



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

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**April 2, 2012**

**Agenda Item No. 6d (Public Hearing)**

March 26, 2012

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer  
Brendon Freeman, Analyst

**SUBJECT: Rosewood Lane No. 1 Reorganization**

The Commission will consider a proposal from a landowner to annex approximately 1.05 acres of unincorporated territory to the Napa Sanitation District. The affected territory includes a single-family residence located at 1430 Rosewood Lane and an adjacent right-of-way segment. Staff recommends approval of the proposal with two amendments to require concurrent (a) annexation to the City of Napa and (b) detachment from County Service Area No. 4. Staff also recommends the adoption of a negative declaration consistent with an initial study prepared in accordance with the California Environmental Quality Act.

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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. Two or more of these actions in a single proposal are referred to as a reorganization. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as the latter does not directly regulate land uses or subdivision requirements.

**A. Discussion**

*Applicant Proposal*

LAFCO of Napa County (“Commission”) has received a proposal from landowner Ralph Melligio requesting the annexation of approximately 1.05 acres of unincorporated territory to the Napa Sanitation District (NSD). The affected territory comprises a single-family residence located at 1430 Rosewood Lane and an adjacent right-of-way segment. The County of Napa’s Assessor’s Office identifies the residential parcel as 038-160-030. The affected territory is located within NSD’s sphere of influence.

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Lewis Chilton, Chair  
Councilmember, Town of Yountville

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

Brian J. Kelly, Commissioner  
Representative of the General Public

Joan Bennett, Commissioner  
Councilmember, City of American Canyon

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

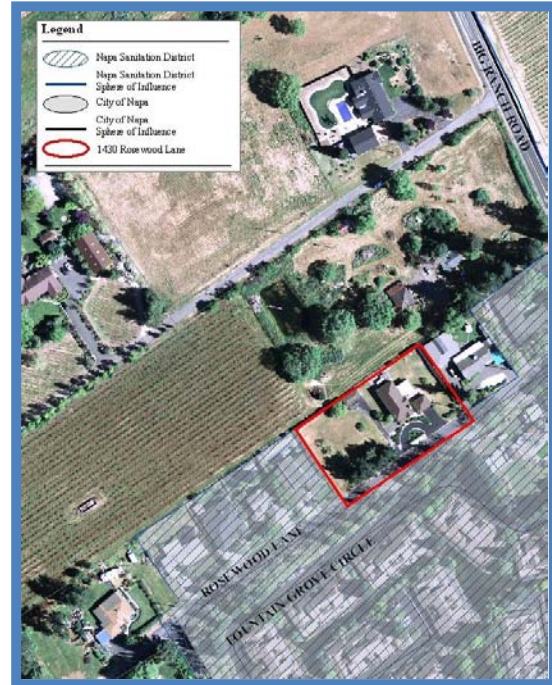
Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

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

Keene Simonds  
*Executive Officer*

The underlying and immediate purpose of the proposal is to provide permanent public sewer service to the affected territory. As detailed in the following sections, the single-family residence occupying the affected territory currently receives public sewer service from NSD through a temporary outside service extension that was approved on an emergency basis by the Chair on November 14, 2011 in response to a failing septic system. (The Commission formally ratified the Chair's approval at the December meeting.) Markedly, consistent with practice, the Chair's approval was conditioned on the landowner first submitting an application to annex the entire residential parcel to NSD; a condition satisfied on November 16, 2011. The temporary outside service extension expires on September 1, 2012.



### ***Possible Amendments to Proposal***

In reviewing the application materials, and in consideration of adopted policies, staff has identified and evaluated the merits of three possible amendments to the proposal for Commission consideration. Two of these three possible amendments – concurrent annexation to the City of Napa (“Napa”) and concurrent detachment from County Service Area (CSA) No. 4 – are recommended. The third possible amendment – expanding the proposal boundary to include a neighboring parcel to the east – is not recommended. Expanded justifications for the preceding amendment recommendations follow.

### ***Recommended: Concurrent Annexation to the City of Napa***

It is the policy of the Commission to require all annexations to NSD be reorganized to include concurrent annexation to Napa if the affected territory lies within the City's adopted sphere of influence unless waived based on local circumstances.<sup>1</sup> Staff has evaluated this policy in consultation with the landowner and affected agencies and believes its application to the proposal is appropriate. Specifically, the affected territory is located within a developing area of Napa and already surrounded on two sides by the City's incorporated boundary. Access to the affected territory, further, is entirely dependent on Napa roads.

<sup>1</sup> Commission General Policy Determination VII/D/1/(a).

***Recommended: Concurrent Detachment from County Service Area No. 4***

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In step with the preceding recommended amendment, it is the policy of the Commission to require all annexations to cities be reorganized to include concurrent detachment from CSA No. 4 unless waived based on specific circumstances.<sup>2 3</sup> The prescribed waiver involves a determination the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size. Staff has evaluated this policy in consultation with the landowner and concludes the waiver does not apply give there is no indication the land has or will be used in the future for vineyard use; all of which substantiates there is no existing or expected connection between the affected territory and CSA No. 4's role in providing public farmworker housing services in Napa County.

***Not Recommended: Expand Proposal Boundary to Include Additional Territory***

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The annexation of the affected territory alone would leave one remaining residential parcel located on Rosewood Lane outside both NSD and Napa. Expanding the proposal boundary, accordingly, to include this remaining residential parcel sited at 1438 Rosewood Lane would provide a more logical boundary for both NSD and Napa as well as facilitate the orderly extension of municipal services to a developing area. With this premise in mind, staff contacted 1438 Rosewood Lane's landowners (Bourbin) to discuss the submitted proposal and assess their interest in joining all or parts of the recommended reorganization. The Bourbins responded to staff by noting their opposition to joining the recommended reorganization given they do not perceive any benefits based on their current and planned uses of the property. The Bourbins' opposition is significant for both political and procedural reasons given the Commission's reluctance to "force" annexations upon non-consenting landowners or residents as well as interest in avoiding the triggering of successful protest proceedings. Markedly, to the latter point, the protest vote that would be triggered by adding 1438 Rosewood Lane against the Bourbins' consent would be based on current assessed value of the two affected properties. The assessed value of 1438 Rosewood Lane is greater than the assessed value of 1430 Rosewood Lane. Accordingly, adding 1438 Rosewood Lane to the recommended reorganization would effectively terminate the proceedings and is therefore not recommended.

Additionally, in the course of processing the proposal, staff was contacted by the adjacent landowner immediately to the north of the affected territory at 2275 Big Ranch Road (Mueller). This adjacent property is approximately 10 acres in size and includes a commercial vineyard along with a single-family residence. Mueller is interested in annexing his property into Napa for purposes of estate planning and inquired with staff regarding the possibility of joining the application before the Commission. Staff responded to Mueller by noting his property alone could not be

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<sup>2</sup> CSA No. 4 was formed in 2002 and includes all unincorporated territory along with certain incorporated territory located within the Cities of Calistoga, Napa, St. Helena, and Yountville. The intent and function of CSA No. 4 is to sponsor a voter-approved assessment on all assessor parcels within its jurisdiction containing one acre or more of planted vineyards for the purpose of funding farmworker housing services.

<sup>3</sup> Commission General Policy Determination VII/D/3(a).

easily added to the proposal given it would create two separate and entirely surrounded islands whose landowners are not interested in annexation. Staff also noted the commercial vineyard on the property would necessitate an expanded review to assess potential impacts. Mueller responded to these inputs by submitting a letter to the Commission formalizing his interest in working with staff on addressing these and other related issues with the goal of annexing his property in the near future.

## B. 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 or subdivision requirements. 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*

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

An evaluation of the factors mandated for review as it relates to the proposal follows. This includes incorporating into the evaluation the two recommended amendments outlined in the preceding section that would result in three total and separate actions involving the affected territory: (a) annexation to NSD, (b) annexation to Napa, and (c) detachment from CSA No. 4.

#### **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-fourth of the affected territory is currently developed. Anchoring the developed portion is an approximate 2,170 square foot single-family residence. This residence includes four bedrooms and was originally built in 1916 and later moved to its current location in 1969. Other existing structures include a 600 square foot detached two-car garage and a 420 square foot detached storage shed. The remaining portion of the affected territory is divided between natural vegetation and a public right-of-way segment.



The affected territory is legally uninhabited given the applicant landowner is the only resident at this time. The subject residential parcel has been in the landowner's family for several decades and the current assessed value – structures and land – totals \$69,672. Topography within the affected territory is relatively flat with a peak terrain point at 55 feet above sea-level. Salvador Creek is the closest waterway and is located approximately 1,700 feet to the southwest.

Development potential within the affected territory is effectively prohibited under the County General Plan and Zoning Ordinance; only minor modifications to the existing structures may be allowed. The recommended amendment to the proposal to include the concurrent annexation to Napa would allow – subject to a separate approval process – the affected territory to be further divided into a total of four residential lots with an estimated population of 10 at buildout.<sup>4</sup>

Development potential adjacent to the affected territory is limited to the unincorporated lands that lie immediately to the east and north with the former consisting of a single-family residence and the latter consisting mostly of a commercial vineyard. Similar unincorporated uses are located further north of the affected territory along Big Ranch Road, which is also located within NSD and Napa's sphere of influence. It is reasonable to assume, and irrespective of the proposal and recommended amendments, these adjacent unincorporated lands will eventually be annexed and developed into NSD and Napa given growth trends in the Big Ranch Road area. The remaining adjacent lands to the west and south of the affected territory are already incorporated and substantially developed with moderate residential uses and highlighted by the recent construction of the "Willowbrook" subdivision to the immediate south.

**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 elevated municipal services within the affected territory is limited to public sewer for the existing single-family residence located at 1430 Rosewood Lane. This residence is currently receiving public sewer from NSD through a temporary outside service agreement, which was initially approved by the Chair in November 2011 in response to the home's septic system failing. The outside service agreement expires September 1, 2012. Annexation to NSD would provide permanent public sewer to the affected territory going forward.

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<sup>4</sup> 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.



Other elevated municipal services may also be needed in the near future as a result of the recommended amendment to concurrently annex the affected territory into Napa; an action that would presumably facilitate the eventual development of four total lots. Most notably, and in addition to sewer, this includes elevated water, fire protection/emergency medical, and law enforcement. An analysis of the availability and adequacy of these core municipal services needed to accommodate and support current and probable future needs if the recommended amendment to concurrently annex into Napa is approved follows.

**Sewer Service**

The affected territory currently receives sewer service from NSD through a temporary outside service agreement. It is estimated the current daily sewer flow generated from the affected territory is 210 gallons on average and increases by two and one-half to 525 gallons during peak periods. These current flow estimates represent less than one one-hundredth of a percent of NSD’s current system demand. Furthermore, if developed to its maximum allowance under Napa’s General Plan and Zoning Ordinance, the estimated daily sewer flows would only increase to 840 gallons on average and 2,100 gallons during peak periods. These buildout estimates would have negligible impacts on NSD’s sewer system as depicted in the following table.

Sewer Comparables	Average Day	Peak Day
Systemwide Flows: Baseline @ Affected Territory	6,700,200	33,700,500
Systemwide Flows: Buildout @ Affected Territory	6,701,040	33,702,600
Systemwide Capacity	15,400,000	126,200,000

- \* Assumes the buildout of the affected territory will result in four total single-family residences with combined average and peak day demands at 840 and 2,100 gallons, respectively.
- \* Capacity during peak-day incorporates 340 acre-feet of adjacent pond storage.

**Water Service**

The affected territory is currently dependent on groundwater accessed through a private onsite well. It is estimated the daily groundwater demand for the affected territory currently averages 250 gallons; an amount that appears adequately accommodated by the private well based on landowner input. If developed to its maximum allowance under Napa’s General Plan and Zoning Ordinance, the estimated daily average water demand at buildout – and assuming current usage patterns – would increase to 1,000 gallons.<sup>5</sup> These buildout estimates would have negligible impacts to Napa’s existing water system infrastructure as measured by supply, storage, and treatment capacities as depicted in the following subsections.

<sup>5</sup> This projected daily water demand would be the equivalent of 1.1 acre-feet per year.

### **Water Supply and Demand**

Napa’s water supplies are derived from three distinct sources: Lake Hennessey, Milliken Reservoir, and the State Water Project. These three sources collectively provide Napa with 31,340 acre-feet of raw water for treatment during normal year conditions based on historical patterns. These historical patterns also indicate Napa’s annual water supply decreases during multiple and single dry year conditions to 19,896 and 13,533 acre-feet, respectively. Conversely, Napa’s most recently recorded annual water demand totals 13,877 acre-feet; an amount representing an average daily use of 38 acre-feet. These current demands result in an available supply surplus during normal and multiple dry year conditions. Further, the existing shortfall projected during single dry years is relatively minimal and would be likely offset by voluntary and mandatory water conservation measures that could be adopted by the City Council consistent with their Urban Water Management Plan (UWMP).

#### **Baseline Conditions Without Annexation of the Affected Territory (Amounts in Acre-Feet)**

<b>Category</b>	<b>Normal</b>	<b>Multiple Dry Year</b>	<b>Single Dry Year</b>
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

#### **Adjusted Conditions With Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)**

<b>Category</b>	<b>Normal</b>	<b>Single Dry Year</b>	<b>Multiple Dry Year</b>
Annual Supply	31,340	19,896	13,533
Annual Demand	13,878	13,878	13,878
Difference	17,462	6,018	(345)

### **Water Treatment and Storage**

Napa operates treatment facilities for each of its three water sources. These three facilities provide a combined daily treatment capacity of 135 acre-feet.<sup>6</sup> This combined treatment amount is more than three times greater than the current average day water demand (38 acre-feet) and nearly two times greater than the current estimated peak day water demand (76 acre-feet).<sup>7</sup> Furthermore, Napa’s combined treated water storage capacity overlaying its five pressure zones – including clearwell tanks – is 86 acre-feet. This combined storage amount accommodates current estimated peak day water demands in Napa.

<sup>6</sup> The combined daily treatment capacity for Napa is divided between the Milliken facility at 4.0, Jamieson facility at 20.0, and Hennessey facility at 20.0 million gallons, respectively.

<sup>7</sup> Based on recent usage records, the estimated peak day demand factor for Napa is 2.0.

Baseline Conditions <u>Without</u> Annexation of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

Adjusted Conditions <u>With</u> Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

**Fire Protection and Emergency Medical Service**

The County is currently the legal entity responsible for providing fire protection and emergency medical services to the affected territory. However, given the affected territory is located within a residential area surrounded on two sides by the incorporated boundary, Napa is already the probable first-responder for fire protection and emergency medical service calls based on an established mutual aid agreement with the County. Annexation to Napa would eliminate any duplication and related inefficiencies associated with the City providing fire protection and emergency medical services to the affected territory. Furthermore, the Commission’s municipal service review on countywide fire protection services noted Napa has generally developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also noted no service deficiencies within the area surrounding the affected territory.

**Law Enforcement Service**

The County is currently the legal entity responsible for providing law enforcement services to the affected territory. The affected territory’s proximity to Napa, however and similar to fire protection, suggests the City is already the probable first-responder for emergency law enforcement service calls based on an established mutual aid agreement with the County. Annexation to Napa would eliminate any duplication and related inefficiencies associated with the City already providing law enforcement services to the affected territory. The Commission’s current municipal service review on countywide law enforcement services also notes Napa has developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.



**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 applicant's proposal to annex the affected territory to NSD would recognize and strengthen existing social and economic ties with the District. These ties were established in 1975 when the Commission included the affected territory in NSD's sphere of influence; an action marking a clear expectation the site would eventually develop for urban type uses and require public sewer from the region's sole service provider. These ties were further formalized in late 2011 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.

The recommendation to amend the proposal to include concurrent annexation to Napa would similarly recognize and strengthen existing social and economic ties between the affected territory and the City. Specifically, the affected territory was included in Napa's original urban limit line established in 1975 by the City Council and later added to the City's sphere of influence by the Commission in 1979. The Commission has also continued to include additional lands north of the affected territory into Napa's sphere of influence in step with recognizing and supporting the planned urban development of the Big Ranch Road area.

Additionally, the recommendation to amend the proposal to concurrently detach the affected territory from CSA No. 4 does not conflict with any existing social and economic ties involving the District. The detachment, in particular, would support CSA No. 4's logical development by removing incorporated land designated for urban use that does not have an economic or social tie to the District's role in funding public farmworker housing services by taxing vineyards.

**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 applicant's proposal to annex the affected territory to NSD is generally consistent with Commission policies. This includes the affected territory lying entirely within NSD's sphere of influence; a demarcation outlining the probable future service area and jurisdictional boundary of the District as deemed appropriate by the Commission. The recommendation to amend the proposal to include the concurrent annexation of the affected territory to Napa is also generally consistent with Commission policy and supports the streamlining of governmental services to areas deemed appropriate for urban development.

One notable exception to the preceding comments relates to an inconsistency with the Commission's policy regarding the timing of urban development and the recommended amendment to include concurrent annexation to Napa. In particular, if the referenced amendment is approved, the Commission would be annexing underdeveloped land to Napa without a known project or development agreement, which is inconsistent with agency policies aimed at aligning city/district annexations of underutilized land with known development activities. Staff believes it would be appropriate, nonetheless, to waive this policy and approve the recommended amendment in deference to streamlining the extension of governmental services to an urbanizing area that is already partially surrounded by Napa and entirely dependent on City roads.

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.

**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.**

The applicant's proposal to annex the affected territory to NSD is accompanied by a draft map and geographic description of the site. These draft documents have been prepared by a licensed surveyor and accurately depict the affected territory to include one entire legal parcel identified by the County Assessor's Office as 038-160-030 and the adjacent right-of-way segment of Rosewood Lane. The affected territory does not split any lines of assessment.

The recommendation to amend the proposal to include the concurrent annexation of the affected territory to Napa would create a substantially surrounded island immediately to the east comprising 1438 Rosewood Lane.<sup>8</sup> As discussed in the preceding section, the landowners for this property oppose joining the recommended reorganization. Importantly, given the calculation of protest proceedings, adding 1438 Rosewood Lane against the landowners' consent would

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<sup>8</sup> The Commission defines "substantially surrounded" to mean the subject territory lies within the affected city's sphere of influence and is surrounded by no less than 66.6% by the city.

effectively terminate the proceedings as a whole. Accordingly, staff believes it is appropriate to proceed with the recommended amendment irrespective of the creation of a substantially surrounded island.

Commission approval would include a standard term requiring the applicant submit a final map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. This would include – if approved – incorporating changes tied to the recommend amendments and subject to Executive Officer review and approval.

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

The affected territory is consistently planned for urban residential uses under both the County and Napa General Plans. The County designates the affected territory as *Cities* with an overlay zoning standard of *Urban Reserve*. This overlay zoning standard specifies any new development shall be contingent on first annexing to the respective city. Napa designates the affected territory as *Single-Family Residential – 33E* with a rezoning standard of *Residential Single – 10*. More specific residential design and development standards for the affected territory are further outlined in Napa’s Big Ranch Specific Plan.

The Metropolitan Transportation Commission’s regional transportation plan (RTP) was updated in April 2009 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2035. No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

See analysis on page nine.

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

Staff electronically circulated a summary of the applicant’s proposal to annex the affected territory to NSD along with accompanying materials for review to all subject local agencies on December 2, 2011. The summary also noted the likelihood staff would recommend amending the proposal to include the concurrent annexation of the affected territory to Napa and concurrent detachment from CSA No. 4. 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.”
- **City of Napa**  
Napa’s Community Development Department has provided support for amending the proposal to include the concurrent annexation of the affected territory to the City. No special approval conditions were requested.

**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.**

NSD and Napa – the two affected agencies that would be responsible for serving the affected territory if the recommended amendment to the proposal is approved – appear to have established adequate financial controls and capacities relative to accommodating new demands tied to the reorganization. This statement is drawn from information collected from recent municipal service reviews prepared on each agency along with additional documentation collected and analyzed subsequent to the filing of the applicant’s proposal. Summaries on both agencies’ current financial standing follow.

- **Napa Sanitation District**  
NSD’s current operating budget is \$19.5 million. NSD anticipates collecting \$19.1 million in general revenues resulting in an operating shortfall of \$0.4 million. NSD’s unrestricted fund balance as of the beginning of the fiscal year totaled \$9.0 million. This balance is sufficient to cover over five months of operating expenses. Furthermore, and in contrast to Napa, NSD operates entirely as an enterprise agency and is expected to fully recover its maintenance and operating costs through two user charges: (a) connection and (b) usage. 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. Importantly, the landowner for the affected territory has already paid a connection fee as a result of the earlier outsider service extension along with a prorated usage charge for 2011.<sup>9</sup>

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<sup>9</sup> NSD collects its usage charge annually through property tax bills.

- **City of Napa**

Napa's current operating budget is \$62.4 million. Napa anticipates collecting \$58.1 million in general revenues resulting in an operating shortfall of \$4.3 million. Napa's unrestricted fund balance as of the beginning of the fiscal year totaled \$11.0 million. This balance is sufficient to cover two months of operating expenses.

The recommendation to amend the proposal to also include concurrent detachment from CSA No. 4 will not have any financial impact given the affected territory is not part of the District's special assessment on vineyard properties.

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

The affected territory currently receives groundwater from an onsite private well. It is estimated the affected territory's current groundwater demand is approximately 250 gallons per day and is equivalent to 0.3 acre-feet annually. Importantly, the applicant's proposal to annex the affected territory to NSD would not measurably impact existing groundwater demands. However, the recommendation to amend the proposal to include the concurrent annexation to Napa would presumably and eventually lead to a water demand increase given it would facilitate the future opportunity to further divide and develop the site into a total of four residential lots as allowed under Napa's General Plan and Zoning Ordinance. This potential buildout would increase the annual water demand within the affected territory to an estimated 1.1 acre-feet. It is also reasonable to assume any new development would require connection to Napa's potable water system in order to satisfy recently updated fire-flow standards.

Napa's available water supplies are drawn from three separate sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. Napa's most recent UWMP was adopted in 2011 and estimates the City's total annual water supply generated from these three sources during normal conditions and based on historical patterns is 31,340 acre-feet. These historical patterns also indicate the total annual water supply decreases to 19,896 and 13,533 acre-feet during multiple and single dry year conditions, respectively. Accordingly, Napa's available water supplies are more than sufficient in accommodating both current annual demands – 13,877 acre-feet – and the projected buildout demands within the affected territory – 1.1 acre-feet – during normal and multiple dry year conditions. Napa's available water supplies, however, are deficient under current estimated single dry years; a deficit that would be insignificantly increased with the amendment approval to concurrently annex the affected territory to the City and its contemplated buildout. Napa, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These efforts provide reasonable assurances of Napa's ability to accommodate water demands with the minimal increases tied to the affected territory in accordance with G.C. Section 65352.5.

- 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 of Chapter 3 of Division 1 of Title 7.**

Neither the applicant's proposal to annex the affected territory to NSD or the recommendation to amend the action to include concurrent annexation to Napa would impact local agencies in accommodating their regional housing needs. The affected territory is already located within Napa's sphere of influence, and as a result, all potential units tied to the land are assigned to the City by the Association of Bay Area Governments.

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

The landowner of the affected territory is the petitioner seeking the annexation to NSD. The landowner has been made aware of the recommendation to amend the proposal to also include concurrent annexation to Napa and concurrent detachment from CSA No. 4. The landowner has stated his preference for the affected territory to remain unincorporated, but is agreeable to annexing to Napa given the Commission's adopted policies. There are no other residents occupying with affected territory.

- 14) Any information relating to existing land use designations.**

See analysis on page 11 of this report.

- 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 of the affected territory to NSD will have a measurable effect with respect to promoting environmental justice. There is also no documentation or evidence suggesting the recommended amendments to also include the concurrent annexation to Napa and detachment from CSA No. 4 will measurably effect environmental justice.



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

The applicant's proposal to annex the affected territory to NSD would benefit current and future landowners as well as residents by providing permanent access to public sewer service. Most notably, establishing permanent public sewer eliminates the need for a septic system in an urbanizing area in which any failings would create a public health and safety threat for immediate and adjacent residents. Establishing permanent public sewer service also eliminates 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***

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Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.<sup>10</sup> With this in mind, and upon receipt of the applicant's proposal, staff provided notice to NSD and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings. Both agencies confirmed a master property tax agreement adopted in 1980 shall apply to the proposal if approved by the Commission. This master property tax agreement specifies that no exchange or redistribution of property tax revenues will occur as a result of annexations to NSD.

The recommendation to amend the proposal to include the concurrent annexation of the affected territory to Napa would – if approved – necessitate the application of a negotiated property tax exchange between the City and County.<sup>11</sup> Revenue and Taxation Code 99(b)(7) outlines procedures for affected agencies to negotiate a property tax exchange agreement in the event the Commission modifies a proposal. These post-approval procedures must be completed within 30 days of notice by the Executive Officer. Staff has advised Napa and the County of its recommendation to amend the proposal and intent to apply a master property tax exchange agreement adopted by both governing boards in 1980 unless otherwise informed during the 30 day noticing period; an agreement specifying Napa shall receive 55% of the County's existing portion of property tax revenues generated from the affected territory. Neither agency has responded with any concerns to the approach outlined by staff.

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<sup>10</sup> Revenue and Taxation Code (b)(5) states property tax exchanges for jurisdictional changes affecting the service areas or service responsibilities of districts shall be negotiated by the affected county on behalf of the districts.

<sup>11</sup> CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

### ***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: boundary change(s). Staff has determined the applicant's proposal to annex the affected territory to NSD is a project under CEQA and – unless amended – would qualify for as a categorical exemption. Specifically, annexing the affected territory to NSD alone would be exempt from further review given it would involve the annexation to a district involving land that could not be further divided under the policies of the affected land use authority.<sup>12</sup> The recommendation to amend the proposal to include the concurrent annexation of the affected territory to Napa, however, would no longer allow the Commission to use this categorical exemption given the land could be further divided under the City's adopted land use policies.

With the preceding analyses in mind, staff prepared an initial study assessing the environmental impacts associated with the reorganized proposal as recommended to include concurrent annexation to NSD and Napa pursuant to CEQA. The initial study concludes the "project" will not generate any direct or indirect significant impacts and recommends the adoption of a negative declaration. A copy of the initial study and notice of intent to adopt a negative declaration were circulated for review to local agencies as well as all adjacent neighbors to the affected territory.<sup>13</sup> 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 and the recommended amendments. 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. Napa and CSA No. 4 have also been made aware of the staff recommendation to amend the proposal to include the concurrent annexation to the City and concurrent detachment from the District. Neither agency has submitted written opposition to waiving conducting authority proceedings. Conducting authority proceedings, accordingly, may be waived under G.C. Section 56663.

---

<sup>12</sup> California Code of Regulations Section 15319 (Class 19 Categorical Exemption).

<sup>13</sup> A copy of the initial study 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 not provided a fee waiver as of the date of this report.

#### **D. Recommendation**

Staff recommends approving the proposal to annex the affected territory to NSD with two distinct amendments to also require concurrent annexation to Napa and concurrent detachment from CSA No. 4. This recommended reorganization is generally consistent with Commission policies and helps to streamline the extension of governmental services to an urbanizing area of Napa. Staff recognizes the recommendation to include concurrent annexation to Napa does counter the Commission's policy on timing urban development given the territory could be further divided and there is no known project at this time. The service efficiencies and cost-savings tied to the recommendation, however, warrants waiving the referenced policy in deference to the Commission's opportunity to exercise its regulatory authority in amending a proposal to facilitate smart growth relative to local conditions.

#### **E. 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 proposal.

##### ***Environmental Determination***

###### **Option 1A (Recommended):**

Adopt the draft resolution identified as Attachment One approving a negative declaration for the recommended reorganization. This option would allow the Commission to proceed with approving the recommended reorganization.

###### **Option 1B:**

Take no action. This option would only be applicable if it is the preference of the Commission to approve the proposal as submitted and only annex the affected territory to NSD.

###### **Option 1C:**

Continue consideration of the negative declaration to a future meeting. This option would require the Commission to also continue consideration of the recommended reorganization.

##### ***Proposal Determination***

###### **Option 2A (Recommended):**

Adopt the draft resolution identified as Attachment Two approving the recommended reorganization with standard terms and conditions.

###### **Option 2B:**

Adopt the draft resolution identified as Attachment Two with changes to only annex the affected territory to NSD. This would include striking amendment references involving annexation to Napa and detachment from CSA No. 4. This would also involve making a Class 19 Categorical Exemption finding.

**Option 2C:**

Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.

**Option 2D:**

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

**F. Procedures for Consideration**

This item has been agendized as part of a noticed public hearing. The following procedures are recommended with respect to Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing (mandatory); and
- 3) Discuss item and consider action on recommendations.

Respectfully submitted,

---

Keene Simonds  
Executive Officer

---

Brendon Freeman  
Analyst

Attachments:

- 1) Draft Resolution Approving a Negative Declaration for the Recommended Reorganization
- 2) Draft Resolution Approving the Recommended Reorganization
- 3) Initial Study Prepared for the Recommended Reorganization
- 4) Application Materials
- 5) Communication from NSD with Requested Approval Conditions
- 6) Communication from Napa
- 7) Communication from 2275 Big Ranch Road: Statement of Future Annexation Interest

**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**

**ROSEWOOD LANE NO. 1 REORGANIZATION**

**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 Melligio, landowner, proposing the annexation of certain 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**, consistent with Commission policies, the Executive Officer is recommending the reorganization of the proposal to also include the concurrent annexation to the City of Napa; and

**WHEREAS**, the Executive Officer has assigned the recommended reorganization the short term designation of “Rosewood Lane No. 1 Reorganization”; and

**WHEREAS**, reorganizations 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 recommended reorganization, 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 April 2, 2012 to consider the initial study and has determined the project could not have a significant effect on the environment.

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

1. The Commission 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 that the project shall have any significant environmental impact. Any future indirect impacts identified in the initial study are reduced to less than significant environmental impact given existing mitigation measures adopted by the City of Napa as the affected land use authority and as specified in the initial study. 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 April 2, 2012, 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**

**ROSEWOOD LANE NO. 1 REORGANIZATION**

**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 from Ralph Melligio, landowner, proposing the annexation of certain unincorporated 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 affected territory subject to the said proposal includes one residential lot identified by the County of Napa Assessor’s Office as 038-160-030 along with an adjacent segment of public right-of-way; 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 determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

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

1. The proposal is APPROVED with the following two amendments:
  - (a) The affected territory is concurrently annexed to the City of Napa.
  - (b) The affected territory is concurrently detached from County Service Area No. 4.
2. The proposal is assigned the following distinctive short-term designation:

**ROSEWOOD LANE NO. 1 REORGANIZATION**

3. The affected territory is accurately depicted in Exhibit "A".
4. There are no significant effects to the environment from the reorganization as attested by the Commission in adopting a negative declaration concerning the project at a hearing held on April 2, 2012 and consistent with the provisions of the California Environmental Quality Act.
5. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
6. Both the Napa Sanitation District and City of Napa utilize the regular assessment roll of the County of Napa.
7. Upon the effected date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by both the Napa Sanitation District and City of Napa.
8. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56663(c).
9. Approval is contingent upon receipt by the Executive Officer of the following terms and conditions:
  - (a) Approval of a property tax exchange between the City of Napa and County of Napa pursuant to Revenue and Tax Code Section 99(b)(7). This condition must be satisfied within 30 days of the Commission's approval.
  - (b) 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. This condition must be satisfied before the Certificate of Completion is recorded.
  - (c) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal. This condition must be satisfied before the Certificate of Completion is recorded.
  - (d) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" have been satisfied before the Certificate of Completion is recorded.
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 prior to the referenced deadline.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the April 2, 2012, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

ATTEST: Keene Simonds  
Executive Officer

Recorded by: \_\_\_\_\_  
Kathy Mabry  
Commission Secretary

# DRAFT

EXHIBIT "A"

ROSEWOOD LANE NO. ~~X~~ ?

## ANNEXATION TO NAPA SANITATION DISTRICT

### GEOGRAPHIC DESCRIPTION

All that certain property situate in the Napa Rancho, City of Napa, State of California, described as follows:

**Beginning** at the Southeast corner of the existing Pheasant Lane-Rosewood Lane District Annexation Boundary, recorded November 21, 1988 in Volume 1622 at Page 34, of Official Records of Napa County, also said point being on the existing Mr. Ken Rose Big Ranch Road district boundary;

Thence, (1) N 35° 13' 20" W, 28.00 feet along said existing Pheasant Lane-Rosewood Lane district boundary, to the northwestern right of way line of Rosewood lane;

Thence, leaving said Rosewood Lane right of way line (2) N 35° 13' 20" W, 138.0 feet along said Pheasant Lane-Rosewood Lane existing district boundary;

Thence, leaving said Pheasant Lane-Rosewood Lane existing district boundary (3) N 54° 46' 40" E, 270.4 feet;

Thence, (4) S 35° 13' 20" E, 138.0 feet to said northwestern Rosewood Lane right of way line;

Thence, along said northwestern Rosewood Lane right of way line (5) N 54° 46' 40" E, 20.0 feet to said Mr. Ken Rose Big Ranch Road existing district boundary;

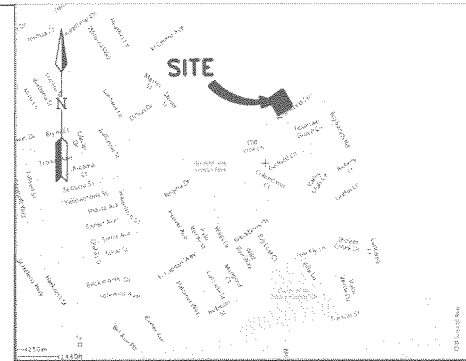
Thence, leaving said Rosewood Lane right of way line (6) S 35° 13' 20" W 28.0 feet along said Mr. Ken Rose Big Ranch Road existing district boundary;

Thence, (7) S 54° 46' 40" W, 290.4 feet along said Mr. Ken Rose Big Ranch Road existing district boundary to the **POINT OF BEGINNING** and containing 1.04 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.*

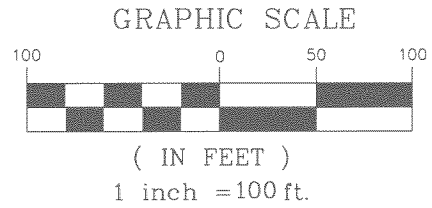
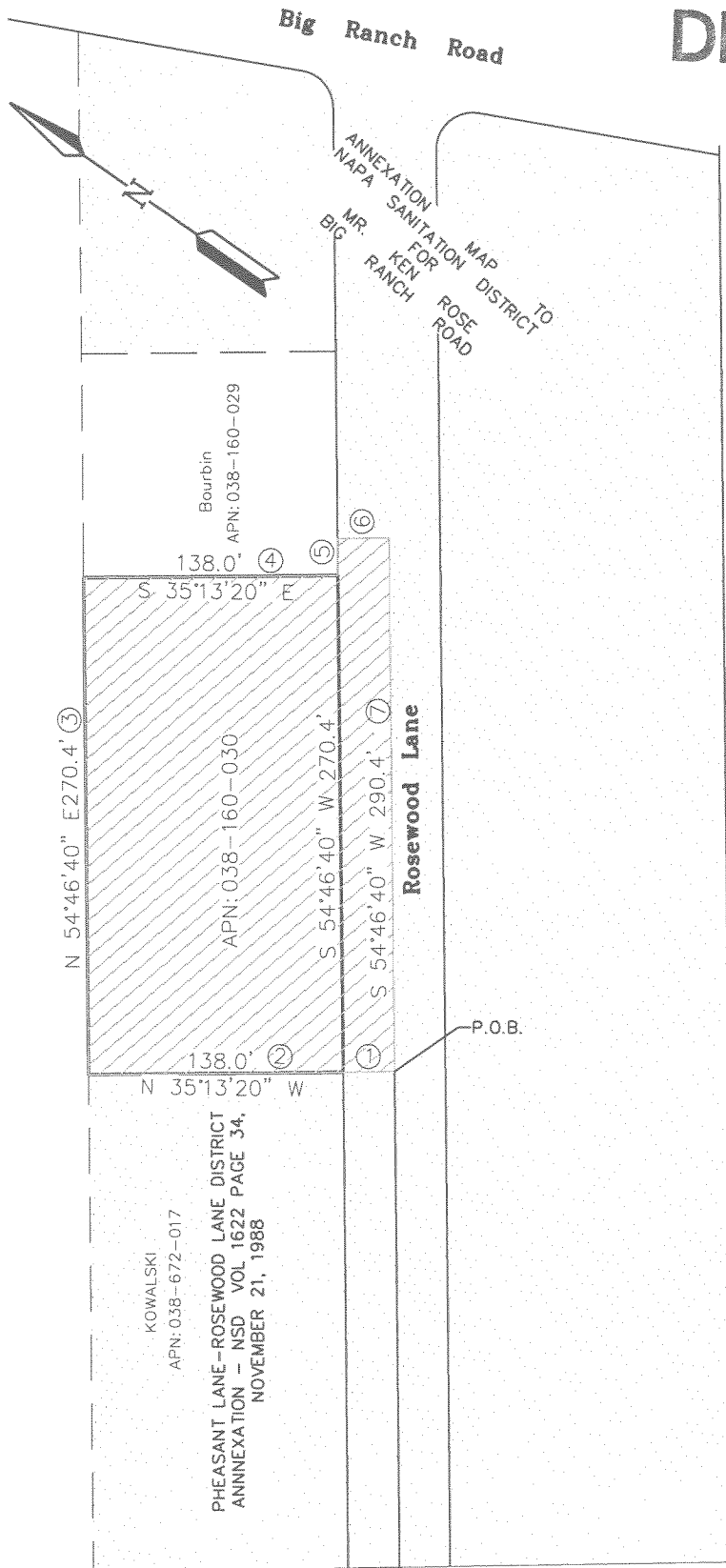
**DISCLAIMER:**

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.

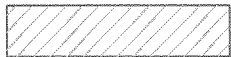



**VICINITY MAP**  
NO SCALE

**DRAFT**



**LEGEND**

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

LINE TABLE		
LINE	LENGTH	BEARING
L1	28.0	N35°13'20"W
L5	20.0	N54°46'40"E
L6	28.0	S35°13'20"E

**APPLICANT**

RALPH MELLIGIO  
1430 ROSEWOOD LANE  
NAPA, CA 94558  
TEL #: (707) 255-3792



**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

January 18, 2012

ROSEWOOD LANE. NO.?

ANNEXATION TO THE NAPA SANITATION DISTRICT

BEING A PORTION OF NAPA RANCHO

## EXHIBIT "B"

### TERMS AND CONDITIONS

#### 1430 ROSEWOOD LANE DISTRICT ANNEXATION – 2011-2

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 \$300.00 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 November 16, 2011. The District collected a capacity charge, inspection fee, and District annexation fee from the owner on November 18, 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.





## Local Agency Formation Commission of Napa County

1700 Second Street, Suite 268

Napa, California 94559

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

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February 16, 2012

### INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

1. **Project Title:** Rosewood Lane No. 1 Reorganization
2. **Lead Agency:** Local Agency Formation Commission (LAFCO) of Napa County  
1700 Second Street, Suite 268  
Napa, California 94559
3. **Contact Person:** Brendon Freeman, Analyst  
LAFCO of Napa County  
(707) 259-8645  
[bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov)
4. **Background/  
Project Description:** LAFCO has received an application from property owner Ralph Melligio proposing the annexation of his residential property located at 1430 Rosewood Lane along with an adjacent right-of-way segment of Rosewood Lane 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 residential property given the affected home's septic system had failed causing a public health threat. The OSA expires on September 1, 2012.

In reviewing the application materials, and consistent with adopted LAFCO policies, staff has advised the applicant they will be recommending the proposal be reorganized to include the concurrent annexation of 1430 Rosewood Lane along with the adjacent right-of-way segment to both NSD and the City of Napa. (Other potential modifications – including expanding the reorganization boundary to include one or more adjacent properties – are not considered viable at this time for reasons to be discussed in further detail in the associated report prepared on the proposal.)

This initial study contemplates the impact of the proposed reorganization as described.

- 5. Project Location:** The project location consists of 1.05 acres of unincorporated territory near the intersection of Big Ranch Road and Rosewood Lane in Napa County. It includes one entire residential lot with a situs address of 1430 Rosewood Lane along with an adjacent right-of-way segment of Rosewood Lane, hereinafter referred to as the “project site.” The County of Napa Assessor’s Office identifies the affected residential lot as 038-160-030. A map showing the project site is depicted in Figure “A” on page four of this initial study.
- 6. Project Sponsor/  
Applicant:** Ralph Melligio, Property Owner  
1430 Rosewood Lane  
Napa, California 94558
- 7. General Plan  
Designations:** The County of Napa is the current land use authority and designates the entire project site as *Rural Residential*. This County designation contemplates a minimum lot size of 10 acres. The City of Napa designates the entire project site as *Single Family Residential – 33E* with a minimum lot size requirement of 0.33 acres.
- 8. Zoning Standards:** The County of Napa is the current land use authority and zones the project site as *Residential Country: Urban Reserve*. This combination County zoning standard requires a minimum lot size of 10 acres and requires annexation to a city to accommodate any additional development with limited exceptions. The City of Napa prezones the entire project site as *Residential Single – 10* with a minimum lot size requirement of 0.23 acres.
- 9. Surrounding  
Land Uses:** The project site is surrounded to the north and east by unincorporated lands comprising a commercial vineyard and a rural single-family residence, respectively. Lands to the west and south are incorporated within the City of Napa and comprise single-family residential uses, including the Willowbrook Subdivision.
- 10. Other Agencies’  
Approvals:** NSD and City of Napa

**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.



February 16, 2012

\_\_\_\_\_  
Signature

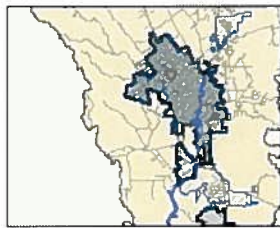
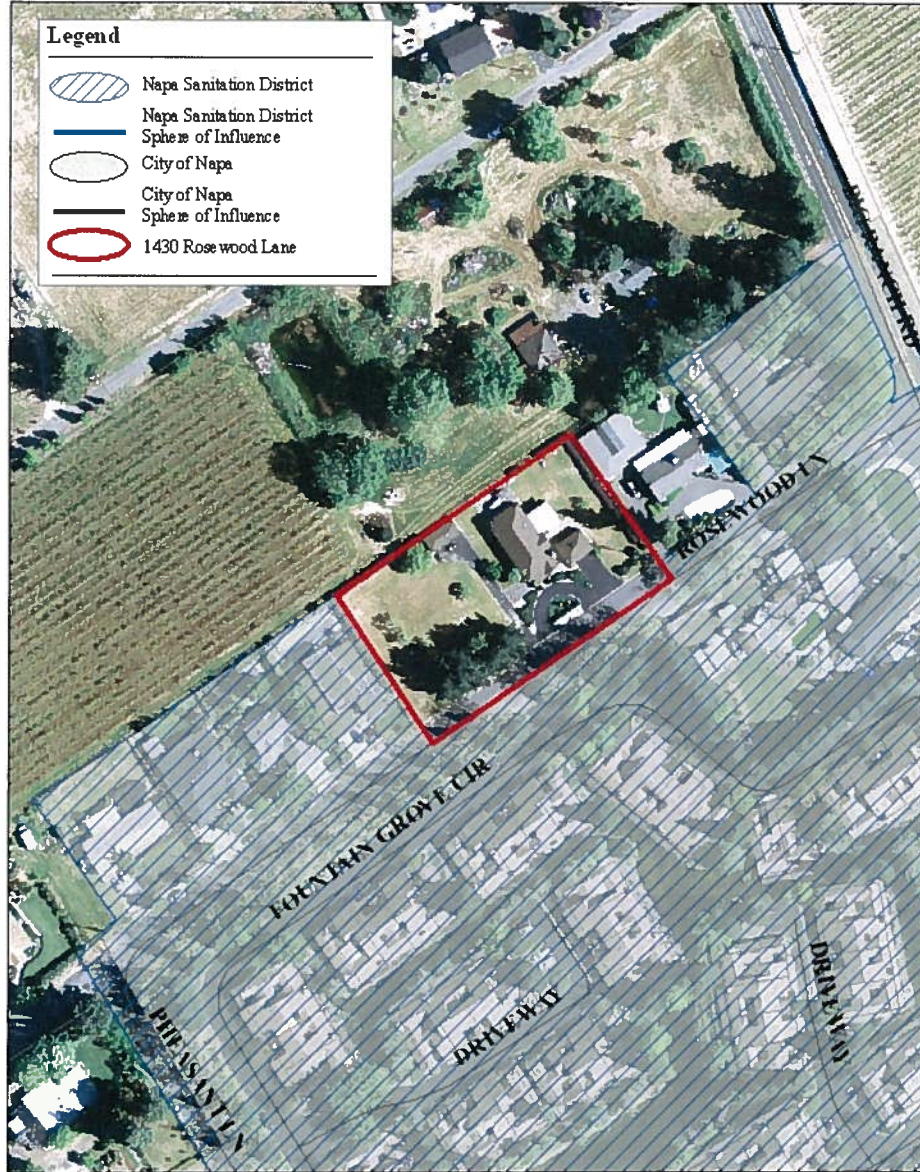
\_\_\_\_\_  
Date

Brendon Freeman  
Preparer's Name


LAFCO of Napa County  
Lead Agency

**FIGURE "A"**

**Rosewood Lane No. 1 Reorganization**



Miles  
 0 0.00001 0.02  
 February 15, 2012  
 Prepared by DF



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

## 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	Potentially Significant	Less-Than- Significant Impact	No Impact
--------	--------------------------------------	--	----------------------------	-------------------------------------	--------------

**1. AESTHETICS**

Would the project:

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

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 residential site to potentially include up to a total of four 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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 involves 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
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**3. AIR QUALITY**

Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 up to a total of four 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
<b>4. BIOLOGICAL RESOURCES</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
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**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?    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ■ |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ■ |
| c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ■ |
| d. Disturb any human remains, including those interred outside of formal cemeteries.                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ■ |

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
<b>6. GEOLOGY AND SOILS</b>				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 up to a total of four 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
<b>7. HAZARDS &amp; HAZARDOUS MATERIALS</b>				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 four 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 and b). 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 quarter mile of an existing or proposed school (c). The project site is also not located in a high wildland fire risk area or near a private or public airstrip or physically interferes 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
<b>8. HYDROLOGY &amp; WATER QUALITY</b>				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems to control?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 (g, h, i, and j). The project does remove an obstacle in accommodating the future division and development of the site to potentially include up to a total of four 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, c, d, and e).



Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**9. LAND USE PLANNING**

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Analysis:

The project will not have direct or indirect impacts on land use planning. The project does not physically divide an established community; project site is substantially surrounded by both NSD and the City's jurisdictional boundary and access is entirely dependent on City roads (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
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**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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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
<b>11. NOISE</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 up to a total of four 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 substantially 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
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**12. POPULATION AND HOUSING**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial growth in an area, either directly or indirectly?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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 up to a total of four 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
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### 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 up to a total of four 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
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**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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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 up to a total of four 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
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**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?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Substantially increase hazards due to a design?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e. Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. Result in inadequate parking capacity?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g. Conflict with adopted policies supporting alternative transportation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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 up to a total of four 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 and b).



The project would not result in any direct or indirect changes in air traffic patterns (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
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**16. UTILITIES & SERVICE SYSTEMS**

Would the project:

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

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 up to a total of four 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's General Plan and Zoning Ordinance. 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
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**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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Does the project have impacts that are individually limited, but cumulatively considerable?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Analysis:

The project will not have direct or indirect impacts on biological resources, such as fish or wildlife species, as analyzed on page nine of this initial study. The potential future development of the project site to include up to a total of four single-family lots as allowed under the City's General Plan and Zoning Ordinance 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](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>

**FORM B**

Date Filed: 11/16/11  
Received By: BF

**PETITION FOR PROPOSAL**

For Filing with the Local Agency Formation Commission of Napa County

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

**Nature of Proposal and All Associated Changes of Organization:**

ANNEXATION TO NSD TO CONNECT TO PUBLIC SEWER

**Description of Boundaries of Affected Territory Accompanied by Map:**

MAP & DESCRIPTION TO BE PREPARED

**Reason for Proposal and Any Proposed Conditions:**

ANNEX TO NSD TO CONNECT TO PUBLIC SEWER

**Type of Petition:**

Landowner

Registered Voter

**Sphere of Influence Consistency:**

Yes

No



**If Landowner Petition, Complete the Following:**

- 1) Name: RALPH LOUIS MELLIGIO  
Mailing Address: 1430 ROSFWOOD LANE NAPA CA 94558  
Assessor Parcel: 038-160-030-000  
Signature: Ralph L Melligi Date: 16 NOV 11
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If Registered Voter Petition, Complete the Following:**

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



Date Filed: 11/9/11  
Received By: BF

**NOTICE OF INTENT TO CIRCULATE PETITION**  
For Filing with the Local Agency Formation Commission of Napa County

Applicants shall complete and submit a notice of intention with the Executive Officer before filing a petition proposing a change of organization. The notice shall include the name and mailing address of the applicant along with a written statement no more than 500 words in length setting forth the reasons for the proposal. The petition may be circulated for signatures after the notice has been filed. The Executive Officer shall notify the affected local agencies upon receiving the notice. Applicants are encouraged to use this form.

**Applicant Information:**

Applicant Name: RALPH LOUIS MELLIGIO  
Mailing Address: 1430 1430 ROSA WOOD LANE NAPA CA 94558  
Telephone: 707-255-3792 E-Mail: AREFLIO@AOL.COM

**Petition Proposes:**

TO ANNEX SINGLE FAMILY RESIDENCE TO NSD FOR PUBLIC SEWER

**Reasons for Proposal:**

TO ANNEX SINGLE FAMILY RESIDENCE TO NSD FOR PUBLIC SEWER

Signature: Ralph Melligio Date: STATE 9 NOV 11

Date Filed: 11/16/11  
Received By: BF

**NOTICE OF INTENTION TO ADOPT RESOLUTION OF APPLICATION**  
For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a local agency shall be initiated by an adopted resolution of application in accordance with Government Code Section 56654. Mailed notice of a local agency's intention to adopt a resolution of application must be provided no less than 21 days in advance to the Commission and all affected agencies. The notice shall describe the proposal and the affected territory. Applicants are encouraged to use this form.

**Nature of Proposal and All Associated Changes of Organization:**

ANNEX TO NSD TO CONNECT TO PUBLIC SEWER

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**Description of Boundaries of Affected Territory Accompanied by Map:**

MAP & DESCRIPTION TO BE PREPARED

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**Reason for Proposal and Any Proposed Conditions:**

ANNEX TO NSD TO CONNECT TO PUBLIC SEWER

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FORM D

Date Filed: 11/16/11  
Received By: BF

JUSTIFICATION OF PROPOSAL  
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: RALPH L. MELLIGIO  
Contact Person Agency/Business (If Applicable)  
Address: 1430 ROSEWOOD LANE NAPA 94558  
Street Number Street Name City Zip Code  
Contact: 707-255-3792  
Phone Number Facsimile Number E-Mail Address AREILEM@AOL.COM

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

II. PROPOSAL DESCRIPTION

A. Affected Agencies: NSD 935 HARTLE CT NAPA 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 SINGLE FAMILY RESIDENCE INTO THE  
NAPA SANITATION DISTRICT FOR PUBLIC SWIR  
USE

**III. GENERAL INFORMATION**

*1430 ROSEWOOD LANE*  
**A. Location:** NAPA CA 94558 038-160-030-000 0.92  
 Street Address Assessor Parcel Number Acres

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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 : 038-160-030-000 Name: RALPH L. MELLIGIO  
 Mailing Address: 1430 ROSEWOOD LANE NAPA CA 94558  
 Phone Number: 707-255-3792 E-mail: ARBELEME@AOL.COM

(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: \_\_\_\_\_

(1b) County Zoning Standard: RC:UR

(2a) Applicable City General Plan Designation: \_\_\_\_\_

(2b) Applicable City Rezoning Standard: \_\_\_\_\_

**E. Existing Land Uses:**  
(Specific)

RESIDENTIAL  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Development Plans:**

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

(1b) If Yes, Describe Project: \_\_\_\_\_  
\_\_\_\_\_

(1c) If No, When Is Development Anticipated? DEVELOPMENT IS NOT ANTICIPATED  
IN MY LIFETIME

**G. Physical Characteristics:**

(1) Describe Topography: FLAT NO DRAINAGE BASINS OR CREEKS  
\_\_\_\_\_

(2) Describe Any Natural Boundaries: N/A  
\_\_\_\_\_

(3) Describe Soil Composition and Any Drainage Basins: ADOBIC CLAY SOIL COMPOSITION  
NO DRAINAGE BASINS

(4) Describe Vegetation: GRASS, SHRUBS, HEDGES, SOME FRUIT TREES  
\_\_\_\_\_

**H. Williamson Act Contracts**  
(Check One)

Yes

No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

PUBLIC SEWER ACCESS

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

SERVE 1 SINGLE FAMILY RESIDENCE

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

IMMEDIATELY

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

N/A

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

LANDOWNER TO PAY ALL FEES & COSTS

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**V. ENVIRONMENTAL INFORMATION**

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**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**

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**A. Approval Terms and Conditions Requested For Commission Consideration:**

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*Use Additional Sheets As Needed*

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

(1) Recipient Name:

Ralph Melligio, owner

Mailing Address:

E-Mail:

(2) Recipient Name:

Mailing Address:

E-Mail:

(3) Recipient Name:

Mailing Address:

E-Mail:

**VII. CERTIFICATION**

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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 L. Melligio

**Printed Name:** RALPH L. MELLIGIO

**Title:** \_\_\_\_\_

**Date:** 16 NOV 2011



# DRAFT

EXHIBIT "A"  
ROSEWOOD LANE NO. X ?  
ANNEXATION TO NAPA SANITATION DISTRICT

## GEOGRAPHIC DESCRIPTION

All that certain property situate in the Napa Rancho, City of Napa, State of California, described as follows:

**Beginning** at the Southeast corner of the existing Pheasant Lane-Rosewood Lane District Annexation Boundary, recorded November 21, 1988 in Volume 1622 at Page 34, of Official Records of Napa County, also said point being on the existing Mr. Ken Rose Big Ranch Road district boundary:

Thence, (1) N 35° 13' 20" W, 28.00 feet along said existing Pheasant Lane-Rosewood Lane district boundary, to the northwestern right of way line of Rosewood lane;

Thence, leaving said Rosewood Lane right of way line (2) N 35° 13' 20" W, 138.0 feet along said Pheasant Lane-Rosewood Lane existing district boundary;

Thence, leaving said Pheasant Lane-Rosewood Lane existing district boundary (3) N 54° 46' 40" E, 270.4 feet;

Thence, (4) S 35° 13' 20" E, 138.0 feet to said northwestern Rosewood Lane right of way line;

Thence, along said northwestern Rosewood Lane right of way line (5) N 54° 46' 40" E, 20.0 feet to said Mr. Ken Rose Big Ranch Road existing district boundary;

Thence, leaving said Rosewood Lane right of way line (6) S 35° 13' 20" W 28.0 feet along said Mr. Ken Rose Big Ranch Road existing district boundary;

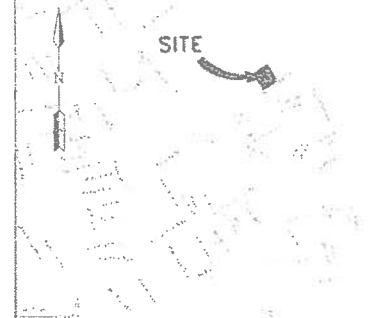
Thence, (7) S 54° 46' 40" W, 290.4 feet along said Mr. Ken Rose Big Ranch Road existing district boundary to the **POINT OF BEGINNING** and containing 1.04 acres, more or less.

*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.*

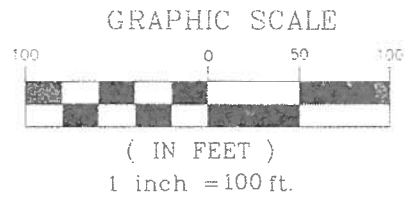
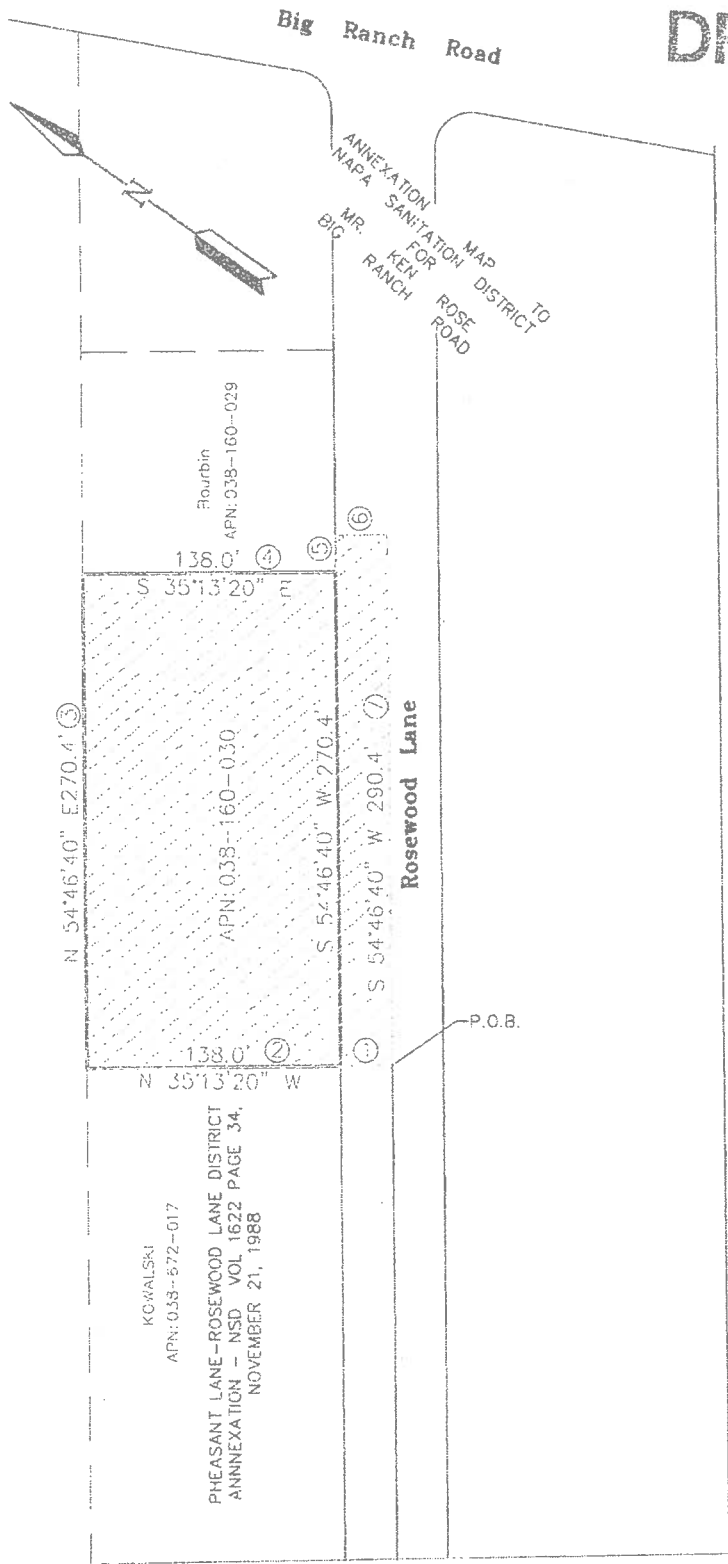
**DISCLAIMER:**

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.

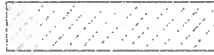

**DRAFT**



**VICINITY MAP**  
NO SCALE



**LEGEND**

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

LINE TABLE		
LINE	LENGTH	BEARING
L1	28.0	N35°13'20"W
L5	20.0	N54°46'40"E
L6	28.0	S35°13'20"E

**APPLICANT**  
RALPH MELLIGIO  
1430 ROSEWOOD LANE  
NAPA, CA 94558  
TEL #: (707) 255-3792



**CHAUDHARY & ASSOCIATES, INC.**

ENG NEERS SURVEYORS INSPECTORS  
551 NAPA VALLEY CORPORATE WAY, SUITE G  
NAPA, CALIFORNIA 94558  
Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM  
January 18, 2012

**EXHIBIT "B"**  
**ROSEWOOD LANE, NO.?**  
**ANNEXATION TO THE NAPA SANITATION DISTRICT**  
**BEING A PORTION OF NAPA RANCHO**

**Freeman, Brendon**

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**From:** Damron, Andrew  
**Sent:** Thursday, December 22, 2011 12:00 PM  
**To:** Freeman, Brendon  
**Cc:** Simonds, Keene  
**Subject:** 1430 Rosewood Lane - NSD approved conditions  
**Attachments:** Terms and Conditions.doc

Hi Brendon –

Please find the attached conditions of annexation that were approved at our Board meeting last night. NSD Resolution #11-024.

Let me know if you have any questions.

--  
Andrew Damron, PE  
Napa Sanitation District  
Associate Engineer  
[adamron@napasan.com](mailto:adamron@napasan.com)  
Ph. 707.258.6000 x 507

EXHIBIT "B"

**TERMS AND CONDITIONS**

1430 ROSEWOOD LANE DISTRICT ANNEXATION – 2011-2

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 \$300.00 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 November 16, 2011. The District collected a capacity charge, inspection fee, and District annexation fee from the owner on November 18, 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.

**Freeman, Brendon**

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**From:** Tooker, Rick [rtooker@cityofnapa.org]  
**Sent:** Thursday, February 09, 2012 10:36 AM  
**To:** Freeman, Brendon  
**Cc:** Simonds, Keene  
**Subject:** RE: 1430 Rosewood Lane annexation

...Hi Brendon - Just left Keene a telephone message. The City staff is fine with pursuing this and I do not see any issues (although I have left a message with Public Works to make sure we will not require anything as a part of this proposal). The only question I raise is why we would not try to also annex at least the adjoining property to the east. Napa is kind of operating in a vacuum because we do not know if the property owner of 1430 Rosewood is supportive of annexation to the City or how the owner of 1438 Rosewood feels about this? In my former lives, here in Napa too, folks would typically come to the City first because they don't get anywhere without the City's support of an annexation. Regardless, I am not aware of any issues on this particular request. - Rick

**From:** Freeman, Brendon [mailto:[bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov)]  
**Sent:** Wednesday, February 08, 2012 3:12 PM  
**To:** Tooker, Rick  
**Subject:** 1430 Rosewood Lane annexation

Good afternoon Rick,

LAFCO staff is reviewing a proposal to annex property located at 1430 Rosewood Lane to the Napa Sanitation District. As part of this review, LAFCO is considering reorganizing the proposal to include concurrent annexation to the City of Napa. The property is currently located within each agency's sphere of influence. Are there any issues from Napa's perspective with respect to this property that we should be aware of that might suggest we should not pursue the concurrent annexation to the City?

Thank you,

Brendon Freeman  
Local Agency Formation Commission of Napa County  
1700 Second Street, Suite 268  
Napa, CA 94559  
(707) 259-8645 Phone  
(707) 251-1053 Fax  
<http://www.napa.lafco.ca.gov>

## **ATTACHMENT SEVEN**

To LAFCO of Napa Valley

Attn. Brendon Freeman (bfreeman@napa.lafco.ca.gov)

### **Notice of Intent to Adopt a Negative Declaration**

I would like to take a moment and respond to the LAFCO Notice, dated Feb. 16, 2012, for the Project named Rosewood Lane No. 1 Reorganization. As the property owner just to the North of this property, I concur and support your recommendation, for it adheres to the Big Ranch Road Specific Plan, which was labored on by many of us in the plan area, over some 22 years plus. Also, I would like to reaffirm my interest, and confirm my ability, to annex into the City at a future date, as part of my Estate Planning. Thank you for the opportunity to comment on your proposal.

Robert Mueller

APN 038 240 005