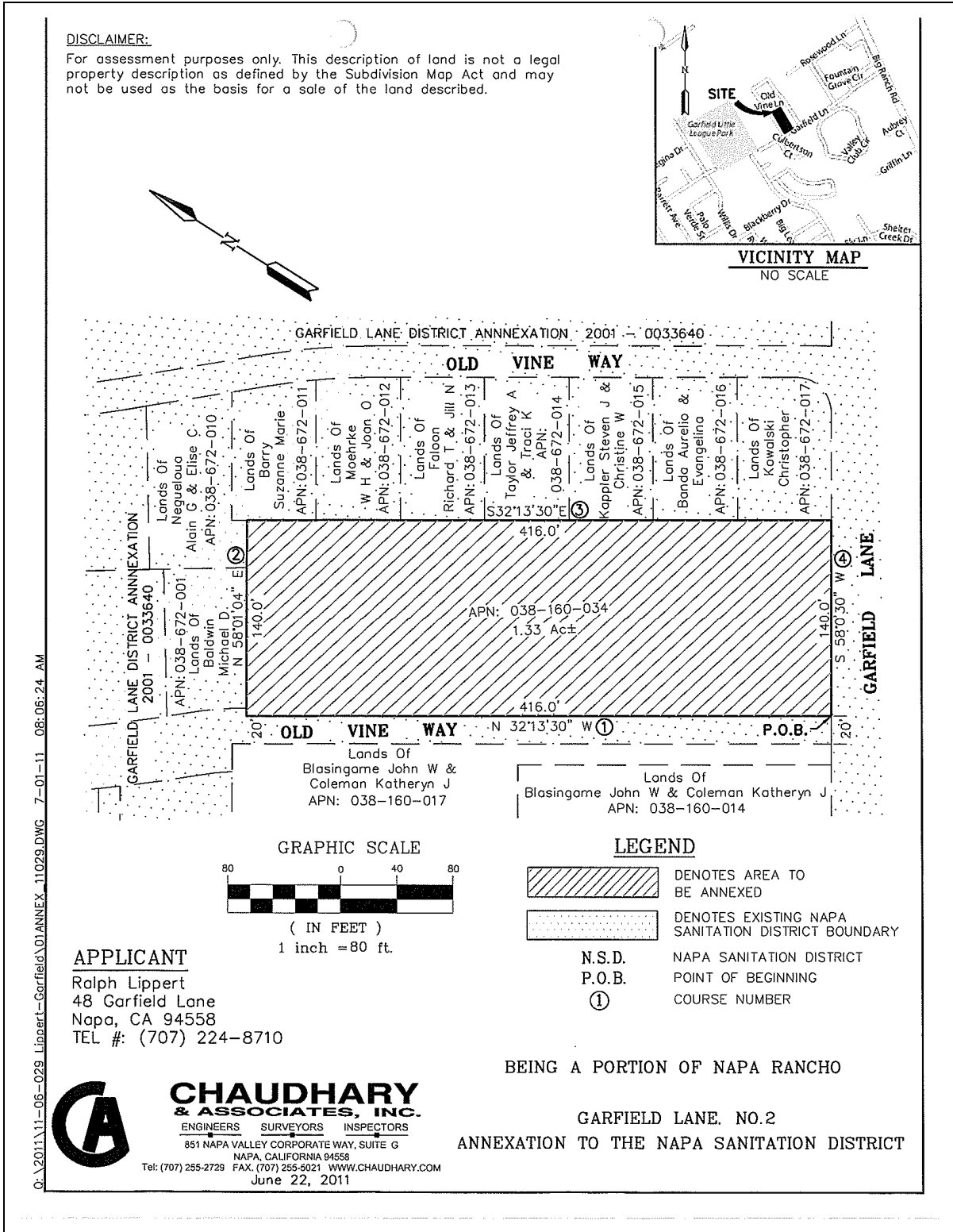
Keene Simonds
Preparer's Name

August 16, 2011

Date

LAFCO of Napa County
Lead Agency

**FIGURE
 "A"**



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 may be significant, and for which no mitigation has been identified.
- **Potentially Significant Unless Mitigation Incorporated:** An impact that requires mitigation measures to reduce the effect to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that may not be considered significant under CEQA relative to baseline conditions.
- **No Impact.** Baseline conditions remain unchanged.

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/Analysis:

The project will not directly impact aesthetics with regard to effecting scenic vistas, damaging scenic resources, degrading visual character, or creating new sources of light given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may generate future indirect impacts on aesthetics due to the construction of additional structures and facilities. An assessment on aesthetic impacts relating to planned citywide development was addressed in the FEIR prepared for the City General Plan on pages 3.6-1 to 3.6-5. Pertinent mitigating policies and implementation measures to manage citywide aesthetic impacts are outlined in the General Plan’s Land Use, Housing, and Natural Resources Elements and include: LU-1.2; LU-1.4; LU-1.5; LU-1.8; LU-1.B; LU-1.C; LU-4.10; LU-4.11; LU-4.A; LU-4.B; LU-10.1; LU.10.2; LU-10.3; LU-10.4; LU-10.5; LU-10.A; LU-10.C; H-3.1; H-3.2; H-3.3; H-3.7; H-3.A; H-3.B; H-3.C; H-3.I; H-3.J; NR-1.6; NR-1.7; NR-1.C; and NR-1.E. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 197 to 211. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.10-2 and 4.10-4. These documents provide reasonable assurances any potential future indirect impacts on aesthetics associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, and d).

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/Analysis:

The project will not have direct or indirect impacts on agricultural resources. The project site is identified as urban land by the California Natural Resources Agency (a). The project site is not subject to an agricultural zoning standard or a Williamson Act contract or involve any other changes that could result in prime, unique, or statewide important farmland losses (b and c).

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/Analysis:

The project will not directly impact air quality with regard to conflicting with applicable air quality plans and standards or cause objectionable odors and pollutants given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts during construction phases as well as from additional vehicular emissions to and from the project site. An assessment on air quality impacts relating to planned citywide development was addressed in the FEIR prepared for the City General Plan on pages 3.10-1 to 3.10-5. Pertinent mitigating policies and implementation measures to manage citywide air quality impacts consistent with Bay Area Air Quality Management District standards are outlined in the General Plan’s Natural Resources and Transportation Elements and include: NR-5.1; NR-5.2; NR-5.3; NR-5.4; NR-5.5; NR-5.6; T-1.1; T-5.1; T-5.2; T-5.13; T-5.B; T-6.1; T-6.2; and T-6.10. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 140 to 151. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.7-4. These documents provide assurances any potential future indirect impacts on air quality associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, d, and e).

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 State 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 State Fish and Game or U.S. Fish and Wildlife Service? ■
- c. Have a substantial adverse effect on federally protected wetlands as defined by the Clean Water Act 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 an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan? ■

Discussion/Analysis:

The project will not have any direct or indirect impacts on biological resources. There are no endangered, sensitive, or special status species, riparian habitat, sensitive communities, or protected wetlands within the project site listed in federal, state, or local agency indices (a, b, and c). The project would not substantially effect in impeding the movement of any habitat within the project site (d). The project does not conflict with any local policies or ordinances protecting biological resources or the provisions of a habitat conservation plan or natural community conservation plan (e and f).

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/Analysis:

The project will not have direct or indirect impacts on cultural resources. No historical, archeological, or paleontological resources have been identified within the project site in state or local registries (a, b, c, and d).

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? ■
- b. Result in substantial soil erosion or the loss of topsoil? ■
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ■
- d. Be located on expansive 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/Analysis:

The project will not directly impact geology and soils given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City's General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect geology and soil impacts due to soil erosion and topsoil losses due to grading activities associated with new development along with damage to man-made structures due to the presence of expansive soils.

An assessment on all geology and soil impacts relating to planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.8-1 to 3.8-3. Pertinent mitigating policies and implementation measures to manage citywide impacts on soil erosion and topsoil losses are outlined in the General Plan's Health and Safety Element and include: HS-2.1; HS-2.2; and HS-2.A. A more focused review of these types of impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 72 to 77. Applicable mitigation measures identified in the Specific Plan's EIR include 4.3-1, 4.3-2, 4.3-3, and 4.3-4. These documents provide reasonable assurances any potential future indirect impacts relating to soil erosion, top soil losses, and damages tied to expansive soils associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (b and d). The project site is not located within an Alquist Priolo Earthquake Fault Zone, which protects against soil liquefaction, subsidence, and landslide, nor underlain by an unstable geological unit or soil (a and c). Public sewer service is currently available and provided to the project site by NSD through an OSA (e).

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/Analysis:

The project will not directly create impacts in terms of emitting or transporting hazards or hazardous materials. The project does remove an obstacle in accommodating the future division and development of the site to potentially include up to 11 single-family lots as allowed under the City's General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts in creating, emitting, or transporting hazards or hazardous materials due to their handling during construction, such as storing diesel fuel for ancillary equipment. However, preexisting local and state regulations concerning the use and storage of these materials result in a less-than significant impact (a, b, and c). The project site is not included in a list of hazardous material sites compiled by the California Department of Toxic Substances Control, commonly known as the "Cortese List" (d). The project site is not located within a high wildland fire risk area or near a private or public airstrip or physically interfere with an adopted emergency plan (e, f, g, and h).

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-offsite? ■
- 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 storm water drainage systems to control? ■
- f. Otherwise substantially degrade water quality? ■
- g. 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? ■
- h. Place within a 100-year floodplain structures which would impede or redirect flood flows? ■
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ■
- j. Inundation by seiche, tsunami, or mudflow? ■

Discussion/Analysis:

The project will not directly or indirectly impact hydrology and water quality as it relates to violating or degrading water quality standards or waste discharge requirements (a and f). The project will also not directly or indirectly impact hydrology and water quality given it does not alter a stream or river, lie within 100 year floodplain, or located within reasonable distance of a dam or levee (c, g, h, i, and j). The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City's General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect hydrology and water quality impacts with regard to increasing groundwater withdraws, increasing surface runoff that could contribute to on or offsite flooding, and adding demands on the storm water drainage system due to the construction of impervious surfaces. An assessment on all hydrology and water quality impacts relating to planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.9-1 to 3.9-3. Pertinent mitigating policies and implementation measures to manage citywide impacts on groundwater, runoff, and storm water drainage systems are outlined in the General Plan's Natural Resources and Community Services Elements and include: NR-4.1; CS-11.1; CS-11.2; CS-11.3; CS-11.4; CS-11.5; CS-11.6; CS-11.7; and CS-11.A. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 78 to 97. Applicable mitigation measures identified in the Specific Plan's EIR include 4.4-2, 4.4-3, and 4.4-4. These documents provide reasonable assurances any potential future indirect impacts on groundwater, storm water drainage systems, and runoff tied to the project have already been adequately assessed for purposes of avoidance and mitigation, and therefore deemed less-than-significant (b, d, and e).

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/Analysis:

The project will not have direct or indirect impacts on land use planning. The project does not physically divide an established community (a). The project is consistent with the City’s land use policies as well as LAFCO’s adopted sphere of influence for NSD (b). The project does not conflict with any applicable conservation plan (c).

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/Analysis:

The project will not have direct or indirect impacts on mineral resources. There are no known mineral resources of value or locally important within the project site as delineated under the City or County General Plans (a and b).

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/Analysis:

The project will not directly create noise impacts given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts involving temporary or periodic increases in noise levels and groundborne vibrations. An assessment on all noise related impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.11-1 to 3.11-9. Pertinent mitigating policies and implementation measures to manage citywide impacts relating to noises are outlined in the General Plan’s Health and Safety Element and include: HS-9.1; HS-9.2; HS-9.3; HS-9.4; HS-9.5; HS-9.6; HS-9.7; HS-9.8; HS-9.9; HS-9.10; HS-9.11; HS-9.12; HS-9.13; HS-9.14; HS-9.A; and HS-9.B. A more focused review of these impacts relating to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 152 to 167. Applicable mitigation measures

identified in the Specific Plan's EIR include 4.8-3. These documents provide reasonable assurances any potential future indirect impacts on creating noises and groundborne vibrations associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, and d). The project site is surrounded by existing urban uses with typical residential noise environment, and therefore potential new permanent noises associated with its development would be considered non-substantial (c). The project is not located within an airport land use plan or in the vicinity of a private airstrip, and thereby negating any potential direct or indirect noises associated with aircraft (e and f).

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/Analysis:

The project will not directly create impacts on population and housing given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts in terms of fostering new growth. An assessment on growth impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.2-1 to 3.2-8. Pertinent mitigating policies and implementation measures to manage growth impacts are outlined throughout the General Plan’s Land Use and Housing Elements. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 59 to 67, which does not identify any needed applicable mitigation measures. These documents provide reasonable assurances any potential future indirect impacts on growth associated with the project have been adequately assessed for purposes of mitigation, and therefore deemed less than significant (a). There is no evidence to suggest the project will directly or indirectly displace substantial numbers of existing housing or people either in the short or long term (b and c).

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/Analysis:

The project will not directly create impacts on public services given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts on public fire, police, schools, park, and emergency medical services. An assessment on public service impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.4-1 to 3.4-17. Pertinent mitigating policies and implementation measures to manage impacts on these public services are outlined in the General Plan’s Community Services Element and include: CS-1.1 through CS-1.7; CS-1.A through CS-1.B; CS-2.1 through CS-2.2; CS-3.1 through CS-3.3; CS-4.1 through CS-4.4; CS-4.A through CS-4.D; CS-5.1 through CS-5.8; CS-5.A through CS-5.C; CS-6.1 through CS-6.8; CS-6.A through CS-6.B; CS-7.1 through CS-7.5; CS-7.A; CS-8.1 through CS-8.3; CS-9.1 through CS-9.9; CS-9.A; CS-10.1 through CS-10.3. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 168 to 196. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.9-1, 4.9-2, 4.9-3, 4.9-4, 4.9-5, 4.9-6, and 4.9-12. These documents provide reasonable assurances any potential future indirect impacts on these public services associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, d, and e).

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/Analysis:

The project will not directly impact recreational resources given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts on recreational resources in terms of increasing the use of existing parks and related facilities. An assessment on all recreational related impacts associated with planned citywide development was addressed in the City General Plan’s Parks and Recreation Element FEIR. Pertinent mitigating policies and implementation measures to manage citywide impacts on existing parks and related facilities are outlined in the General Plan’s Parks and Resources Element and include: PR-1.1 through PR-1.24; PR-1.A through PR-1.G; PR-2.1 through PR-2.15; PR-2.A through PR-2.D; PR-3.1 through PR-3.11; PR-3.A; PR-4.1 through PR-4.17; PR-4.A through PR-4.C; PR-5.1 through PR-5.19; PR-5.A; PR-7.1 through PR-7.10; and PR-7.A through PR-7.C. No specific significant impacts on existing parks and related facilities concerning the future development of the project site and surrounding area were identified in the FEIR prepared for the Big Ranch Road Specific Plan. These documents provide reasonable assurances any potential future indirect impacts on parks and related facilities associated with the project have been already adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a). The project does not include any recreational facilities nor would it require construction or expansion of existing facilities (b).

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? ■
- 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? ■
- e. Result in inadequate emergency access? ■
- f. Result in inadequate parking capacity? ■
- g. Conflict with adopted policies supporting alternative transportation? ■

Discussion/Analysis:

The project will not directly impact transportation or traffic given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City’s General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect impacts on roadway traffic in terms of increasing vehicle trips to and from the site over current conditions. An assessment on all transportation and traffic impacts relating to planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.3-1 to 3.3-15. Pertinent mitigating policies and implementation measures to manage citywide impacts on traffic trips and capacities as well as parking capacity are outlined in the General Plan’s Transportation Element and include: T-1.1 through T-1.11; T-1.B through T-1.E; T-1.G; T-2.1 through T-2.7; T-4.1 through T-4.5; and T-4.A through T-4.C. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 115 to 139. No applicable mitigation measures are identified in the Specific Plan’s EIR relative to the project site. These documents provide reasonable assurances any potential future indirect impacts on vehicle trips associated with the project have been already adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a). The

project would not result in traffic volumes exceeding the current level of service standard for nearby roads nor alter air tariff patterns (b and c). The project would not directly or indirectly create a design hazard, impede emergency access, generate inadequate parking capacity, or conflict with any policies promoting alternative transportation given the site is located within an existing urbanized area (d, e, f, and g).

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/Analysis:

The project will not directly impact water, sewer, and solid waste service utilities given no substantive physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to potentially include a total of 11 single-family lots as allowed under the City's General Plan and Zoning Ordinance. This accommodation highlights the potential the project may create future indirect and cumulative impacts on water, sewer, solid waste, and storm drainage service utilities in terms of increasing uses. An assessment on water, sewer, and solid waste service utility impacts relating to planned citywide development have been addressed in the FEIR prepared for the City General Plan on pages 3.4-2 through 3.4-15. An assessment on impacts on

storm drainage service relating to planned citywide growth and development is addressed on pages 3.9-1 to 3.9-3 in the FEIR. Pertinent mitigating policies and implementation measures to manage impacts on water, sewer, solid waste, and storm drainage service utilities are outlined in the General Plan's Community Service Element and include: CS-9.1 through CS-9.10; CS-9.A; CS-10.1 through CS-10.3; CS-11.1 through CS-11.9; CS-11.A; CS-12.1 through CS-12.2; and CS-12.A. A more focused review of these impacts as it relates to the future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 78 to 97 and 168 to 184. Applicable mitigation measures identified in the Specific Plan's EIR include 4.4-2, 4.4-3, 4.4-4, 4.9-1, 4.9-2, 4.9-4, 4.9-5, 4.9-6, 4.9-7, and 4.9-8. Further, NSD also has prepared a recent master plan to inform current and future capital improvement planning activities through 2030, which markedly contemplates serving the project site at its maximum assigned densities allowed under the City General Plan. These documents provide reasonable assurances any potential indirect impacts on the referenced service utilities tied to the project have been adequately assessed for purposes of avoidance, mitigation, and accommodation, and therefore deemed less-than-significant (a, b, c, d, e, f, and g).

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 major periods of state history or prehistory? ■
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ■
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ■

Discussion/Analysis:

The project will not have direct or indirect impacts on biological resources, such as fish or wildlife species, as analyzed on page eight of this initial study. The potential future development of the project site may result in individually limited impacts on humans as well as on aesthetics, air quality, biological resources, hydrology, noise, population, public services, recreation, traffic, and utilities. These individual impacts would not be substantial or cumulatively considerable given any future development of the project site will need to comply with previously approved mitigating policies and programs of the City as the legal land use authority, and therefore result in de minimis contributions (a, b, and c).

SOURCES

Documents

- City of Napa, *General Plan Policy Document*, December 1998
- City of Napa, *General Plan Final Environmental Impact Report*, December 1998
- City of Napa, *Parks and Recreation Element Final Environmental Impact Report*, October 1993
- City of Napa, *Big Ranch Road Specific Plan*, August 1996
- City of Napa, *Big Ranch Road Specific Plan Final Environmental Impact Report*, August 1996
- City of Napa, Municipal Code: Section 17.08, *Residential Zoning Districts*, 2008
- City of Napa, *Combined Historic Resources List*, January 2000
- County of Napa, *Napa County Baseline Data Report*, November 2005
- LAFCO of Napa County, *Sphere of Influence Update: Napa Sanitation District*, August 2006
- LAFCO of Napa County, *Municipal Service Review and Sphere of Influence Update of the City of Napa*, June 2005
- LAFCO of Napa County, *Comprehensive Study of Sanitation and Wastewater Treatment Providers*, 2005-2006
- Bay Area Air Quality Management District, *CEQA Guidelines*, Prepared December 1999
- State of California, Natural Resources Agency, *Napa County Important Farmland Map*, 2010.

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

Websites

- State of California: California Environmental Resources Evaluation System; Environmental Information by Geographic Area; Napa County; Historical and Cultural Resources: "California Historical Landmarks in Napa County," http://ceres.ca.gov/geo_area/counties/Napa/landmarks.html
- State of California: California Environmental Protection Agency; Cortese List of Hazardous Material Sites, <http://www.calepa.ca.gov/sitecleanup/corteselist/default.htm>
- State of California: California Geological Survey; Alquist-Priolo Earthquake Fault Zones; <http://www.consrv.ca.gov/CGS/rghm/ap/index.htm>
- County of Napa GIS Parcel Mapping application <http://2kgisweb/gisweb/InteractiveMap3.asp>

- State of California: Department of Fish and Game, California Natural Diversity Database <http://www.dfg.ca.gov/biogeodata/cnddb/> (Accessed through County of Napa)
- State of California: Department of Toxic Substances Control, Toxic Substance Database <http://www.dtsc.ca.gov>
- State of California: Department of Toxic Substances Control, Cortese Hazardous Waste and Substances Sites List Database <http://www.envirostor.dtsc.ca.gov>
- State of California: State Water Resources Control Board, GeoTracker Database <http://www.geotracker.swrcb.ca.gov>
- State of California: Department of Resources Recycling and Recovery, Solid Waste Information System Database <http://www.calrecycle.ca.gov>

RESOLUTION NO. _____

**RESOLUTION OF THE
LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS AND
ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**GARFIELD LANE NO. 2 ANNEXATION TO THE
NAPA SANITATION DISTRICT**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, an application by Ralph Lippert, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Commission’s Executive Officer, hereinafter referred to as “Executive Officer,” in a manner provided by law; and

WHEREAS, the Executive Officer has assigned the said annexation proposal the short-term designation of Garfield Lane No. 2 Annexation to the Napa Sanitation District; and

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

WHEREAS, the Commission has determined that, pursuant to CEQA, it is the lead agency for the proposed annexation, hereinafter referred to as the “project”; and

WHEREAS, in accordance with Title 22 of 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 October 3, 2011 to consider the initial study and has determined that 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 has read and considered the Executive Officer’s report and initial study prepared for the project in accordance with the provisions of CEQA.

2. The Commission finds the initial study shows there is no substantial evidence in the record as a whole the project shall have any significant environmental impact given existing mitigation measures adopted by the City of Napa as the affected land use authority. The Commission therefore adopts each of the environmental findings set forth in the initial study and finds there is no significant impact on the environment that will result from the project.
3. The Commission hereby adopts a negative declaration for the project and finds this is based on its independent judgment and analysis.
4. The Executive Officer is the custodian of the records of these environmental proceedings on which this determination is based. The records upon which these findings and determination are made are located at the office of the Commission at 1700 Second Street, Suite 268, Napa, California.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on October 3, 2011, 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

GARFIELD LANE NO. 2 ANNEXATION TO THE
NAPA SANITATION DISTRICT

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, an application by Ralph Lippert, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Commission’s Executive Officer, hereinafter referred to as “Executive Officer,” in a manner provided by law; and

WHEREAS, the Executive Officer reviewed said proposal and prepared a written report, including his recommendations thereon; and

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

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

WHEREAS, the Commission considered all the factors required by law under Section 56668 of the California Government Code; and

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

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

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act, the Commission determined there to be no significant effect to the environment from the proposed annexation and adopted a negative declaration concerning this project at a hearing held on October 3, 2011.

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

1. The proposal is APPROVED.
2. This proposal is assigned the following distinctive short-term designation:

**GARFIELD LANE NO. 2 ANNEXATION TO THE
NAPA SANITATION DISTRICT**

3. The affected territory is shown on the attached map and is more precisely described in the attached Exhibit "A".
4. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
5. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
6. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
7. The proposal shall be subject to the terms and conditions specified in the attached Exhibit "B."
8. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56663(c).
9. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.
 - (c) An indemnification agreement signed by the landowner in a form provided by Commission Counsel.
 - (d) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" have been satisfied.
10. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the October 3, 2011, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

June 22, 2011
#11-06-029

EXHIBIT "A"
GARFIELD LANE NO. 2
ANNEXATION TO NAPA SANITATION DISTRICT
GEOGRAPHIC DESCRIPTION

(This annexation territory located within the Napa Rancho, City of Napa)

Beginning at the Southeast corner of the existing 20' wide section of Garfield Lane District Annexation, Recorded September 27, 2001 in Document No. 2001-0033640, filed in the Office of the Napa County Recorder, said point being on the Northwesterly right of way line of Garfield Lane;

thence (1) N 32° 13' 30" W, 416.0 feet along Garfield Lane Annexation to the Northwest corner of the existing District boundary;

thence (2) N 58° 01' 04" E, 140.0 feet along said existing District boundary to the Northeast corner of the existing Garfield Lane Annexation;

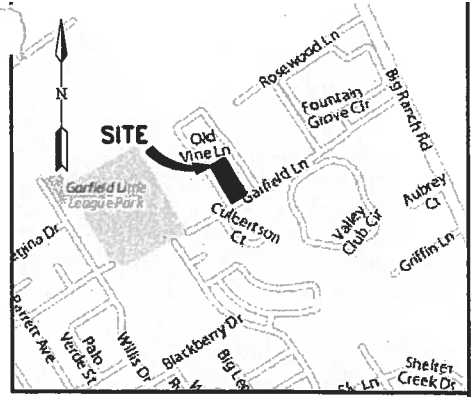
thence (3) S 32° 13' 30" E, 416.0 feet along said existing District boundary to the Southeast corner of the existing District boundary on the Northwesterly right of way line of Garfield Lane;

thence (4) S 58° 00' 30" W, 140.0 feet along Garfield Lane to the **POINT OF BEGINNING** and containing 1.33 acres, more or less.

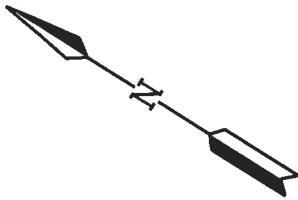
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

DISCLAIMER:

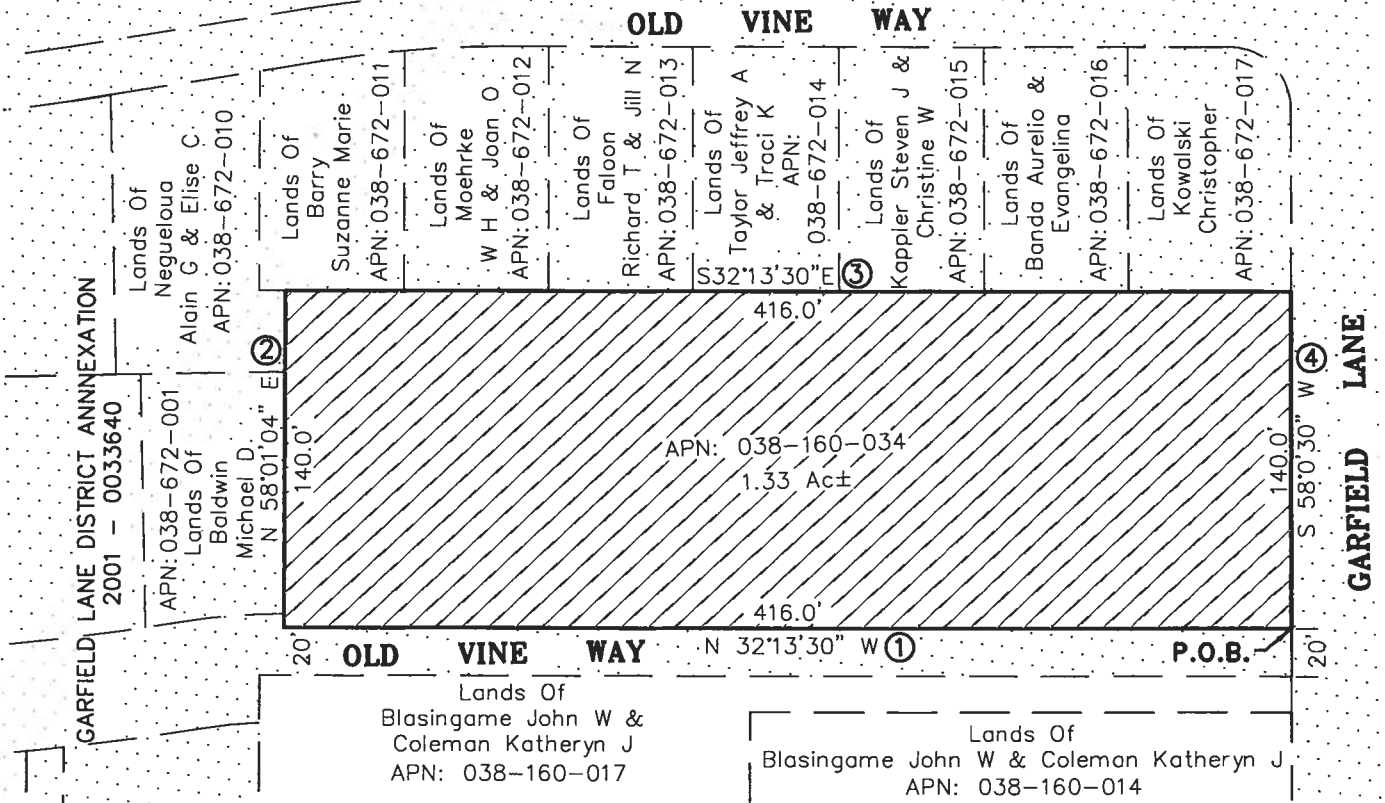
For assessment purposes only. This description of land is not a legal property description as defined by the Subdivision Map Act and may not be used as the basis for a sale of the land described.



VICINITY MAP
NO SCALE



GARFIELD LANE DISTRICT ANNEXATION 2001 - 0033640



GRAPHIC SCALE



(IN FEET)
1 inch = 80 ft.

LEGEND

- DENOTES AREA TO BE ANNEXED
- DENOTES EXISTING NAPA SANITATION DISTRICT BOUNDARY
- N.S.D. NAPA SANITATION DISTRICT
- P.O.B. POINT OF BEGINNING
- ① COURSE NUMBER

APPLICANT

Ralph Lippert
48 Garfield Lane
Napa, CA 94558
TEL #: (707) 224-8710

BEING A PORTION OF NAPA RANCHO

EXHIBIT A

GARFIELD LANE, NO.2

ANNEXATION TO THE NAPA SANITATION DISTRICT



CHAUDHARY & ASSOCIATES, INC.
ENGINEERS SURVEYORS INSPECTORS

851 NAPA VALLEY CORPORATE WAY, SUITE G
NAPA, CALIFORNIA 94558
Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM
June 22, 2011

EXHIBIT "B"

TERMS AND CONDITIONS

48 GARFIELD LANE DISTRICT ANNEXATION – 2011-1

1. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land with the Territory, shall be subject to the jurisdiction of the Napa Sanitation District, hereinafter referred to as "the District"; shall have the same rights and duties as if the Territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized by thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
2. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended.
3. The property owner shall file with LAFCO a check in the amount of \$350.00 made payable to the State Board of Equalization.
4. The property owner shall pay to the Napa County Assessor's Office a Mapping Services Fee of \$125.00.
5. The property owner shall eliminate the privately owned sewage disposal system located on the subject property property to the Napa County Division of Environmental Health requirements.
6. The property owner shall comply with the conditions of the Outside Service Agreement (OSA) between the owner and the District dated July 11, 2011. The District collected a capacity charge, inspection fee, and District annexation fee from the owner on July 11, 2011. The OSA will become void upon completion of the annexation of the parcel into the District boundary.
7. The property owner shall agree to conditions 1, 2, 5 and 6 and fulfill conditions 3 and 4 prior to the District's issuance of a letter to LAFCO authorizing recordation of subject annexation, and in no case more than 1 year after LAFCO's adoption of a resolution approving subject annexation, unless extended by LAFCO. Any extensions granted shall in total not exceed 1 year.