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August 6, 2007 Agenda Item No. 6a

July 26, 2007

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer

SUBJECT: Browns Valley Road No. 11 District Annexation to Napa Sanitation District

(Public Hearing)

The Commission will consider an application by a property owner to annex approximately 0.77 acres of incorporated territory to the Napa Sanitation District to facilitate the extension of sewer to their single-family residence. As part of the application, the Commission will also consider a negative declaration confirming the findings of an initial study prepared by staff that the annexation will not have a significant effect on the environment.

Proposed is the annexation of approximately 0.77 acres of incorporated territory to the Napa Sanitation District (NSD). The property owner proposes annexation to facilitate the extension of public sewer service to an existing single-family residence, which is currently served by a septic system. NSD has adopted a resolution consenting to the annexation and attesting that it can adequately and economically provide services to the subject territory.

As part of the application, as lead agency under the California Environmental Quality Act (CEQA), the Commission is also responsible for making a determination regarding the potential impact of the annexation on the environment. Staff has prepared and circulated an initial study that concludes that the project – annexation of the subject territory to facilitate the extension of public sewer service – will not have a significant effect on the environment. Accordingly, a negative declaration has been prepared for consideration by the Commission.

#### **GENERAL INFORMATION**

**Applicant:** Rosalyn Corey, property owner.

**Location**: The subject territory is located at 3369

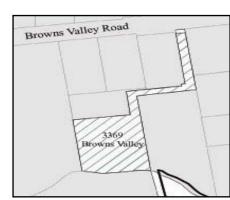
Browns Valley Road in the City of Napa. The County of Napa Assessor identifies

the subject territory as 050-180-008.

**Purpose:** The applicant proposes annexation of 0.77

acres of incorporated territory to NSD to facilitate the extension of sewer service to

an existing single-family residence.



Jack Gingles, Chair Mayor, City of Calistoga

Juliana Inman, Commissioner Councilmember, City of Napa

Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner

Councilmember, City of American Canyon

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

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

Mark Luce, Alternate Commissioner County of Napa Supervisor, 2nd District Brian J. Kelly, Commissioner Representative of the General Public

Gregory Rodeno, Alternate Commissioner Representative of the General Public

> Keene Simonds Executive Officer

#### DISCUSSION AND ANALYSIS

#### **Individual Factors for Consideration**

California Government Code §56668 provides a list of factors to be considered in the review of a proposal. The Commission's review shall include, but is not limited to, consideration of these factors. Additional information relating to these factors can be found in the attached *Justification of Proposal* completed by the applicant.

(a) 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 incorporated and unincorporated areas, during the next 10 years.

The subject territory consists of one parcel that includes an existing single-family residence. Two people reside in the house.

The subject territory lies immediately north of Browns Valley Creek. Topography within the surrounding area is characterized by relatively flat lands.

(b) Need for organized community services; the present cost and adequacy of governmental 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 total assessed value of the subject territory is \$30,814.

The annexation of the subject territory to NSD is advantageous with respect to facilitating the removal of a private septic system in a developed residential area. Annexation will enhance organized community services by establishing NSD as the sewer provider within the area.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. In 2006, LAFCO completed a municipal service review on NSD. The review concluded that NSD's operations are guided by a master facilities plan that provides the District with an appropriate guide to control and upgrade the sewer system to meet current and planned service demands.

NSD currently has an average-day sewer demand of 6.9 million gallons with a total-day capacity of 15.4 million gallons. With an expected use rate of 210 gallons per day by the existing residence, NSD has sufficient capacity and facilities to provide service to the subject territory without impacting current customers.

<sup>&</sup>lt;sup>1</sup> The annexation of the subject territory to NSD will not change property taxes. Existing tax rate areas (TRAs) will be matched to new TRAs. After annexation, NSD will be permitted to charge the property owners for sewer services using the County's assessment rolls.

(c) 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.

There would be no immediate change to the subject territory as a result of the annexation. The subject territory is substantially surrounded by properties that are already served by NSD.

(d) The conformity of both 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 Section 56377. (Note: Section 56377 encourages preservation of agricultural and open-space lands.)

Annexation of the subject territory to the NSD is consistent with the planned, orderly, and efficient patterns of urban development within the City of Napa.

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

The subject territory is located within an urbanized portion of the City of Napa. Extension of sewer service to the subject territory would not impact agricultural lands.

(f) 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 subject territory proposed for annexation is parcel-specific with boundary lines that are certain and identifiable.

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

The applicant has submitted a map and geographic description of the subject territory that meet the requirements of the State Board of Equalization.

The extension of public sewer service to the subject territory is consistent with the policies of the affected land use authority, the City of Napa. The City designates and zones the subject territory Single-Family Residential – 42 and Residential Single – 10, respectively. These land use policies provide a maximum density of 4 dwelling units per acre and a minimum lot size of 10,000 square feet. Accordingly, at its maximum assigned density, the subject territory could be divided and developed to include as many as three residential parcels.

\* The maximum density for the subject territory of three total residences is based on its size of 0.77 acres and does not take into account other factors, such as right-of-ways.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.	The subject territory lies within the adopted sphere of influence of NSD, which was comprehensively updated in August 2006. The proposal is consistent with the sphere
(i) The comments of any affected local agency or other public agency.	of influence.  On April 26, 2007, LAFCO staff circulated copies of the application materials for review and comment from local public agencies. The following comment was received:
	• The County Auditor's Office commented that the application identifies an incorrect TRA for the affected parcel. The correct TRA is 002-054. The Auditor's Office also noted that the County taxroll shows the subject territory is 0.69 acres in size. This acre amount is different from the 0.77 identified by the applicant's licensed surveyor. Because the 0.77 acre amount provides for additional development under City land use policies, staff has used the surveyor's calculation to evaluate the potential service demands associated with the proposal.
	No other substantive comments were received from local public agencies during the review of this proposal.
(j) 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, through its resolution of consent, attests to its ability to extend sewer service to the subject territory in an economical and effective manner without impacting existing customers.
(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	The subject territory is currently connected to the City of Napa's potable water system. No changes in water demand are anticipated as the result of this annexation.
(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	The subject territory is located within the City of Napa. Annexation of the subject territory to NSD will not impact the City or the County in terms of achieving their regional housing needs allocation.
(m) Any information or comments from the landowner or owners.	The property owner has provided her written consent to the annexation.

(n) Any information relating to existing land	As noted, the City of Napa General Plan				
use designations.	designates the subject territory as Single-				
	Family Residential - 42. This designation				
	consistent with the current use on the				
	subject territory and is compatible with the				
	extension of public sewer service.				
56668.3 Whether the proposed annexation	The annexation is intended to benefit				
will be for the interest of the landowners or	present and future owners of the subject				
present or future inhabitants within the district	territory by providing access to public				
and within the territory proposed to be	sewer service. The annexation would				
annexed to the district.	additionally benefit neighbors and other				
	residents of the City of Napa by removing a				
	septic system in an urban area and in close				
	proximity to the Browns Valley Creek.				

# **Property Tax Agreement**

In accordance with provisions of California Revenue and Taxation Code §99, the County of Napa and NSD by resolution of the Board of Supervisors have agreed that no exchange of property taxes will occur as a result of annexation of lands to the District.

## **Environmental Analysis**

In accordance with the Commission's *CEQA Policy* and California Public Resources Code \$21067, LAFCO serves as lead agency under CEQA with respect to evaluating the impacts of the proposed annexation on the environment. The Executive Officer has determined that the annexation constitutes a "project" under CEQA and does not qualify for an exemption. Accordingly, staff has prepared an initial study to consider and identify whether the project would have a significant effect on the environment using the prescribed checklist provided in Appendix G of the CEQA Guidelines.

The initial study concludes that the project will not have a significant effect on the environment. Less-than significant impacts have been identified involving cultural resources, population and housing, public services, and utilities and service systems. All of these less-than significant impacts are indirectly associated with the project and are based on the potential development of the subject territory. These impacts are considered less-than significant in context to existing standards and are adequately addressed in the service and planning documents of NSD as service provider and City of Napa as land use authority.

Drawing from the initial study, staff has prepared a negative declaration for the Commission to consider and adopt. The adoption of the negative declaration would fulfill the Commission's requirements under CEQA with respect to the annexation proposal.

## ALTERNATIVES FOR COMMISSION ACTION

The Commission should take the following actions with respect to considering this proposal:

Step One: Open the public hearing and invite members of the audience to address the

Commission regarding initial study and proposed negative declaration.

**Step Two:** Following the close of the public hearing, the Commission should consider taking one of the two following actions:

# Option A (Approval):

- 1) Adopt the form of the attached resolution adopting a negative declaration for the proposed *Browns Valley Road No. 11 District Annexation to the Napa Sanitation District*; and
- 2) Adopt the form of the attached resolution approving the proposed Browns Valley Road No. 11 District Annexation to the Napa Sanitation District.

## Option B (Continue):

1) If the Commission requires more information, continue this matter to a future meeting.

## RECOMMENDATION

The Executive Officer recommends Option A: approval of the negative declaration and proposed *Browns Valley Road No. 11 District Annexation to the Napa Sanitation District*.

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Keene Simonds
Executive Officer

#### Attachments:

- 1) LAFCO Aerial Map
- 2) Initial Study
- 3) Draft LAFCO Resolution: Approving a Negative Declaration
- 4) Draft LAFCO Resolution: Approving Annexation
- 5) Justification of Proposal
- 6) NSD Resolution No. 07-013

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

July 12, 2007

#### INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

1. Project Title: Browns Valley Road No. 11 District Annexation to the Napa

Sanitation District

2. Lead Agency: LAFCO of Napa County

1700 Second Street, Suite 268

Napa, CA 94559

3. Contact Person: Keene Simonds, Executive Officer

(707) 259-8645

4. Project Location: The location of the project is 3369 Browns Valley Road in the

City of Napa. The County of Napa Assessor's Office identifies

the affected assessor parcel as 050-180-008.

5. Project Sponsor: LAFCO of Napa County

Designation:

1700 Second Street, Suite 268

Napa, CA 94559

6. General Plan The City of Napa designates the affected parcel as Single-Family

Residential -42. This designation allows for a density range of 0

to 4 dwelling units per acre.

7. Zoning Standard: The City of Napa zones the affected parcel as Single-Family

Residential -10. This zoning standard requires a 10,000 square

foot minimum lot size.

8. Description: The project involves the proposed annexation of 3369 Browns

> Valley Road to the Napa Sanitation District (NSD). The purpose of the annexation is to facilitate the extension of public sewer service to an existing single-family residence. This initial study includes an analysis of potential environmental impacts

associated with the project.

9. Surrounding The project location is surrounded by existing urban residential Setting:

uses to the north, east, and west. The south end of the project

location is bounded by Browns Valley Creek.

LAFCO of Napa County

Initial Study and Environmental Checklist: Browns Valley Road No. 11 District Annexation to the Napa Sanitation District Page 2 of 23

10. Other Agency Future approval from NSD is required to provide actual sewer

Approval: service to the affected area.

# 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.

Aesthetics Hazards & Hazardous Materials Public Services Agricultural Resources Hydrology/Water Quality Recreation

Air Quality

Land Use and Planning

Transportation/Traffic

Biological Resources

Mineral Resources

Utilities & Service Systems

Cultural Resources

Noise

Mandatory Findings of

Coology and Soils

Population and Housing

Geology and Soils Population and Housing Significance

## **DETERMINATION:**

On the basis of this initial evaluation:

■ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLATION 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 ENVIROMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis described in the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Nothing further is required.

Signature	Date
Keene Simonds	LAFCO of Napa County
Print Name	Lead Agency

# **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 and analysis follows each environmental issue identified in the checklist.

For this checklist, the following four designations are used:

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

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

## 1. AESTHETICS.

Would the project:

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

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on the aesthetics of the affected area. The project will not adversely effect scenic vistas, damage scenic resources, degrade visual character, or create new sources of light.

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

## 2. AGRICULTURE RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 nonagricultural use?
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use?

# Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on agricultural resources within the affected area. The project comprises territory that is designated and zoned for urban development by the City of Napa as the affected land use authority.

.

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

# 3. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a. Conflict with or obstruct implementation of the applicable air quality plan?
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d. Expose sensitive receptors to substantial pollutant concentrations?
- e. Create objectionable odors affecting a substantial number of people?

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on the air quality within the affected area. The project will not violate any air quality standards or create objectionable odors affecting a substantial number of people.

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

#### 4. BIOLOGICAL RESOURCES.

Would the project:

- a. Have a substantial adversely effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?
- b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on the biological resources within the affected area. The project will not effect local habitats, wetlands, fish, wildlife, or any state or local conservation plans.

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

## 5. CULTURAL RESOURCES.

Would the project:

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

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. There are no historical landmarks located within the project location as determined by the State of California. The County of Napa's archeological records confirm an archeological site one mile south of the project location as well as a possible site just west of the affected area. The City of Napa's General Plan policy HR-6.2 requires investigation during the planning process of any parcel proposed for development within an archeologically sensitive area, which includes the affected area. City General Plan Policy HR-6.3 reinforces existing California State Public Resources Code governing finding of archeological resources. These two policies serve to mitigate potential indirect and cumulative impacts associated with the project regarding the underground extension of public sewer infrastructure upon archaeological resources and the impacts are considered less than significant.

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

#### 6. GEOLOGY AND SOILS.

Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 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
  - ii. Strong seismic ground shaking?
  - iii. Seismic-related ground failure, including liquefaction?
  - iv. Landslides?
- c. Result in substantial soil erosion?
- d. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- e. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

# **Discussion/Analysis:**

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on geology and soils within the affected area. The project is not within an Alquist Priolo Earthquake Fault Zone and will not contribute to soil erosion or exposing individuals or structures to loss, such as injury or death, resulting from earthquakes or landslides.

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

#### 7. HAZARDS & HAZARDOUS MATERIALS.

Would the project:

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

LAFCO of Napa County

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# **Discussion/Analysis:**

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project will not have a significant effect, direct, indirect, or cumulative, with respect to creating hazards or hazardous materials within the affected area. The project will not create public hazards through the transport, release, or disposal of hazardous materials.

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

# 8. HYDROLOGY & WATER QUALITY

Would the project:

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control?
- f. Otherwise substantially degrade water quality?
- h. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- i. Place within a 100-year floodplain structures which would impede or redirect flood flows?
- j. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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

j. Inundation by seiche, tsunami, or mudflow?

# **Discussion/Analysis:**

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project will not have a significant effect, direct, indirect or cumulative, on hydrology and water quality within the affected area. The project will not violate any water quality or wastewater discharge requirements or affect existing drainage or produce excess runoff.

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

#### 9. LAND USE PLANNING.

Would the project:

- a. Physically divide an established community?
- b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?
- c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on land use planning for the affected area. The project is contemplated and consistent with the adopted land use policies of the City of Napa as the affected land use authority. No changes in land use authority will be engendered as a result of this project.

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

## 10. MINERAL RESOURCES.

Would the project:

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

# <u>Discussion/Analysis:</u>

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, on the mineral resources in the affected area. The project will not result in the loss of known valuable mineral resources.

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

## 11. NOISE.

Would the project result in:

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

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect, or cumulative, on noise in the affected area. The project will not expose individuals to excess groundborne vibrations or substantially increasing ambient noises, whether temporary, periodical, or permanent.

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

#### 12. POPULATION AND HOUSING.

Would the project:

- a. Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

#### Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project may indirectly support the future development of the affected area in a manner that effects population and housing. The City of Napa designates the affected parcel as *Single Family Residential - 42* with a zoning standard of *Single-Family Residential - 10*. This zoning standard requires a minimum parcel size of 10,000 square feet and would permit an additional two residences on the parcel. Based on the California Department of Finance's projection of 2.62 persons per household in the City of Napa, the affected area at buildout could have a population of between 5-6 persons. Buildout of the affected area at its prescribed maximum density will produce housing and population that is consistent with adjacent areas. These indirect and cumulative impacts associated with the project are adequately assessed by the City of Napa as land use authority in its General Plan and EIR and are considered less than significant.

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

#### 13. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a.	Fire protection?	

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

### Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project may indirectly support the future development of the affected area in a manner that effects public services. The City of Napa designates the affected parcel as *Single Family Residential - 42* with a zoning standard of *Single-Family Residential -10*. This zoning standard requires a minimum parcel size of 10,000 square feet and would permit an additional two residences on the parcel. Based on the California Department of Finance's projection of 2.62 persons per household in the City of Napa, the affected area at buildout could have a population of between 5-6 persons. Public service-related impacts associated with the City General Plan are assessed in the EIR's "Community Services and Utilities" section on pages 3.4.1 to 4-2; 3.4-5 to 3.6 and 3.4-16 to 3.4-17. Buildout of the affected area at its prescribed maximum density will not produce new public service impacts that are not already adequately analyzed in the City General Plan and EIR. These indirect and cumulative impacts associated with the project are considered less than significant.

Initial Study and Environmental Checklist: Browns Valley Road No. 11 District Annexation to the Napa Sanitation District Page 19 of 23

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

## 14. RECREATION.

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

# Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project will not have a significant effect, direct, indirect or cumulative, on recreational services within the affected area. The project will not increase the use of existing neighborhood and regional parks or involve the construction or expansion of related facilities.

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

## 15. TRANSPORTATION/CIRCULATION.

Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b. Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Result in inadequate parking capacity?
- g. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

## Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. The project will not have a significant effect, direct, indirect or cumulative, with respect to transportation or circulation within the affected area. The project will not cause a substantial increase in street or air traffic patterns, create inadequate emergency access or parking capacity, or conflict with adopted transportation policies.

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

# 16. UTILITIES & SERVICE SYSTEMS.

Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Board?
- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to its existing commitments?
- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g. Comply with federal, state, and local statutes and regulations related to solid waste?

# Discussion/Analysis:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. NSD currently has an average-day wastewater demand of 6.9 million gallons with a total-day capacity of 15.4 million gallons. With an expected demand of 210 gallons of wastewater per residence, NSD has sufficient capacity and facilities to serve the affected area without impacting the service levels of current customers. This capacity is also sufficient to accommodate the future buildout of the affected area, which would include a total of three residences per the City General Plan. These direct and cumulative impacts associated with the project are considered less than significant.

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		Potentially		
		Significant		
	Potentially	Unless	Less-Than-	
	Significant	Mitigation	Significant 1	No
Issues	Impact	Incorporated	Impact 1	Impact

# 17. MANDATORY FINDINGS OF SIGNIFICANCE.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

## **Discussion/Analysis**:

The proposed project involves the annexation of an existing single-family residence to NSD for the purpose of facilitating the extension of public sewer service. This project will not have a significant effect, direct, indirect or cumulative, with respect to mandatory findings of significance within the affected area. The project does not degrade the quality of the environment or cause substantial adverse effects on individuals.

## REFERENCES

#### **Documents**

- City of Napa, General Plan Policy Document, Adopted December 1998
- City of Napa, General Plan Final Environmental Impact Report, Adopted December 1998
- LAFCO of Napa County, Comprehensive Study of Sanitation and Wastewater Treatment Providers, 2005-2006
- Bass, Herson, and Bogdan, CEQA Deskbook, 2001

These documents are available for review at the LAFCO 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," <a href="http://ceres.ca.gov/geo\_area/counties/Napa/landmarks.html">http://ceres.ca.gov/geo\_area/counties/Napa/landmarks.html</a> (June 13, 2007)
- State of California: California Geological Survey; Alquist-Priolo Earthquake Fault Zones; http://www.consrv.ca.gov/CGS/rghm/ap/index.htm (July 11, 2007)
- County of Napa GIS Parcel Mapping application. http://2kgisweb/gisweb/InteractiveMap3.asp