



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

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 9b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
Dawn Mittleman Longoria, Analyst II
MEETING DATE: February 1, 2021
SUBJECT: Proposed Devlin Road No. 5 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

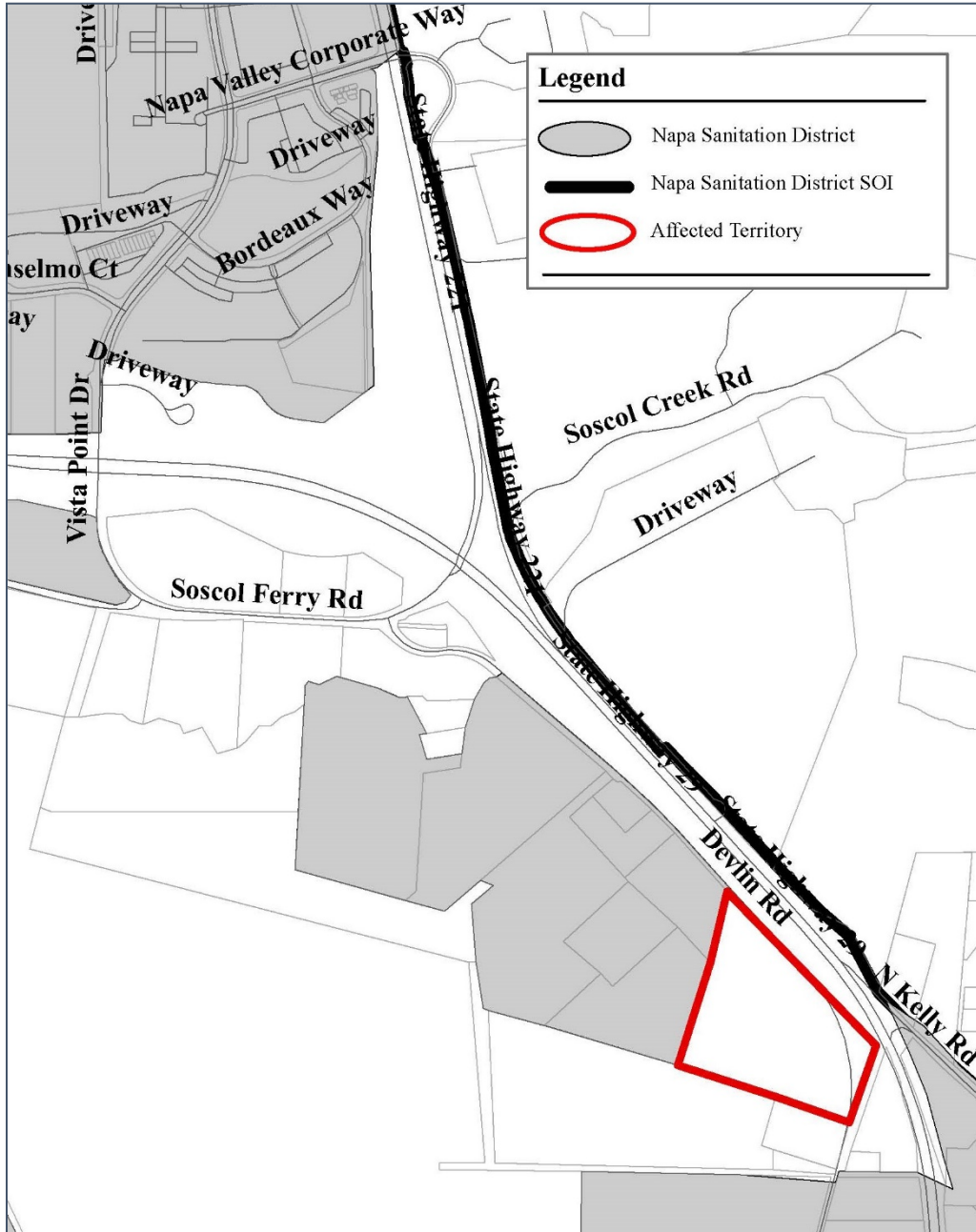
Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Devlin Road No. 5 Annexation to the Napa Sanitation District (NSD) approving the proposed annexation with standard conditions and making California Environmental Quality Act (CEQA) findings (Attachment One).

BACKGROUND AND SUMMARY

Applicant: Nova Business Park, LLC (landowner petition)
Proposed Action: Annexation to NSD
APN: 057-020-025
Area Size: 24.3 acres
Location: West of Devlin Road, southeast of Soscol Ferry Road (no situs address)
Jurisdiction: Unincorporated County
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Napa Valley Business Park Specific Plan & EIR, Nova Business Park South Subdivision Initial Study and Mitigated Negative Declaration
Current Land Uses: Undeveloped

The purpose of the proposal is to annex the property to NSD to facilitate the development of the “Nova Business Park South Subdivision” project consistent with the County of Napa’s land use approval. The project involves subdividing the existing 24.3 acre parcel into 11 parcels. Annexation to NSD is a condition of the County’s approval. There are currently no approved development plans involving the affected territory. Any future development projects must comply with the conditions set forth in the Napa County Airport Industrial Area Specific Plan and Napa Valley Business Park Specific Plan. The application materials are included as Attachment Two.

An aerial map of the affected territory is included as Attachment Three. A vicinity map showing the affected territory, NSD's sphere, and NSD's boundary is provided below.



DISCUSSION

Factors for Commission Determinations

See Attachment Four for an evaluation of the mandated factors for Commission determinations.

Property Tax Agreement

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

Protest Proceedings

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

ENVIRONMENTAL REVIEW

The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The County of Napa, as Lead Agency, has prepared an Initial Study and adopted a Mitigated Negative Declaration for the Nova Business Park South Subdivision project for purposes of considering any environmental impacts. The Initial Study and Mitigated Negative Declaration are included as Attachment Five.

Staff has evaluated the proposal and considered the Lead Agency's CEQA documents and finds the County's Initial Study and Mitigated Negative Declaration for the Nova Business Park South Subdivision adequately address the potential environmental effects of the proposal. There are currently no approved development plans involving the affected territory. Any future development projects must comply with the conditions set forth in the Napa County Airport Industrial Area Specific Plan and Napa Valley Business Park Specific Plan. Therefore, no new environmental document is required.

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory
- 4) Factors for Commission Determinations
- 5) Nova Business Park South Subdivision Initial Study and Mitigated Negative Declaration

RESOLUTION NO. ____

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

**DEVLIN ROAD NO. 5
ANNEXATION TO THE NAPA SANITATION DISTRICT**

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

WHEREAS, the proposal seeks Commission approval to annex approximately 24.3 acres of unincorporated land to the Napa Sanitation District and represents one entire parcel with no situs address located West of Devlin Road and southeast of Soscol Ferry Road, and identified by the County of Napa Assessor’s Office as 057-020-025; and

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

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on February 1, 2021; and

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

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

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

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The County of Napa, as Lead Agency, has prepared an Initial Study and adopted a Mitigated Negative Declaration for the Nova Business Park South Subdivision project for purposes of considering environmental impacts; and

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

1. The Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.
2. The Commission serves as a Responsible Agency for the proposal pursuant to CEQA and has reviewed and considered information contained in the County of Napa’s Initial Study and Mitigated Negative Declaration for the Nova Business Park South Subdivision project, and finds that there are no additional direct or indirect environmental effects that would result from the Commission’s approval of the proposal; and therefore, no additional mitigation measures are required by the County of Napa.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**DEVLIN ROAD NO. 5
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of written confirmation by the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.

13. The Commission hereby directs staff to file a Notice of Determination in compliance with CEQA.

The foregoing Resolution was duly and regularly adopted by the Commission at a regular meeting held on February 1, 2021, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary

GEOGRAPHIC DESCRIPTION**DEVLIN ROAD NO. 5 ANNEXATION TO NAPA SANITATION DISTRICT**

APN 057-020-025

All that certain real property, situate in portion of Section 35, Township 5 North, Range 4 West, Mount Diablo Base and Meridian, in the County of Napa, State of California, being more particularly described as follows:

BEGINNING at the southeast corner of the Devlin Road Annexation (1983-8), Napa Sanitary District Resolution Number 6350;

thence along the easterly boundary of said annexation,

- (1) North $15^{\circ}56'04''$ East 684.38 feet to the south corner of the Devlin Road #3 Annexation (1990-6), Napa Sanitary District Resolution Number 7740;

thence along easterly boundaries of said annexation the following 3 (three) courses and distances:

- (2) North $15^{\circ}57'31''$ East 501.52 feet;
- (3) thence South $42^{\circ}27'41''$ East 44.19 feet;
- (4) thence North $47^{\circ}32'10''$ East 70.00 feet to the most easterly corner of said annexation, said corner also being on the northeasterly right-of -way line of Devlin Road;

thence along said right-of -way line of Devlin Road the following 3 (three) courses and distances:

- (5) South $42^{\circ}25'31''$ East 1032.12 feet to the beginning of a non-tangent curve concave to the southwest, having a radius of 2890.05 feet, the radial center of which bears South $57^{\circ}57'37''$ West;
- (6) thence southwesterly 246.25 feet along said curve through a central angle of $04^{\circ}52'55''$ (chord South $29^{\circ}35'56''$ East 246.17 feet) to the beginning of a non-tangent curve concave to the southwest, having a radius of 2890.00 feet, the radial center of which bears South $62^{\circ}37'13''$ West;
- (7) thence southwesterly 75.57 feet along said curve through a central angle of $01^{\circ}29'53''$ (chord South $26^{\circ}37'50''$ East 75.56 feet);

thence along the easterly right-of -way line of Devlin Road,

- (8) South $14^{\circ}47'55''$ West 452.43 feet;

thence leaving said easterly right-of -way line of Devlin Road,

(9) North 75°12'05" West 79.32 feet to a point on the westerly right-of -way line of Devlin Road;

(10) thence North 74°00'27" West 1110.72 feet to the **POINT OF BEGINNING**.

Containing 24.27 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.

Prepared by Cinquini & Passarino, Inc.


James M. Dickey, PLS 7935


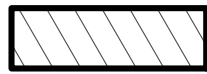


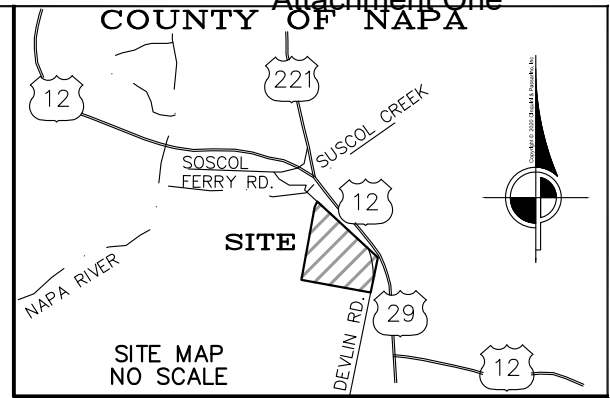
12-10-2020
Date

ANNEXATION DISTRICTS

- A** DEVLIN ROAD ANNEXATION, 1983-8
(NSD RESOLUTION 6350)
- B** DEVLIN ROAD #3 ANNEXATION, 1990-6
(NSD RESOLUTION 7440)

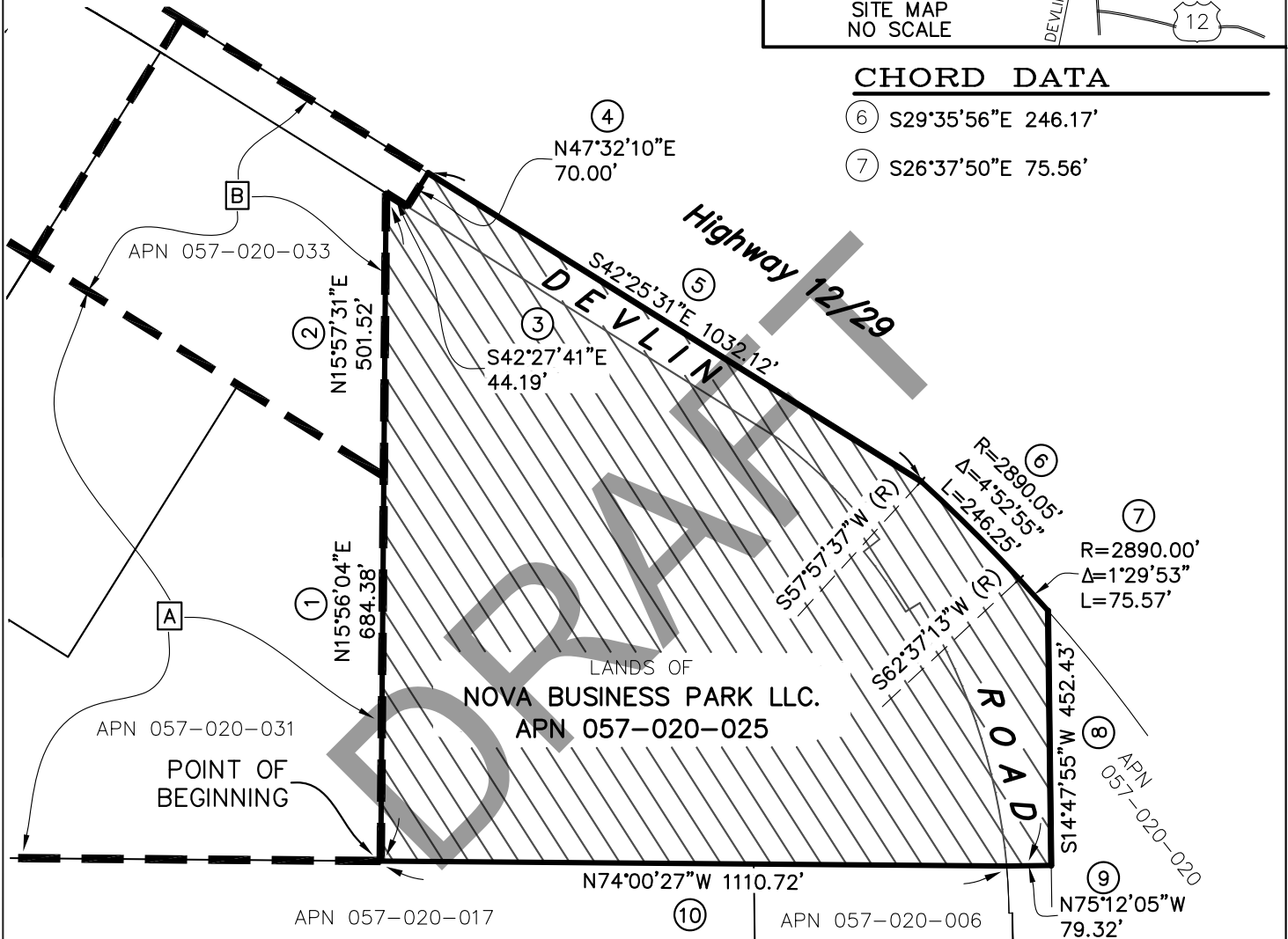
LEGEND

-  EXISTING NSD BOUNDARY
-  PROPOSED NSD ANNEXATION (±24.27 ACRES)



CHORD DATA

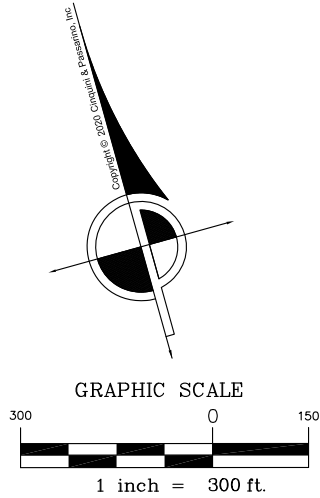
- ⑥ S29°35'56"E 246.17'
- ⑦ S26°37'50"E 75.56'



DISCLAIMER:
"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 AREA DESCRIBED."

CINQUINI & PASSARINO, INC.
LAND SURVEYING

- ▲ BOUNDARY
 - ▲ TOPOGRAPHIC
 - ▲ CONSTRUCTION
 - ▲ SUBDIVISIONS
- 1804 Soscol Avenue, Suite 202
Napa, CA. 94559
Phone: (707) 690-9025
Fax: (707) 542-2106
WWW.CINQUINIPASSARINO.COM



APN 057-020-025	DRAWN BY: CAF	CHECKED BY: DCS
DEVLIN ROAD NO. 5 ANNEXATION TO NAPA SANITATION DISTRICT	SCALE: 1" = 300'	DATE: 12-10-2020
	JOB #: 8316-18	PAGE: 3 of 3

FORM B

Date Filed: 10/22/2020

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:

Description of Boundaries of Affected Territory Accompanied by Map:

Reason for Proposal and Any Proposed Conditions:

Type of Petition:

Landowner

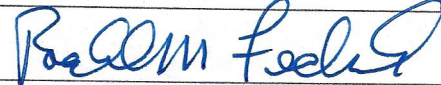
Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

1) Name: Nova Business Park LLC (Ron Fedrick)
Mailing Address: 185 Devlin Road, Box 4050, Napa, CA 94558
Assessor Parcel: APN 057-020-025
Signature:  Date: 10-21-2020

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: _____

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: _____

Contact Person	Agency/Business (If Applicable)
----------------	---------------------------------

Address: _____

Street Number	Street Name	City	Zip Code
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Contact: _____

Phone Number	Facsimile Number	E-Mail Address
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B. Applicant Type: (Check One)

<input type="checkbox"/> Local Agency	<input type="checkbox"/> Registered Voter	<input checked="" type="checkbox"/> Landowner
---------------------------------------	---	---

II. PROPOSAL DESCRIPTION

A. Affected Agencies:

Name	Address
Name	Address
Name	Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)

<input checked="" type="checkbox"/> Annexation	<input type="checkbox"/> Detachment	<input type="checkbox"/> City Incorporation	<input type="checkbox"/> District Formation
<input type="checkbox"/> City/District Dissolution	<input type="checkbox"/> City/District Merger	<input type="checkbox"/> Service Activation (District Only)	<input type="checkbox"/> Service Divestiture (District Only)

C. Purpose Statement:
(Specific)

III. GENERAL INFORMATION

A. Location:		24.27 XXXXX
	Street Address	Assessor Parcel Number
	Street Address	Assessor Parcel Number
	Street Address	Assessor Parcel Number
	Street Address	Assessor Parcel Number
	Total Location Size (Including Right-of-Ways) <u>XXXXX 24.27</u>	

B. Landowners:

- (1) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____
- (2) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____
- (3) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____
- (4) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone ██████ _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

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

D. Land Use Factors:

- (1a) County General Plan Designation: _____
- (1b) County Zoning Standard: _____
- (2a) Applicable City General Plan Designation: _____
- (2b) Applicable City Rezoning Standard: _____

E. Existing Land Uses:
(Specific)

F. Development Plans:

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project:
- (1c) If No, When Is Development Anticipated?

G. Physical Characteristics:

- (1) Describe Topography:
- (2) Describe Any Natural Boundaries:
- (3) Describe Soil Composition and Any Drainage Basins:
- (4) Describe Vegetation:

H. Williamson Act Contracts
(Check One)

- Yes
- No

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) **Lead Agency for Proposal:** _____
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: _____
Type

None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

.....

Use Additional Sheets As Needed

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

(Does not include affected landowners or residents)

(1) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

(2) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

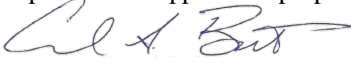
(3) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

VII. CERTIFICATION

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

Signature:  _____

Printed Name: _____

Title: _____

Date: XXXXXXXXX 10-21-2020

Indemnification Agreement

Name of Proposal: Devlin Road No. 5 Annexation to the Napa Sanitation District

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

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

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

Agency Representative Signature

Print Name

Date

Ronald M. Fedrick
Principal Landowner Signature

Ronald M. Fedrick
Print Name

10-21-2020
Date

GEOGRAPHIC DESCRIPTION**(ANNEXATION NAME), ANNEXATION TO NAPA SANITATION DISTRICT**

APN 057-020-025

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thence along the easterly boundary of said annexation,

(1) North 15°56'04" East 684.38 feet to the south corner of the Devlin Road #3 Annexation (1990-6), Napa Sanitary District Resolution Number 7740;

thence along easterly boundaries of said annexation the following 3 (three) courses and distances:

(2) North 15°57'31" East 501.52 feet;

(3) thence South 42°27'41" East 44.19 feet;

(4) thence North 47°32'10" East 70.00 feet to the most easterly corner of said annexation, said corner also being on the northeasterly right-of -way line of Devlin Road;

thence along said right-of -way line of Devlin Road the following 3 (three) courses and distances:

(5) South 42°25'31" East 1032.12 feet to the beginning of a non-tangent curve concave to the southwest, having a radius of 2890.05 feet, the radial center of which bears South 57°57'37" West;

(6) thence southwesterly 246.25 feet along said curve through a central angle of 04°52'55" to the beginning of a non-tangent curve concave to the southwest, having a radius of 2890.00 feet, the radial center of which bears South 62°37'13" West;

(7) thence southwesterly 75.57 feet along said curve through a central angle of 01°29'53";

thence along the easterly right-of -way line of Devlin Road,

(8) South 14°47'55" West 452.43 feet;

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Containing 24.27 acres, more or less.

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Prepared by Cinquini & Passarino, Inc.

PRELIMINARY

Davit C. Sulam, PLS 8224


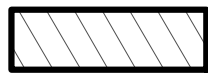


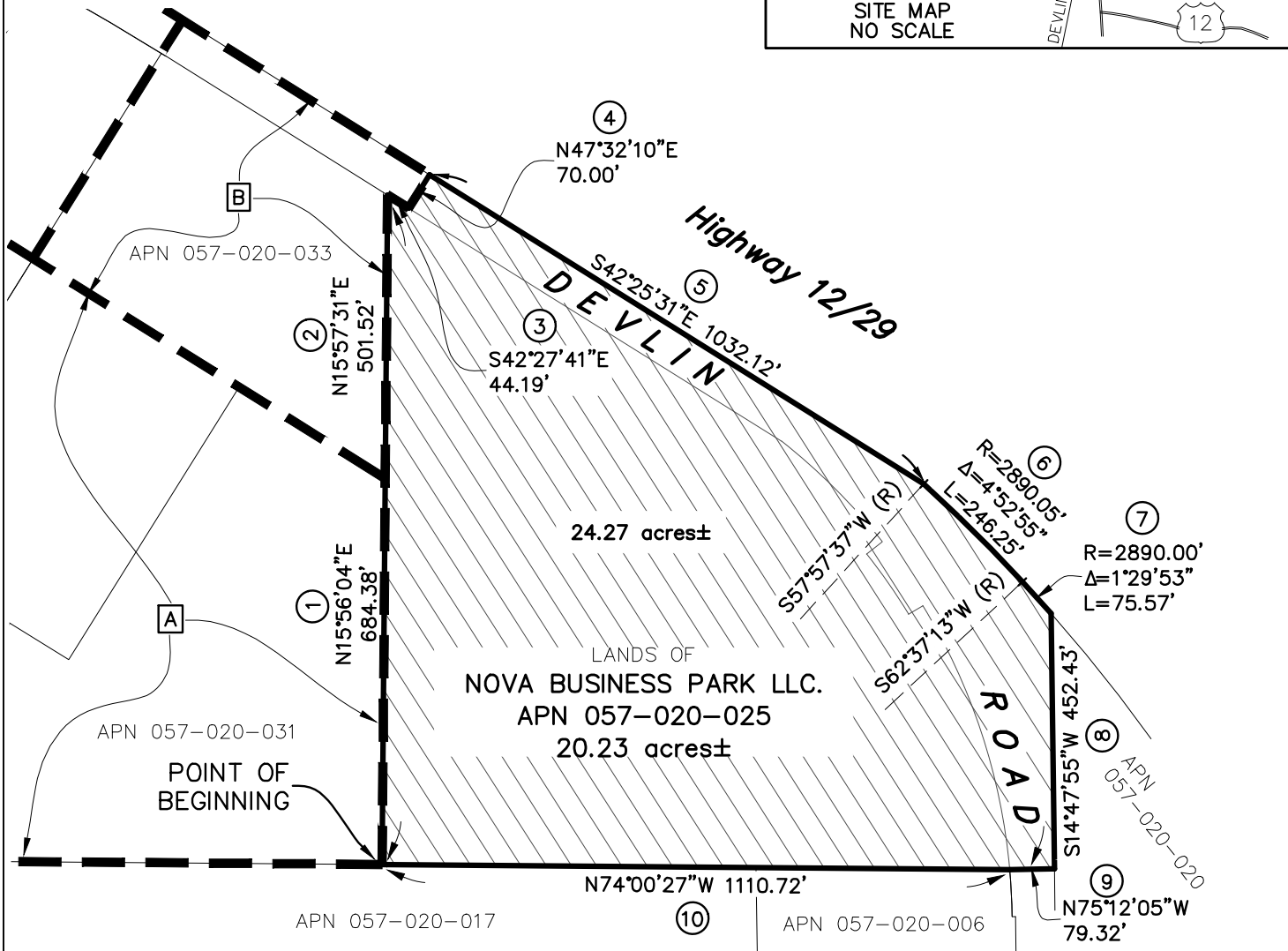
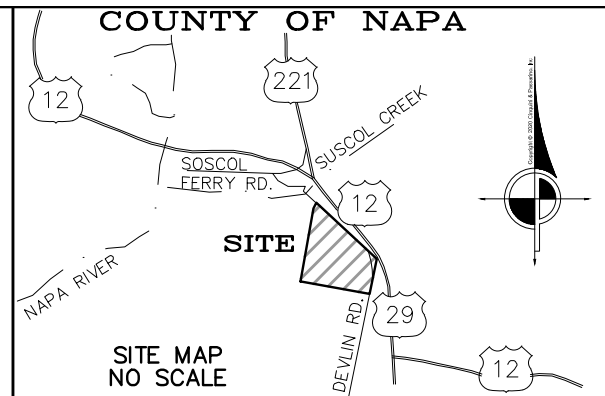
04-17-2020
Date

ANNEXATION DISTRICTS

- A** DEVLIN ROAD ANNEXATION, 1983-8
(NSD RESOLUTION 6350)
- B** DEVLIN ROAD #3 ANNEXATION, 1990-6
(NSD RESOLUTION 7440)

LEGEND

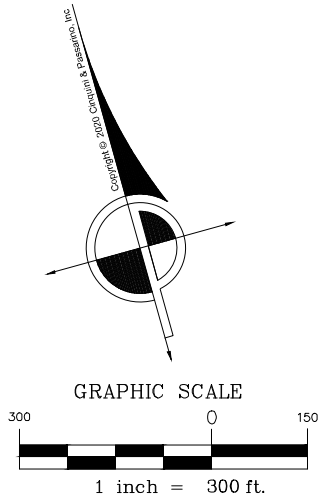
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-  PROPOSED NSD ANNEXATION (±24.27 ACRES)



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LAND SURVEYING

▲ BOUNDARY 1804 Soscol Avenue, Suite 202
 ▲ TOPOGRAPHIC Napa, CA. 94559
 ▲ CONSTRUCTION Phone: (707) 690-9025
 ▲ SUBDIVISIONS Fax: (707) 542-2106
 WWW.CINQUINIPASSARINO.COM






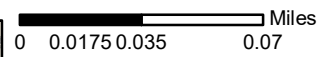
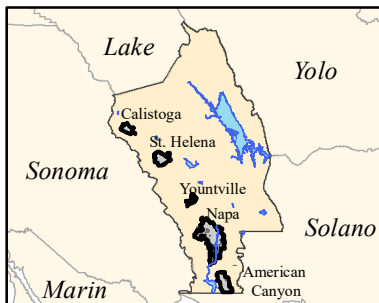
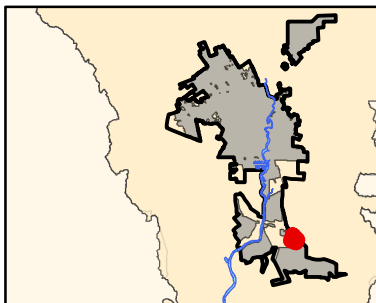
APN 057-020-025	DRAWN BY: CAF	CHECKED BY: DCS
DEVLIN ROAD NO. DISTRICT ANNEXATION TO NAPA SANITATION DISTRICT	SCALE: 1" = 300'	DATE: 04-17-2020
	JOB #: 8316-18	PAGE: 3 of 3

Annexation to the Napa Sanitation District



Legend

-  Napa Sanitation District Jurisdictional Boundary
-  Napa Sanitation District Sphere of Influence
-  Affected Territory



February 1, 2021

Prepared by LAFCO Staff



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



**Devlin Road No. 5 Annexation to the Napa Sanitation District (NSD)
Factors for Commission Determinations**

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

(1) Population and population density; land area and land use; 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.

Total population within the affected territory is zero. The affected territory is legally uninhabited given there are fewer than 12 registered voters.

The affected territory is approximately 24.3 acres in size, located within unincorporated County of Napa's ("the County") jurisdictional boundary, and has a designation within the County General Plan of *Industrial* and a zoning standard of *Industrial Park: Airport Compatibility*. The affected territory is currently undeveloped and located West of Devlin Road, southeast of Soscol Ferry Road (no situs addresses). The affected territory will be developed with the planned "Nova Business Park South Subdivision" ("the project").

The current assessment value total is \$4,285,861.

Topography is relatively flat with two percent slopes.

The location is within the *Mouth of the Napa River* watershed and *Sheehy Creek* drainage basin.

The project for the affected territory is the subdivision of the existing 24.3 acre parcel into 11 parcels. The project includes the development of two cul-de-sacs and associated street improvements for *Improvement Plan and Final Map* approval with Napa County as part of the conditions of approval for tentative map. The parcel is located within the *Napa County Airport Industrial Area Specific Plan*.

Current land uses include undeveloped parcels to the surrounding the property with the exception of industrial use on the adjacent parcel to the west. The area is located in the unincorporated County of Napa. The surrounding, adjacent undeveloped areas are expected to develop and are assigned a zoning standard of *Industrial Park: Airport Compatibility*. There are currently no known development plans for the adjacent undeveloped parcels.

(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 affected territory is currently undeveloped. Core municipal services needed within the affected territory based on its anticipated industrial land uses include sewer, water, fire protection/emergency medical, and law enforcement. Estimated demands for municipal services within the affected territory are difficult to calculate since the project is for subdivision prior to development plans. However, the *Napa Valley Business Park Specific Plan* addressed service needs for possible industrial development of the area. The Commission's *Municipal Service Reviews: South County Region* adopted in 2018 and *Central County Region Municipal Service Review* completed in 2014 determined that no service deficiencies for the area were identified.

Sewer

Sewer flows cannot be projected at this time since the application is for subdivision of the parcel with street improvements. Future development must comply with the requirements of the *Napa Valley Business Park Specific Plan* and *Napa County Code*. NSD has established adequate capacities and controls to accommodate these demands. NSD issued a will serve letter with conditions on February 20, 2019. Included in the conditions is a requirement that a plan, showing the required sanitary sewer and reclaimed water improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to NSD for approval. The project would connect via an extension to existing sewer utilities located within the adjacent developed industrial parcel to the west.

Water

The City of American Canyon has been identified in the applicant's tentative subdivision project as the water service provider for the project. The affected territory is located within an area designated for industrial development by the County. Given its inclusion within American Canyon's extraterritorial water service area (ETSA) as approved by the Commission in 2007, Commission approval is not required to extend water service to the affected territory under G.C. Section 56133.

In compliance with City requirements, a Water Service Report was prepared for the project. The estimated daily average water demand (ADD) at build-out is 8,583 gallons with a maximum daily demand (MDD) of 12,874 gallons. The City's 2010 Urban Water Management Plan (UWMP) assumes industrially zoned property City ETSA up to a maximum ADD of 650 gpd per acre. The property's estimated ADD is 529.8 gpd per acre, which is less than the maximum of 650 gpd per acre allowed by the American Canyon Municipal Code of 13.10.

The City has established adequate capacities and controls to accommodate these demands. American Canyon issued a will serve letter dated June 30, 2020. Water used for landscaping and temporary dust control during construction will be recycled water provided by NSD.

Fire Protection and Emergency Medical

The affected territory currently receives fire protection and emergency medical service from the County. Conditions of approval from the County include the conditions stated in the fire department Inter-Office Memo dated November 27, 2019. Eventual buildout of the parcel would increase the need for fire protection and emergency medical services moving forward. Since the exact impact is not know at this time one of the conditions of approval requires that each building shall be reviewed independently at the time of building permit application. Construction may or may not be feasible as shown on the drawings provided with the application. Fire prevention measures are required, as part of the approval and street construction must comply with County standards to provide good public road access.

Law Enforcement

The affected territory receives law enforcement services from the County. Eventual buildout of the affected territory would increase the need for law enforcement services. Information generated from the Commission’s municipal service review on the *Comprehensive Study on Countywide Law Enforcement Services (2012)* noted that the County has generally developed sufficient capacities and controls to serve existing and anticipated demands for these services. 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 local governmental structure.

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

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

The proposal is consistent with the Commission’s adopted policies based on the affected territory’s urban land use designation and consistency with NSD’s SOI. Further, the affected territory does not qualify as “open-space” under LAFCO law and therefore does not conflict with G.C. Section 56377.¹ Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

¹ The affected territory is not devoted to an open-space use under the County General Plan.

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

The proposal is consistent with the Commission's policies as codified under its General Policy Determinations. This includes consistency with the industrial land use designation for the affected territory under the County General Plan, avoidance of premature conversion of agricultural uses, and consistency with NSD's adopted sphere of influence. 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 devoted to open-space use under the County General Plan. Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

(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 proposal is parcel-specific and includes all of the property identified by the County of Napa Assessor's Office as 057-020-025. The applicant has submitted a map and geographic description of the affected territory that conform with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory.

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

The Metropolitan Transportation Commission's current regional transportation plan (RTP) was adopted in 2017 and is titled *Plan Bay Area 2040*. The RTP outlines specific goals and objectives to direct public transportation infrastructure in the San Francisco Bay Area through 2040.² No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

The proposal would provide permanent public sewer service to the affected territory. The availability of this municipal service is consistent with the County General Plan, which assigns an *Industrial* land use designation for the affected territory.

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

The affected territory is located entirely within NSD's SOI, which was last comprehensively updated by the Commission in 2015. The eventual development project will rely on water service from the city of American Canyon. While the affected territory is located outside American Canyon's sphere of influence, it is located within American Canyon's Extraterritorial Water Service Area approved by the Commission in 2007. Therefore, no additional Commission action is required.

² *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan. It is important to note the Metropolitan Transportation Commission and the Association of Bay Area Governments are currently updating the RTP. It is anticipated a draft environmental impact report for *Plan Bay Area 2050* will be released in Spring 2021.

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

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

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

Information collected and analyzed as part of the Commission's *Napa Countywide Water and Wastewater Municipal Service Review* completed in 2020 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge is intended to recover NSD's ongoing maintenance and operation expenses. The 2020 *Napa Countywide Water and Wastewater Municipal Service Review* is relied upon and sufficient for this annexation proposal regarding the plan for services required by G.C. Section 56653.

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

The *South County Regional Municipal Service Review* (2018) provided analysis regarding American Canyon's ability to provide current and projected water services. It was determined that the City's recently updated Urban Water Management Plan demonstrates that the City has sufficient water to meet projected needs in the next 20 years. No service deficiencies exist with respect to the affected territory.

American Canyon's water supplies include raw water provided by the Department of Water Resources' State Water Project, raw and treated water provided by the City of Vallejo, and recycled water provided by American Canyon and Napa Sanitation District. The maximum contracted total of these supplies is 8,340 acre-feet.³ The actual amount available for delivery each year varies depending upon weather conditions statewide.

In 2015, demand within American Canyon's Water Service Area totaled 2,976 acre-feet.⁴ The Water Services Report projects the build-out of the affected territory could generate an additional annual water demand of 14.4 acre-feet.

In accordance with American Canyon's 2011 Zero Water Footprint Policy, all new development is required to offset new demands to ensure there are no adverse impacts to existing customers or supplies.

³ Table E-3 of the 2015 City of American Canyon Urban Water Management Plan

⁴ Table E-1 of the 2015 City of American Canyon Urban Water Management Plan

The following table provides projected water usage by type of land use. Total anticipated demand in the use category of *Other-Commercial/Industrial/Institutional* ranges from 1,087 to 1,448 acre-feet per year. The anticipated annual water demand for the proposed project would have negligible impact on the City's water demands.

Projected Demand 2020-2040⁵

USE TYPE	2015 ACTUAL	PROJECTED DEMAND				
		2020	2025	2030	2035	2040
Single Family Residential	1,102	1,562	1,712	1,861	2,011	2,171
Multi-Family Residential	142	174	190	207	223	241
Other—Commercial/Industrial/ Institutional	854	1,087	1,177	1,267	1,357	1,448
Landscape	175	247	247	247	247	247
Agricultural irrigation	56	56	0	0	0	0
Other—Miscellaneous	16	24	24	24	24	24
Losses	631	255	272	292	313	335
Total Demand (acre-feet per year)	2,976	3,405	3,622	3,898	4,175	4,466
Service Area Population	20,315	22,462	24,609	26,756	28,903	31,210

Note: All volumes are shown in acre-feet per year. One acre-foot is approximately 325,851 gallons.
Source: Kennedy Jenks Consultants 2016.

(13) The achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

In an effort to address identified housing needs, the County has adopted a Housing Element and a development impact fee.⁶ The fee is assessed on all non-residential developments based on gross floor area. The purpose of the fee is to reduce housing impacts.⁷

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

The landowners of the affected territory are the petitioners seeking annexation. No additional information or comments were submitted.

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

The County's General Plan land use designation for the affected territory is *General Industrial*. This designation provides for areas where industrial uses are appropriate visually and environmentally. Specific zoning in these areas further refines the type of industrial use and whether or not a building permit is required.

⁵ Source: South County Region Final Municipal Service Review and Sphere of Influence Updates 2018.

⁶ A recent report with information on local regional housing needs allocations is available online at: https://www.napa.lafco.ca.gov/uploads/documents/8-3-20_6c_Housing-GeneralPlans.pdf.

⁷ As required under Chapter 18.107 of the Napa County Code.

The affected territory is zoned by the County as *Industrial Park: Airport Compatibility (IP:AC)*, which permits modern, non-nuisance light industrial and office uses. This zoning is also intended to accommodate the orderly growth and development of public-use airports.

The proposed annexation to NSD and planned development project are consistent with these existing land use designations.

(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

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

(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The parcel is located in a High Fire Hazard Severity (SRA) zone. Compliance with Chapter 7 A of the California Building Code is required for new construction. In addition, County Fire has required that each building shall be reviewed independently at the time of building permit application. Fire prevention measures are required as part of the approval and street construction must comply with County standards to provide good public road access. The affected territory is not included in a FEMA flood zone.

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

Proposal approval would benefit the landowners within the affected territory by providing permanent access to sewer, water, and expanded municipal services. The general public will be served with a planned industrial use. The planning of specific areas for industry allows these businesses to be placed with minimal environmental impact while protecting agricultural and open space lands.

**COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417**

**Study Checklist
(form updated January 2019)**

1. **Project Title:** Nova Business Park South Tentative Parcel Map P19-00022
2. **Property Owner:** Nova Business Park LLC, P.O. Box 4050, Napa, CA 94558 Phone: (707) 332-3385
3. **County Contact Person, Phone Number and email:** Joan E. Gargiulo, Planner II (707) 299-1361 joan.gargiulo@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** Devlin Road APN: 057-020-025 Parcel Size: 20.23 acres
5. **Project sponsor's name and address:** Carl Butts, P. O. Box 140, Napa, CA 94559 (707) 694-9479
6. **General Plan description:** Industrial
7. **Zoning:** IP:AC Industrial Park/Airport Compatibility Combination District
8. **Background/Project History:** The project site is undeveloped and is accessed from Devlin Road. The parcel was approved for an 11 acre subdivision in 2006, however the project was not initiated and the map has since expired.
9. **Description of Project:** The project is a request to subdivide one existing 20.23 acre parcel to create 11 (eleven) new parcels ranging in size from 0.91 to 2.81 acres. The project includes street and infrastructure improvements including 2 (two) new cul-de-sac roadways accessed from Devlin Road. No specific land uses or buildings are proposed as part of this permit application, however potential building envelopes and parking layouts have been shown for future development of the proposed parcels.
10. **Describe the environmental setting and surrounding land uses:** The 20.23 acre vacant project site is located northeast of the Napa County Airport on a flat to gently sloping open grassland. A portion of the site adjacent to Devlin Road (approximately 1.25 acres in size) was graded as a result of roadwork associated with the construction of the connection between Devlin Road and Gateway Drive. According to the geotechnical report prepared for the proposed project, a few feet of fill was placed on the western portion of the project site in the late 1980s. The site has been designated for industrial development for several decades, and is the final phase of the Napa Valley Gateway Business Park within the Airport Industrial Area Specific Plan. The Geotechnical Feasibility Report prepared by Miller Pacific Engineering Group, dated February 22, 2006, states that the FEMA flood maps show that the site is located outside of both the 100 and 500-year flood zones. According to the CalFire Hazard Map, the subject parcel is located in a high fire severity zone.

An unnamed blue-lined stream is located near the middle of the subject project site and flows west toward the Napa River. According to United States Geological Survey (USGS) Maps, the unnamed blue-lined stream originates within the subject property and then runs approximately one mile west to its confluence with the Napa River. Due to the limited size of the watershed upstream and the very low slopes in the area, the stream does not have a well-defined channel and is best described as a swale. The proposed tentative map includes new improvements within the stream channel including a sanitary sewer line that would cross the blue-lined stream and two proposed storm drain outlets near the upper banks of the stream. The proposed sanitary sewer line would connect to the public sewer main approximately 2,000 feet to the southwest of the existing project parcel (at the southwestern corner of APN 057-210-002). All local, state, and federal permits for stream alterations would be required to be obtained at the time of any development proposals.

The project site is in close proximity of the Napa County Airport and is located within zone D, the Common Traffic Pattern airport zone. This is an area that is routinely overflowed by aircraft operating to and from the airport with frequent single-event noise intrusion. North and east of the project site are public roads including Devlin Road and Highway 29. South of the project site are two vacant parcels totaling approximately 36 acres. To the west of the project site is a 11 acre vacant parcel and the 6.4 acre Chevron Gas Station property.
11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement). Other discretionary permits from other agencies that are required with the proposed tentative parcel map are related to the proposed street and infrastructure improvements and the proposed work within and adjacent to the unnamed blue-lined stream for the installation of the proposed storm drain

outfalls and the sanitary sewer line crossings that would require permit approvals from local, state, and federal agencies with jurisdiction over the project as follows:

- A. Public Works Grading Permit
- B. California Regional Water Quality Control Board Certification for Waste Discharge
- C. California Department of Fish and Game Streambed Alteration Agreement
- D. U.S. Army Corps of Engineers Section 404 Permit

12. **Tribal Cultural Resources.** On February 2, 2020, County staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who, as of that date, had requested to be invited to consult on projects in accordance with the requirements of Public Resources Code Section 21080.3.1. No responses were received within the 30-days of the tribes receipt of the invitations.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a (SUBSEQUENT) 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 (SUBSEQUENT) 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 as described on 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 that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Joan E. Gargiulo

May 20, 2020

Signature

Date

Name: Joan E. Gargiulo, Planner II
Napa County
Planning, Building and Environmental Services Department

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS. Except as provided in Public Resources Code Section 21099, 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <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:

- a-c: The proposed parcel map project with the related infrastructure improvements would not have a substantial impact on scenic vistas, damage scenic resources, or degrade the visual character or quality of the site or its surroundings. There are no recognized scenic resources or vistas within the vicinity of the project area. No trees are proposed to be removed by the proposed project and there are no structures on the subject parcel. No new structures are proposed as part of this project. The only visual difference with the existing conditions is the addition of the two newly proposed cul-de-sac streets and a tentative landscape development plan along those streets and the adjacent stretch of Devlin Road. The addition of the trees proposed as part of the tentative landscape development plan would not have a significant environmental impact. The land currently is designated for industrial development. Subdivision of the property into additional parcels itself would not result in changes to aesthetics within the project vicinity. Future development of the parcels will be subject to environmental review prior to approval of a proposed Site Plan, Use Permit or other discretionary permit as required by County Code.
- d: This proposed parcel map would not result in the creation of a substantial new source of light and glare. All potential new lighting associated with subsequently proposed development on the proposed lots would be required to be shielded or directed downward as required by the Municipal Code, so that there would be no impacts on adjoining properties.

Mitigation Measures: None Required

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES.¹ Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

¹ "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e: The proposed site is not located on prime agricultural soils nor is it considered prime farmland. There are no agricultural uses currently on the project site and there are no Williamson Act contracts on the subject property. Although according to the geotechnical report prepared for the proposed project, historically, the site was used for pastureland; however, a few feet of fill was placed on the western portion of the project site in the late 1980s. The project is located within an area that has been designated for industrial development through the County General Plan and zoning ordinance for decades, so there are no aspects of this project that could reasonably be interpreted as having the potential to result in the conversion of farmland to non-agricultural uses.

Mitigation Measures: None Required

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAQMD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a

decision about the project. However, the Thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a-b: The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM2.5, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM2.5 levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. The Air District's threshold of significance provided in Table 3-1 has determined that road and infrastructure improvements will not significantly impact air quality and do not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.). Given the limited scope of the project and the fact that subsequent future development of the proposed parcels will require environmental review as required by CEQA, the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan.

The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

c-d: In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to proposed street and infrastructure improvements and the proposed work within and adjacent to the unnamed blue-lined stream for the installation of the proposed storm drain outfalls and the sanitary sewer line crossings. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adhere to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

7.1 SITE IMPROVEMENTS
c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

Furthermore, while earthmoving and construction on the site would generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

7.1 SITE IMPROVEMENTS
b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation 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:

a/b/d/e/f The project site is mostly flat to gently sloping grassland with the upstream end of a blue-lined stream located near its center. The blue-lined water feature depicted by the United States Geological Survey (USGS) map within the project parcel is fed by headwaters in the rolling hills to the northeast of the site that flow under the adjacent Devlin Road through a culvert from the northern portions of the Sheehy Creek Drainage. The project site appears mostly undisturbed, except for an area between one and two acres in size along the east edge of the project parcel that has been previously graded adjacent to the newly constructed connection of Devlin Road. According to the geotechnical report prepared for the proposed project, a few feet of fill was placed on the western portion of the project site in the late 1980s and historically, the site was used as pastureland. A Special Status Habitat and Species Analysis dated October 2019 was prepared for the project by Zentner Planning and Ecology. According to the California Natural Diversity Database (CNDDDB), there are no documented occurrences of special-status species within the project site.

The Special Status Habitat and Species Analysis evaluated the site to identify the presence of special-status species on-site and researched the habitat characteristics and location of the site for the potential occurrence of special-status plant and animal species at or within the proximity of the project site. The biological analysis did not find the presence of any candidate, sensitive, or special-status plant species within the project parcel; however the analysis did identify potentially suitable habitat for four special-status plant species, including; narrow-anthered brodiaea, dwarf downingia, Napa bluecurls, and saline clover. The report found that the potential for occurrence of these special-status species cannot be ruled out based on this reconnaissance level field survey. The proposed project would have the possibility to impact any of the above species if they are located on site and the project significantly affected them; however preconstruction surveys within the proposed project site to determine the presence or absence of the above-referenced species of plants, implemented as Mitigation Measure BIO-1, would serve to identify the presence of these plants and, if they are found to occur, to avoid significant impacts or mitigate potential impacts to less than significant levels as deemed appropriate by the California Department of Fish and Wildlife.

The Special Status Habitat and Species Analysis identified that the proposed project will result in the loss of approximately 0.15 acres of California oatgrass (*Danthonia californica*) grassland habitat. There is not a definitive rule concerning native grasslands, however, the general guideline is that where native grasses contribute 10 or more percent of the cover over an area, they can be considered sensitive natural community by the California Department of Fish and Wildlife. California oatgrass grasslands are unusual and the loss of 0.15 acres would be a potentially significant impact. To mitigate impact to less than significant levels, Mitigation Measure BIO-2 provides for the restoration of native grasslands at a 1:1 ratio including California oatgrass at a 0.75:1 ratio on the project site as deemed appropriate by the permitting agencies.

Suitable potential habitat for Swainson's hawk, northern harrier, burrowing owl and other raptors, as well as migratory nesting birds, is present directly adjacent to the project site. This proximity is such that although the nesting habitat is not on the subject parcel, the project work could impact nests in these areas. As well, the site contains potential nesting habitat for burrowing owls and potential nesting habitat for migratory nesting birds. These birds are protected under the Migratory Bird Treaty Act (50 CFR 10.13) and their nest, eggs, and young are protected under California Department of Fish and Wildlife Code Section 3503, 3503.5, 3800, and 3513. Any project related impacts on the nesting success of these species would be considered a significant adverse impact. According to the Special Status Habitat and Species Analysis, the SR 29/221 Soscol Junction Improvement Project EA/EIR (Caltrans 2015), which is located approximately 0.50 miles north of the project site, concluded that 23.66 acres of Swainson's hawk foraging habitat accounted for just 0.16% of their potential foraging habitat. Further, it found that the loss of this small amount of vegetation relative to the Swainson's hawk territory size would not have a substantial adverse effect, either directly or indirectly, on the Swainson's hawk or its habitat, nor would it substantially reduce the number or restrict the range of that species. The proposed project would affect a smaller potential foraging area (20.23 acres). The property does not provide any nesting or roosting habitat for the Swainson's hawk, and the amount of foraging habitat that will be developed is not substantial. There is no evidence that this species may be significantly impacted by this project. Potential impacts from the proposed project include loss of nesting habitat, disturbance to nesting birds, and possibly death of adults and/or young. These impacts would be mitigated to a level less than significant by Mitigation Measure BIO-3.

- c. A wetland jurisdictional delineation report dated October 2016 was prepared for the project by Zentner and Zentner Land Planning and Restoration. "Wetlands" or "waters of the U.S." as defined by Section 404 of the Clean Water Act are specially protected under CEQA and loss of, or impacts to, these habitats must be mitigated to ensure that the project does not result in a substantial adverse effect. The wetland delineation report identifies nine small seasonal wetlands and two jurisdictional drainages on the property; a jurisdictional tributary and a jurisdictional drainage ditch. The project will result in the loss of 0.34 acres of seasonal wetland. The majority of the wetlands that will be filled are very shallow depressions that have formed as a result of differential settling. They are primarily filled by direct rainfall and remain inundated for only a short time after. The vegetation within these wetlands is predominantly weedy non-native species. For these reasons, the wetlands that will be filled by the project have a relatively low habitat value. Almost all of the higher quality tributary on site will be preserved except for approximately 220 sq. ft. of rock slope protection around the outfalls. The project will permanently preserve 1.011 acres of tributary and 0.016 acre of seasonal wetlands. As well, the project would construct an additional 0.35 acres of seasonal wetlands, just over a 1:1 created to fill ratio, on the project site directly adjacent to the tributary wetlands. These areas will be buffered by native grasslands and riparian enhancement of the uplands adjacent to the preserved tributary. The preserved tributary, preserved and created wetlands, and buffers will be contained within a 3.3 acre open space area to be permanently protected and managed for habitat functions and values in order to reduce the level of impact to a less than significant level as required in mitigation measure BIO-4.

Mitigation Measures:

MM BIO-1: Prior to County approval of any specific development, special-status plant surveys shall be conducted by a qualified biologist in appropriate habitats during the periods in which species are most identifiable. These surveys shall be in compliance with all CDFW (2009), USFWS (1996), and CNPS (2001) published survey guidelines.

If special-status plant species are found, populations will be mapped and enumerated. If any populations are found within the proposed development area, project development plans shall consider avoidance to the extent practicable. If avoidance is not practicable while otherwise obtaining the project's objectives, then other suitable measures and mitigation shall be implemented as detailed below.

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

- A. Initially the practicability of avoidance shall be evaluated as noted above.
- B. If avoidance is not practicable, a mitigation plan shall be developed and approved by the County of Napa for implementation of steps 1 through 3 below prior to site disturbance.

The mitigation plan shall include the following elements:

1. Prior to construction within the project area, a qualified botanist shall collect the seeds, propagules, and top soils, or other parts of the plant that would ensure successful replanting of the population elsewhere. The seeds, propagules, or other plantable portion of all plants shall be collected at the appropriate time of the year.
2. At least 2/3 of the seeds, propagules, or other plantable portions of all plants shall be planted at the appropriate time of year (late-fall months). Half of the seeds and top soils collected shall be appropriately stored and propagated at a native plant nursery to ensure germination. This material will be planted at an approved and protected area during the appropriate season. Planting location, timing, collection methods, etc. shall be detailed in the mitigation plan required by Measure B above.
3. The applicant shall hire a qualified biologist to conduct annual monitoring surveys of the transplanted plant population for a five-year period and shall prepare annual monitoring reports reporting the success or failure of the transplanting efforts. These reports shall be submitted to the County of Napa no later than December 1st each monitoring year.
4. These steps shall be implemented prior to site disturbance.

A California Natural Diversity Database (CNDDDB) form shall be filled out and submitted to the California Department of Fish and Wildlife (CDFW) for any special-status plant species identified within the project site.

In lieu of the above prescribed mitigation, as allowed in writing by the County of Napa, mitigation requirements may be satisfied via the purchase of qualified mitigation credits of the preservation of offsite habitat.

Monitoring: The applicant shall hire a qualified biologist to conduct pre-construction surveys to be submitted to Planning Division staff. If special-status species are found, a mitigation plan shall be submitted and approved by the County. The applicant shall hire a qualified biologist to conduct annual monitoring surveys of the transplanted plant population for a five-year period and shall prepare annual monitoring reports reporting the success or failure of the transplanting efforts. These reports shall be submitted to the County no later than December 1st of each monitoring year.

MM BIO-2: The project will restore native grasslands at a 1:1 ratio including California oatgrass grassland at a 0.75:1 ratio on the project site. The grassland restoration shall be completed within the restored wetland buffers and/or within the preserved creek setback buffers on the

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

property and contained within a 3.3 acre open space area to be permanently protected and managed for habitat functions and values.

Monitoring: Prior to issuance of a grading permit, a mitigation plan describing the constructed native grassland locations, construction methods, and monitoring and success criteria will be submitted to the permitting agencies for review and approval.

MM BIO-3: If construction would commence anytime during the nesting/breeding season of the Swainson's hawk, northern harrier, burrowing owl, or other raptors, or other bird species listed in the Migratory Bird Treaty Act (typically February through September 15), a pre-construction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified biologist (experienced with the nesting behavior of species of the region) within 14 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey should be to determine if active nests area present within or adjacent to the construction zone within approximately 250 feet. The surveys should be timed such that the last survey is concluded no more than two weeks prior to initiation of construction activities. If ground disturbance activities are delayed following a survey, than an additional pre-construction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone shall be created around nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be determined through consultation with the CDFW depending on the species, taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest;
- Sensitivity of individual nesting species and behaviors of the nesting birds.

Monitoring: A nesting bird survey shall be completed by a qualified biologist and submitted to the Planning Division within 14 days of the commencement of construction activities. If nests are found, a no disturbance buffer zone shall be determined through consultation with CDFW, and established in the field with orange construction fencing or other appropriate barrier, until a qualified biologist determines that all young have fledged. The qualified biologist shall serve as construction monitor during those periods when construction activities would occur near active nest areas of special-status bird species to ensure that no impacts on these nests occur. Construction personnel shall be instructed on the sensitivity of nest areas.

MM BIO-4: The project shall permanently preserve 1.011 acre of tributary and 0.016 acre of seasonal wetlands. As well, the project will construct an additional 0.35 acres of seasonal wetland, just over a 1:1 created to fill ratio, on the project site directly adjacent to the tributary wetlands. These areas will be buffered by native grasslands and riparian enhancement of the uplands adjacent to the preserved tributary. The preserved tributary, preserved and created wetlands, and buffers will be contained within a 3.3 acre open space area to be permanently protected and managed for habitat functions and values.

Monitoring: Prior grading permit issuance, a mitigation plan describing the constructed wetland locations, construction methods, and monitoring and success criteria shall be submitted to the permitting agencies for review and approval.

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

V. **CULTURAL RESOURCES.** Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The project site is vacant and does not contain any structures. According to the Napa County Environmental Resources Map (based on the following layers – Cultural Resources: Historical Sites, Arch Sensitive Areas, Arch Sites, and Arch Surveys) archaeological sites have been identified in proximity to the site. A Cultural Resources Technical Report was prepared by Paleo West dated March 25, 2020. This study was conducted to determine the presence or absence of archaeological resources and potential impacts, if any, as a result of the proposed project. As a result of the archaeological review, one cultural resource was identified within the project area; a portion of the original alignment of Devlin Road. The historical significance of the old alignment of Devlin Road was evaluated by applying the procedure and criteria for the California Register of Historic Resources (CRHR). The old alignment and the associated eucalyptus trees have been evaluated as a single resource. According to the study, the Old Alignment of Devlin Road does not appear to have made a significant contribution to the broad patterns of our history, it does not appear to have been a major transportation corridor nor is there any indication it was integral to the development of the region. The Old Alignment of Devlin Road does not appear to have any direct association with lives of significant persons in our past, nor does it appear to embody the distinctive characteristics of a type, period, or method of construction; or as a representative work of a master; or possessing high artistic values. The Old Alignment of Devlin Road is unlikely to yield information important to prehistory or history. There is no indication that there are subsurface elements associated with Devlin Road that will yield information regarding road construction or the history of the region. It is unlikely that further study of Devlin Road will result in meaningful changes to our understanding of the past. As this resource is not recommended as eligible for the CRHR, no further resource management is needed.

Should archaeological resources be found during any future earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the standard condition of approval. The proposed project will not have a significant impact on any historical resource, archaeological resource, paleontological resource, or site or unique geologic feature.

7.2: Archaeological Finding

In the event that archaeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

Discussion:

- a. The proposed parcel map project with the related infrastructure improvements would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction of infrastructure improvements. All future development of the created parcels shall be required to comply with Title 24 energy use requirements. No impacts would occur
- b. The proposed project will not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no development plans, outside of infrastructure improvements, applicable to the subject site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause 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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<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 waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.
 - i.) According to the Geotechnical Feasibility Report prepared by Miller Pacific Engineering Group, dated February 22, 2006, There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
 - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
 - iii.) The Geotechnical Feasibility Report (Miller Pacific 2006) indicates that, with possible exception of the upper 12 to 18 inches, soils above the water table are stiff or dense and therefore not prone to seismic induces ground settlements. The fill places a the site is also reportedly well-compacted and should therefore not be prone to this hazard. Compliance with the latest edition of the California Building Code for

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

seismic stability would result in less than significant impacts.

- iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no known landslide areas on the project site.
- b. The proposed improvements would occur on slopes ranging from less than 1% to approximately 15% percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control as applicable. Impacts would be less than significant.
- c/d. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the improvements are proposed for an area which has a moderate susceptibility to seismic ground shaking and liquefaction as a result of being located on alluvial soil deposits. According to the Geotechnical Feasibility Report prepared by Miller Pacific Engineering Group, dated February 22, 2006, test borings did not encounter loose, saturated, granular soils that would be susceptible to liquefaction, and bedrock was encountered relatively near the existing ground surface. The potential for impact is considered less-than-significant because all project construction is subject to the seismic safety requirements of Title 24 of the California Uniform building Code. Impacts would be less than significant.
- e. The project will connect to municipal water service provided by the City of American Canyon and sewer service by the Napa Sanitation District. "Will Serve" letters have been provided by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project. No impacts would occur.
- f. Based on the Cultural Resource Technical Report prepared by Paleo West Archaeology (March, 2020), there are no known paleontological resources or unique geologic features that would be effected by the proposed project. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval 7.2 identified in **Section V** above. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential greenhouse gas (GHG) emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The Board also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016 the County, as part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. Additional information on the County CAP can be obtained at the Napa County Department of Planning,

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Building and Environmental Services or <http://www.countyofnapa.org/CAP/>. The final draft of the CAP was released on June 5, 2017 for public review and Planning Commission consideration and recommendation to the Board of Supervisors. A Revised Draft CAP and Notice of Preparation (NOP) for the Draft Environmental Impact Report (EIR) to be prepared were released for public review on July 24, 2018. Comments on both were solicited at the Planning Commission hearing of August 15, 2018. Based on comments received, a Second Revised Draft CAP was released for public review on May 10, 2019 concurrent with a Draft EIR.

a/b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO_{2e})]. This threshold of significance is appropriate for evaluating projects in Napa County.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.)

The proposed project has been evaluated against the BAAQMD thresholds and it was determined that the project would not exceed the 1,100 MT/yr of CO_{2e}. Greenhouse Gas Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code and vehicle fuel efficiency standards, would combine to further reduce emissions below BAAQMD thresholds.

The anticipated increase in emissions from the construction of the infrastructure improvements would be minor and the project is in compliance with the County's efforts to reduce emissions as described above. Accordingly, project impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HAZARDS AND 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?	<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 reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) 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"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts normally used in the construction of infrastructure improvements. Impacts would be less than significant
- b. The project would not result in the release of hazardous materials into the environment. No impacts would occur.
- c. There are no schools located within one-quarter mile from the project site. No impacts would occur.
- d. Based on a search of the California Toxic Substances Control Database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. The project site is located within two miles of the Napa County Airport, and is therefore subject to the requirements of the County's Airport Compatibility Combination zoning district and the requirements of the Napa County Airport Land Use Compatibility Plan (ALUCP). While the subject parcel is located within Compatibility Zone D of the Airport Land Use area, the proposed parcel map and creation of industrially zoned parcels is considered to be compatible with the risk and noise impacts associated with parcels within Zone D. As a condition of approval, the project will require an overflight easement be recorded on the property that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations as required by Section 18.80.030 of the Napa County Municipal Code. Impacts would be less than significant.

18.80.030 ALUCP Zone D Regulations

A. Overflight easements in a form acceptable to the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, and for any project requiring a building permit. Such easements shall be prepared prior to issuance of a building permit or recordation of a final map.

- f. The proposed cul-de-sac infrastructure improvements that would serve the project has been designed to comply with County standards and future development of the created parcels shall be designed to accommodate fire apparatus and large trucks. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable as conditioned. Therefore, the design of the project will not negatively impact or hinder emergency vehicle access.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury, or death involving wild land fires. The proposed cul-de sacs would provide adequate access to Devlin Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) 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"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the State of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural uses. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare, and Tuolumne). The County of Napa had not adopted or implemented any additional mandatory water use restrictions. The County requires all Use Permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project will discharge into an approved storm drain system designed to accommodate the drainage from this site. The Applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board (RWQCB) which is administered in part by the County Engineering Division on behalf of the RWQCB. Given the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards. Impacts would be less than significant.
- b. The project will receive water from the City of American Canyon. The project is located within an area designated for urban development by the City of American Canyon. The City has acquired water rights to provide adequate water for areas within their service area. No groundwater wells are associated with this property.
- c. The proposed project will not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off site. The project will incorporate erosion control measures appropriate to its maximum slope to manage onsite surface drainage and erosion of onsite soils during construction. As noted above, the project is required to comply with County Engineering Services Division requirements which are consistent with RWQCB standards. No substantial alteration of existing drainage is anticipated to occur. There will be an increase in the overall impervious surface resulting from infrastructure improvements, however, given the size of the drainage basin, the increase in impervious surfaces will not discernably increase change the amount of groundwater filtration or discernably increase surface runoff from that which currently exists on site. Impacts will be less than significant.
- d. The project is not located within a flood hazard, tsunami, or seiche zone. Therefore, no impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the project site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-b. The proposed project would not occur within an established community, nor would it result in the division of an established community. The proposed project complies with the Napa County General Plan, the Napa County Zoning Ordinance, applicable County Code Sections, the Napa Valley Business Park Specific Plan, and all other applicable regulations. There are no habitat conservation plans or natural community conservation plans applicable to the property. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. 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:

a/b. Historically, the two most valuable commodities in Napa county in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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in the project area to excessive noise levels?

Discussion:

a/b. The proposed project will result in a temporary increase in noise levels during the construction of infrastructure improvements. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The proposed project would not result in long-term significant permanent construction noise impacts or operational impacts. Furthermore, construction activities would generally occur during the period of 7 a.m. – 7 p.m. on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Section 8.16). Impacts would be less than significant.

The project would not result in a substantial permanent increase in ambient noise levels. Severe noise created during construction would only potentially impact construction workers who are protected by OSHA standards and reasonable safety precautions in place at the job site (e.g. protective sound reduction devices such as earplugs and equipment mufflers). The nearest residence is located more than 400 feet away from the nearest portion of the subject parcel and across Devlin Road, North Kelly Road, and Highway 12. Impacts would be less than significant.

c. The project site is located within the airport influence area of the Napa County Airport. Industrial development has been found to be a consistent land use with airport operations by the Napa County Airport Land Use Commission. This proposal to subdivide existing industrial land will not significantly change those conditions. Future development on the property will be subject to airport compatibility development requirements. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The Association of Bay Area Governments’ Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23 percent by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County’s Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15 percent. The project will be subject to the County’s housing impact mitigation fee, which provides funding to meet local housing needs.

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan Environmental Impact Report (EIR). As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing prevention of environmental damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code § 21000(g)). The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing. Cumulative impacts on the local and regional population and housing balance will be less than significant.

a. The project site is currently vacant and located within a developing industrial area. If the parcel map were approved, there will be no increase in the amount of developable industrial land. Actually, the proposed subdivision may reduce the amount of developable area due to the mandatory setbacks from the proposed property lines as required in the Napa County Zoning Ordinance (Section 18.104.010). The amount of

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

new jobs, and consequently the demand for new housing, will not change as a result of subdividing this industrial land. Furthermore, the extent of job creation and correlating housing demand is speculative at this point, and therefore, the potential for impact is considered less than significant.

- b. No housing units or people will be displaced as a result of the proposed project because the project parcel is already zoned for industrial uses. The proposal does not include any aspect that would result in a displacement of any existing housing. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project result in:				
a) 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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project will have a less than significant impact on public services. All public utilities for industrial development are available to the site including fire, sheriff, water, and sewer. Fire protection measures would be required as part of any subsequent development on the proposed parcels pursuant to Napa County Fire Marshall conditions and there would be no foreseeable impact to emergency response times with compliance with these future conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and have recommended approval, as conditioned. School impact fees would be levied upon subsequent building permit application. The proposed project would have minimal impact on public parks and public services.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION. Would the project:				
a) 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:

- a. The project would not significantly increase the use of existing park or recreational facilities based on its limited scope. Impacts would be less than significant.
- b. No recreational facilities are proposed are part of this project. No impact would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. 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 and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<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) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-f. The project site is currently designated for industrial development. Subdivision of the property will not result in a change to the total amount of developable industrial land, nor will subdivision of the property result in any permanent change in traffic. Development of the site infrastructure would only result in a temporary increase in traffic. Future development of the site, whether subdivision occurs or not, will be subject to CEQA review of traffic impacts prior to the approval of any Site Plan, Use Permit, or other discretionary permit. Also, because the site is located within the Napa Valley Business Park Specific Plan area, traffic impact fees will be assessed as project approval requirements for future development of the proposed parcels. Level of service at intersections in the vicinity will not change as a result of this project.

Parking in compliance with County regulations will be provided on individual sites as part of future development of the project site, whether the land is subdivided or not.

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

There is no aspect of this project that would conflict with any adopted policies, plans, or programs supporting alternative transportation. No impacts would occur

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. On February 2, 2020, County staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who, as of that date, had requested to be invited to consult on projects in accordance with the requirements of Public Resources Code Section 21080.3.1. No responses were received within the 30-days of the tribes receipt of the invitations. No impacts would occur.

Mitigation Measures: None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

Discussion:

a-g. The Napa Sanitation District (NSD) provides sewer service and the City of American Canyon provides municipal water. Both jurisdictions have reviewed the proposed project and have issued sill serve letters for the project and have accounted for urban development of the project site within their facility master plans. Public water and sewer mains are in proximity of the project site and shall be extended into the project area as part of this development. All utilities, including storm drain facilities have been designed to handle projected demand from the project site. No new off-site facilities will be necessary to serve the project. The project's waste disposal needs will be served by the Napa Sanitation Service. Sufficient landfill capacity exists to serve the project. The project will comply with Federal, State, and Local waste management regulations. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-d. The subject property is not located in a State Responsibility Area of very high fire hazard severity zone. The project would not increase exposure of people and/or structures to a significant loss, injury, or death involving wildland fires. There are no project features that would impair an adopted emergency response plan or evacuation plan. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. No new overhead power line infrastructure would be required for the development of the project. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially 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, substantially 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed in Section IV above, the project site has the potential to accommodate special-status plant species and potential habitat for nesting birds. Mitigation is proposed for those biological topics that would reduce potentially significant impacts to a level of less than significant. As identified in Section V above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites, or unique geologic features have been identified within the project site. In summary, all potentially significant effects on biological and cultural resources can be mitigated to a level of less than significant.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The project would also slightly increase the demands for public services to a limited extent, increase traffic and air pollutions, all of which contribute to cumulative effects when future development in Napa Valley is considered. Cumulative impacts of these issues are discussed in previous sections of this Initial Study.
- c. All impacts identified in this MND are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None required.