



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

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

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**June 2, 2014**

**Agenda Item No. 7c (Action)**

May 22, 2014

**TO:** Local Agency Formation Commission

**FROM:** Brendon Freeman, Analyst

**SUBJECT: Airport Road No. 1 Annexation to the Napa Sanitation District**

The Commission will consider a proposal to annex approximately 19.7 acres of unincorporated territory to the Napa Sanitation District. The affected territory encompasses one entire parcel located at 1225 Airport Road in the Napa County Airport Industrial area. The purpose of the proposed annexation is to facilitate the development of the parcel to provide for up to three industrial warehouses as contemplated in the applicant's tentatively approved "Greenwood Commerce Center" development project. The County of Napa serves as lead agency under CEQA and has accordingly prepared an initial study and mitigated negative declaration for the underlying development project. An addendum to the mitigated negative declaration was also prepared. The recommended action is for the Commission to adopt a resolution of approval for the proposal with standard conditions.

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

**A. Recommendation**

Staff recommends the Commission adopt the attached draft resolution included as Attachment One to this staff report approving the proposed annexation of 1225 Airport Road (APN 057-210-065) to the Napa Sanitation District (NSD). Standard approval conditions are also recommended and are outlined in the draft resolution.

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Joan Bennett, Vice Chair  
Councilmember, City of American Canyon

Greg Pitts, Commissioner  
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Brian J. Kelly, Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Laura Snideman  
Executive Officer

## B. Background

LAFCO of Napa County (“Commission”) has received a proposal from a representative of a landowner requesting the annexation of one entire parcel totaling approximately 19.7 acres of unincorporated territory to the Napa Sanitation District (NSD). The subject parcel is currently undeveloped and located at 1225 Airport Road in the Napa County Airport Industrial area. The County Assessor identifies the parcel as 057-210-065. An aerial map of the proposed annexation territory follows.



On October 15, 2008, the County approved the issuance of a use permit for the construction of three concrete industrial buildings, totaling 374,926 square feet for warehousing and light industrial uses with ancillary office areas. As part of its approval and environmental review, the County determined that NSD had provided a will serve letter and that the project would be in compliance with District master plans and all water quality discharge requirements, including Regional Water Quality Control Board standards. In its will serve letter, dated May 21, 2008, NSD indicated it would be able to provide sanitary sewer service upon completion of annexation proceedings and other specified conditions and that the letter was valid until May 21, 2013. The County's use permit expired on October 15, 2010. Subsequently, a modification of the use permit was issued by the County in December 2013. The modified use permit identifies an amended site plan and building floor area for the construction of three industrial/warehouse buildings totaling 334,672 square feet. The County found there were no substantial changes to the project or circumstances under which the project is being undertaken. As part of its approval of this modified use permit, the County received a new will serve letter from NSD, dated May 20, 2013, which indicated the District would be able to provide sanitary sewer service to the project as modified upon completion of annexation proceedings into NSD, valid until May 20, 2018.

### **C. Discussion**

#### ***Agency Profile***

NSD was formed in 1945 as a dependent enterprise district to provide public sewer service for the City and the surrounding unincorporated area. NSD provides sewer service to most of Napa along with several surrounding unincorporated areas, including Silverado, Napa State Hospital, and the Napa County Airport. NSD currently serves 31,830 residential customers with an estimated resident service population of 86,896.<sup>1</sup>

#### ***Proposal Purpose***

The underlying purpose of the proposal before the Commission is to facilitate the development of the subject parcel to include up to three industrial warehouses as contemplated under the County Zoning Ordinance and the applicant's tentatively approved development project. The applicant's project is commonly known as the "Greenwood Commerce Center" and is subject to a Modified Use Permit, which was approved on December 23, 2013 (File No. P13-00353). The Greenwood Commerce Center project contemplates the subdivision of the subject parcel into four new parcels along with the construction of three industrial warehouse buildings totaling a maximum of 334,672 square feet. The subject parcel is located within NSD's sphere of influence and is surrounded on three sides by the District's existing jurisdictional boundary. Consideration of the service needs and related impacts associated with the future development of the subject lots are incorporated into the following analysis section.

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<sup>1</sup> The resident service projection based on the 2014 California Department of Finance population per household estimate (2.73) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (31,830). NSD also serves 4,409 non-residential customers, including industrial and commercial users.

## **D. Analysis**

The analysis of the proposal is organized into three sections. The first section considers the proposal relative to the factors prescribed for consideration under local policy with specific focus on whether amendments are merited to comply with the established preferences in implementing LAFCO law in Napa County. The second section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCOs review boundary changes. The third section considers issues required by other applicable State statutes in processing boundary changes including making a determination on environmental impacts.

### ***Local Policies / Discretionary Amendments***

A review of the submitted application materials relative to the Commission's adopted policies does not indicate that the Commission should consider any amendments given the subject lot already lies within NSD's sphere of influence.

### ***Legislative Policies / Mandated Factors for Consideration***

G.C. Sections 56668 and 56668.3 require the Commission to consider 16 specific factors anytime it reviews proposals for change of organization or reorganization involving special districts. The majority of the prescribed factors focus on the impacts of the proposed boundary changes on the service and financial capacities of the affected agencies. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs in considering boundary changes in context to locally adopted policies and practices. 1225 Airport Road shall be identified as the "affected territory" hereafter. Towards this end, consideration of these factors relative to the proposal follows.

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

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The affected territory lies within the industrial area anchored by the Napa County Airport and is accordingly assigned a zoning standard of *Industrial Park: Airport Compatibility*. The affected territory is 19.7 acres in total size and currently undeveloped. The affected territory is legally uninhabited given there are no registered voters based on the most recent list provided by County Elections. Topography is relatively flat with a peak elevation of 53 feet above sea-level. There are no natural drainage basins within proximity of the affected territory. The current assessment value of the affected territory totals \$877,540. Neighboring uses include the County of Napa Sheriff's Main Office to the immediate west, a vacant industrial property to the east, various administrative, commercial, and industrial offices the north, and an industrial warehouse to the south.

Proposal approval is expected to facilitate the future development of the affected territory to include – based on the applicant’s tentatively approved development project – three industrial warehouses totaling approximately 335,000 square feet along with up to 280 parking spaces. Development opportunities for adjacent areas are limited to one undeveloped parcel to the immediate east of the affected territory given all other neighboring lots are already developed to their maximum allowance under the County’s land use policies. There are currently no known development plans for the adjacent parcel to the east of the affected territory.

*(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. An analysis of the availability and adequacy of these core municipal services relative to projected needs if the proposal is approved follows.

- **Sewer Service**

NSD has provided a will serve letter for the applicant’s tentatively approved development project. The Commission’s recent municipal service review on the central county region noted NSD has generally developed adequate sewer infrastructure and facility capacities in addressing current and future needs. If developed as contemplated in the applicant’s tentatively approved project, the affected territory is expected to generate estimated daily sewer flows of 1,800 gallons. This daily sewer flow amount would increase to 4,500 gallons during peak periods. These buildout estimates would have negligible impacts on NSD’s sewer system as depicted in the following table.

<b>NSD Baseline <u>Without</u> Annexation of the Affected Territory</b> (Amounts in Gallons)			
<b>System Avg. Day Capacity</b>	<b>Average Day Demand</b>	<b>Peak Day Demand</b>	<b>System Peak Day Capacity</b>
15,400,000	6,705,130	33,712,825	126,200,000

<b>NSD Adjusted <u>With</u> Annexation/Buildout of the Affected Territory</b> (Amounts in Gallons)			
<b>System Avg. Day Capacity</b>	<b>Average Day Demand</b>	<b>Peak Day Demand</b>	<b>System Peak Day Capacity</b>
15,400,000	6,706,930	33,717,325	126,200,000

\* Assumes the buildout of the affected territory will result in three industrial warehouses with combined average and peak day demands at 1,800 and 4,500 gallons, respectively.

\* Capacity during peak-day incorporates 340 acre-feet (110,806,000 gallons) of adjacent pond storage.

- ***Water Service***

The City of American Canyon has been identified in the applicant's tentatively approved development project as the water service provider for the project. Given its inclusion within American Canyon's extraterritorial water service area, Commission approval is not required to extend water service to the affected territory under G.C. Section 56133. American Canyon issued a will serve letter in July 2013. If demand is not established pursuant to the terms and conditions set forth therein, the letter expires two years thereafter.

If developed to its maximum allowance, the estimated daily average water demand at build-out is limited to potable consumption by warehouse employees and it will not exceed 1,100 gallons. Water used for landscaping and temporary dust control during construction will be recycled water provided by Napa Sanitation District.

***Supply and Demand***

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 8,052 acre-feet.<sup>2</sup> The actual amount available for delivery each year varies depending upon weather conditions state-wide.

In 2013, demand within American Canyon's Water Service Area totaled 3,612 acre-feet. The build-out of the affected territory is projected to generate an additional annual water demand of 1.2 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.

***Treatment and Storage***

American Canyon is responsible for treating its contracted raw water supplies at its treatment facility located off of Jamieson Canyon Road. The treatment facility is capable of treating up to 4.5 million gallons per day. Treated water enters and pressurizes American Canyon's distribution system by collecting within one of two reservoir tanks with a combined storage capacity of 4.5 million gallons.

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<sup>2</sup> Table 4.1a of the 2010 City of American Canyon Urban Water Management Plan

- ***Fire Protection and Emergency Medical Services***  
The affected territory receives fire protection and emergency medical services from the County. Annexation and buildout of the affected territory as contemplated in the applicant's tentatively approved development project would increase the need for fire protection and emergency medical services moving forward. Information generated from the Commission's municipal service review on the southeast county region 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.
- ***Law Enforcement Services***  
The affected territory receives law enforcement services from the County. Annexation and buildout of the affected territory as contemplated in the applicant's tentatively approved development project would increase the need for law enforcement services moving forward. Information generated from the Commission's municipal service review on the southeast county region 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.***

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

***(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.***

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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.

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

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

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

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The proposal as amended by staff is parcel-specific and includes all of the property identified by the County of Napa Assessor’s Office as 057-210-065. Commission approval would include a condition requiring the applicant to submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. The submitted map and geographic description would be subject to review and possible edits by the Executive Officer before filing.

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

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

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

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

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

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Staff provided notice of the proposal to all subject agencies and interested parties as required under LAFCO law on April 28, 2014. No comments were received.



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

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Information collected and analyzed in the Commission's recent municipal service review on NSD concluded the District has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending – as needed – NSD's two principal user fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) connection fees and (b) user fees. The connection fee is currently \$8,300 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual user fee for a single-family unit is currently \$458 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

Additional analysis performed subsequent to the filing of the proposal provides reasonable assurances NSD's fiscal resources and controls would enable the agency to provide an appropriate level of services to the affected territory relative to anticipated land uses. NSD's current operating budget includes \$13.6 million in approved expenses. NSD anticipates collecting \$19.2 million in general revenues resulting in an operating surplus of \$5.6 million. NSD's fund balance as of the beginning of the fiscal year totaled \$9.5 million.<sup>3</sup> Markedly, this unrestricted fund balance is sufficient to cover over eight months of operating expenses.

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

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The City of American Canyon issued a will serve letter, dated July 1, 2013. American Canyon's contracts with various entities for water supplies; while the maximum contracted total of these supplies is 8,052 acre-feet, the actual amount available each year varies depending upon weather conditions state-wide.<sup>4</sup>

***(12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.***

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The proposal would not impact any local agencies in accommodating their regional housing needs. The County General Plan designates the affected territory for industrial uses and, accordingly, no housing units have been contemplated.

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<sup>3</sup> NSD expects its operating fund balance to increase at the end of the fiscal year from \$9.5 million to \$15.1 million following all budgeted transfers.

<sup>4</sup> 2010 City of American Canyon Urban Water Management Plan

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

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The landowner is the petitioner seeking the annexation to NSD. NSD has provided a resolution of approval in support of the proposed annexation.

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

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See analysis on pages four and eight of this report.

***(15) The extent to which the proposal will promote environmental justice.***

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

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

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Proposal approval would help facilitate an appropriate industrial use of the affected territory as contemplated in the landowner's tentatively approved development project along with the County's General Plan and Zoning Ordinance.

***Other Considerations***

- ***Property Tax Agreement***

Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.<sup>5</sup> With this in mind, staff provided notice to NSD and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings. Both agencies confirmed a master property tax agreement adopted in 1980 shall apply to the proposal if approved by the Commission. This master property tax agreement specifies no exchange or redistribution of property tax revenues will occur as a result of annexations to NSD.

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<sup>5</sup> Revenue and Taxation Code 99(b)(5) states property tax exchanges for jurisdictional changes affecting the service areas or service responsibilities of districts shall be negotiated by the affected county on behalf of the districts.

- ***Environmental Review***

The County of Napa serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is responsible for approving the underlying activity: development of the affected territory to include three industrial warehouse facilities as contemplated in the applicant's Greenwood Commerce Center project.<sup>6</sup> The County determined the potential development of the affected territory could not have a significant effect on the environment because all potential significant effects have been adequately analyzed and addressed in its initial study of environmental significance and mitigated negative declaration specific to the Greenwood Commerce Center project.

The Commission serves as responsible agency for the proposal. Staff has reviewed the aforementioned initial study and mitigated negative declaration and believes the County has made an adequate determination that the annexation tied to the underlying service plan will not introduce any significant environmental impacts. A copy of the initial study and mitigated negative declaration is included in Attachment Three. Staff has also prepared an addendum to the mitigated negative declaration for purposes of providing information relating to the County's further environmental review of the modified use permit for Greenwood Commerce Center project. The addendum is included as Attachment Four.

- ***Conducting Authority Proceedings***

The affected territory is uninhabited under LAFCO law and all landowners have consented to the proposal. NSD has also consented to the annexation. Conducting authority proceedings, accordingly, may be waived under G.C. Section 56663.

## **E. Alternatives for Commission Action**

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

**Alternative Action One (Recommended):**

Adopt the draft resolution identified as Attachment One approving the proposal with the recommended amendment along with standard terms and conditions.

**Alternative Action Two:**

Adopt the draft resolution identified as Attachment One with any desired amendments or modifications as identified by members.

**Alternative Action Three:**

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

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<sup>6</sup> It is important to note that the County serving as lead agency is not in compliance with the Commission's adopted CEQA Policy Section 4.1(1). This local policy states the Commission shall assume the lead agency role when a petitioner submits an application to LAFCO.

**F. Procedures for Consideration**

This item has been agenized for action. The following procedures are recommended with respect to the Commission's continued consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from any interested audience members (voluntary); and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted,

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Brendon Freeman  
Analyst

Attachments:

- 1) Draft Resolution Approving the Proposal
- 2) Application Materials
- 3) Initial Study and Mitigated Negative Declaration for the Greenwood Commerce Center (County of Napa)
- 4) CEQA Addendum to Mitigated Negative Declaration

**RESOLUTION NO. \_\_\_\_**

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

**AIRPORT ROAD NO. 1 ANNEXATION TO  
THE NAPA SANITATION DISTRICT**

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

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

**WHEREAS**, the proposal seeks Commission approval to annex approximately 19.7 acres of unincorporated land to the Napa Sanitation District and represents one entire parcel located at 1225 Airport Road and identified by the County of Napa Assessor’s Office as 057-210-065; and

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

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on said proposal on June 2, 2014; and

**WHEREAS**, the Commission considered all the factors required by law under Sections 56668 and 56668.3 of the California Government Code; and

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

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

**WHEREAS**, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission, Responsible Agency under CEQA, considered the determinations of the County of Napa, Lead Agency under CEQA, based on its Greenwood Commerce Center initial study and mitigated negative declaration, and prepared an Addendum to the mitigated negative declaration to provide further evaluation of the environmental impact of the proposal before the Commission in accordance with Section 15164 of Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

**WHEREAS**, the Addendum finds the Greenwood Commerce Center Project results in no new significant or substantially more severe impacts on the environment, and further finds there is no new information of substantial importance that requires a subsequent or supplement to the initial study.

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The County of Napa serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is responsible for approving the underlying activity: development of the affected territory to include three industrial warehouse facilities as contemplated in the applicant’s Greenwood Commerce Center project. The County determined the potential development of the affected territory could not have a significant effect on the environment because all potential significant effects have been adequately analyzed and addressed in its initial study and mitigated negative declaration specific to the Greenwood Commerce Center project. The Commission also has considered the CEQA Addendum updating information presented in the County’s environmental review. The Commission certifies it has reviewed and considered the aforementioned initial study, mitigated negative declaration and Addendum in support of the County’s determination that the annexation tied to the underlying service plan will not result in any significant environmental impacts. The Commission’s findings are based on its independent judgment and analysis. The records upon which these findings are made are located at the Commission office at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED.
4. This proposal is assigned the following distinctive short-term designation:

**AIRPORT ROAD NO. 1 ANNEXATION TO  
THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the attached map and is more precisely described 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 specified in the attached Exhibit "B."
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56663(c).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.
  - (c) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" have been satisfied.
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.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the June 2, 2014, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

ATTEST: Laura Snideman  
Executive Officer

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





**EXHIBIT "B"**

**TERMS AND CONDITIONS**

**AIRPORT ROAD NO. 1 - DISTRICT ANNEXATION 000011**

**APN NO.: 057-210-065**

**DESCRIPTION: 1225 AIRPORT BOULEVARD**

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1. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land with the Territory, shall be subject to the jurisdiction of the Napa Sanitation District, hereinafter referred to as "the District"; shall have the same rights and duties as if the Territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized by thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
  2. The property owner hereby agrees to abide by all ordinances, rules and regulations of District governing the manner in which sewers shall be used, the manner of connecting thereto, and the plumbing and drainage in connection therewith.
  3. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended.
  4. The property owner agrees that prior to connection to the facilities of the District; property owner will pay all applicable fees and charges to District associated with connection of the property in accordance with the computation of regular connection fees and charges in effect at the time paid. The property owner further agrees to pay the regular permit and inspection charges in effect at the time paid for the connection to be made to the District's system.
  5. The property owner shall deposit with the District an annexation fee of \$2,150.00 to reimburse the District engineering, legal, and all other costs incurred by the District in preparing and examining maps and plans, legal descriptions, agreements and other documents associated with processing subject annexation.

6. The property owner shall file with LAFCO a check in the amount of \$350 made payable to the State Board of Equalization.
7. The property owner shall pay to the County of Napa Assessor's Office a Mapping Services Fee of \$125.
8. The property owner shall pay to LAFCO of Napa County an amount of \$125 for updating the County's GIS database.
9. The property owner further agrees to pay such annual sewer service fees to the District as may be established, from time to time, by the rules and regulations of the District which are of universal application within the District. Property owner hereby authorizes the District to collect such charges on the tax roll pursuant to California Health and Safety Code section 5473 and specifically waives any right to challenge the District's ability to do so because the Property is outside of the District Boundaries.
10. No change in the facilities to be connected to the District's system shall be made without first having given written notice to the District that such change is to be made. No additional connections shall be connected to the facilities of the Napa Sanitation District without having first given written notice to the District that such additional facilities are to be connected to the system. Prior to making any such change in facilities or to the addition of any units to the District's system, the Owner shall pay to the District such additional inspection, connection and annual fees which may then be established by the Board of Directors of the District.
11. The property owner shall eliminate any privately owned sewage disposal system(s) located on the subject property to the Napa County Division of Environmental Health requirements.
12. The property owner shall enter into an Improvement Agreement with the District for construction of public sanitary sewer facilities and recycled water facilities. The property owner shall enter into a Private Main Agreement with the District for operating and maintaining the proposed private sanitary sewer main serving the development.
13. The property owner shall install and connect approximately 739 linear feet of 12-inch recycled water main across the property from the west property line at the existing recycled water terminus at the Sheriff's office to Devlin Road at the east terminus of the existing recycled water main. The property owner shall install a public sanitary sewer lateral and cleanout from an existing manhole at Airport Boulevard to the property line to serve the proposed development.
14. The property owner shall submit a Plan and Profile of the aforesaid sanitary sewer and recycled water improvements prepared by a registered civil engineer, conforming with District standards, and post the appropriate Labor and Materials and Faithful Performance Bonds guaranteeing said installations.

15. All sanitary sewer mains or recycled water mains installed outside of the public right of way shall be located within 20 foot wide sanitary sewer or recycled water easement centered on the mains and dedicated to the District.
16. All sanitary sewer and recycled water work performed in the public right of way and public easement shall be performed by a Class A licensed contractor who bonds the public work with the District. The contractor shall pay to the District public lateral inspection fees and sanitary sewer main inspection fees based on the inspection rates in effect at the time construction permits are issued.
17. The property owner shall pay to the District the private lateral inspection fee in effect at the time at the time of construction for each dwelling unit located on the property.
18. The property owner shall utilize recycled water for all landscape irrigation purposes. The owner shall be responsible for installing the necessary onsite irrigation facilities per the District's "Recycled Water Users Guide" and current Sanitary Sewer and Recycled Water Standards. The property owner shall enter into a Recycled Water User Agreement with the District.
19. The property owner shall agree to conditions 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, and fulfill conditions 5, 6, 7 and 8 prior to the District's issuance of a letter to LAFCO authorizing recordation of subject annexation, and in no case more than 1 year after LAFCO's adoption of a resolution approving subject annexation, unless extended by LAFCO. Any extensions granted shall in total not exceed 1 year.

FORM B

Date Filed:	4/28/14
Received By:	BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

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

Nature of Proposal and All Associated Changes of Organization:

Annexation to Napa Sanitary District  
 Greenwood Commerce Center Apn # 057-210-055

Description of Boundaries of Affected Territory Accompanied by Map:

Apn # 057-210-055 Greenwood Commerce Center  
 Devlin Road - Airport Blvd

Reason for Proposal and Any Proposed Conditions:

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Type of Petition:

Landowner

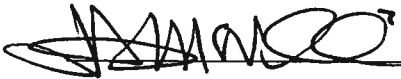
Registered Voter

Sphere of Influence Consistency:

Yes

No

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

- 1) Name: MNCVAD c/o New York Life Investments  
Mailing Address: ONE Front Street #550 SF, CA 94111  
Assessor Parcel: 057-20210-055  
Signature:  Date: 4.14.14
- 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: \_\_\_\_\_

FORM D

Date Filed: 4/28/14  
Received By: BF

JUSTIFICATION OF PROPOSAL  
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Joseph A McNeill PMA  
Contact Person Agency/Business (If Applicable)  
Address: 1450 Harbor Blvd Suite "F" West Sacramento 95691  
Street Number Street Name City Zip Code  
Contact: 916-718-5659 707-864-3234 McNeill.Jose@Cmi1.com  
Phone Number Facsimile Number E-Mail Address

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

II. PROPOSAL DESCRIPTION

A. Affected Agencies: Napa Sanitation 1515 Sausal Ferry Road Napa 94558  
Name Address

Name Address

Name Address

Use Additional Sheets as Needed

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

C. Purpose Statement (Specific): Annexation into Napa Sanitation.

**III. GENERAL INFORMATION**

**A. Location:**

1225 Airport Blvd 057-210-055 19.39  
 Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

Total Location Size  
 (Including Right-of-Ways) \_\_\_\_\_

**B. Landowners:**

(1) Assessor Parcel Number : 057-210-055 Name: MNCVAP c/o NYLIFE  
 Mailing Address: 801 Front Street #550 SF, CA 94111  
 Phone Number: 415-402-4303 E-mail: Russ.Berry@NYLIFE.com

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

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

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

*Use Additional Sheets As Needed*

**C. Population:**

(1) Total Number of Residents \_\_\_\_\_  
 (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)

Raw land  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Development Plans:**

- (1a) Territory Subject to a Development Project?  Yes  No
- (1b) If Yes, Describe Project: Planned Industrial Warehouse project  
Starting construction ASAP
- (1c) If No, When Is Development Anticipated? \_\_\_\_\_

**G. Physical Characteristics:**

- (1) Describe Topography: Generally flat - slope East to West  
\_\_\_\_\_
- (2) Describe Any Natural Boundaries:  
\_\_\_\_\_  
\_\_\_\_\_
- (3) Describe Soil Composition and Any Drainage Basins:  
\_\_\_\_\_  
\_\_\_\_\_
- (4) Describe Vegetation:  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes

No



**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services**

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

Am Con Water and Nopc Sanitation Sewer

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

Typical for Approved Use

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

Immed.ely

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

No offsite Improvements needed

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

cash by owner

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**V. ENVIRONMENTAL INFORMATION**

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**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**

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**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: County of Napa - Sean Trippa

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(2) Recipient Name: Napa Sanitation

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(3) Recipient Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**VII. CERTIFICATION**

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

Signature:  \_\_\_\_\_

Printed Name: Joseph A McKell \_\_\_\_\_

Title: Development Manager \_\_\_\_\_

Date: 4.14.14 \_\_\_\_\_

Standard Indemnification Agreement

Name of Proposal: Annexation into Napa Senior - Greenwood Commercial Center

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 MNCVAD and/or Joseph A McNeill (real party in interest: the landowner/registered voter) 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.

Applicant and/or real party in interest may be required by Napa LAFCO to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided under this legal indemnity.

\_\_\_\_\_  
City/District Representative

  
Principal Landowner Signature

\_\_\_\_\_  
Print Name

Joseph A McNeill III  
Print Name

\_\_\_\_\_  
Date

4.14.14  
Date



**NOTICE OF DETERMINATION**

NAPA COUNTY CONSERVATION DEVELOPMENT & PLANNING DEPT  
1195 THIRD STREET, SUITE 210 NAPA CA 94559

(Filed in compliance with Section 21108 or 21152 of the Public Resources Code)

To:  Office of Planning and Research       Napa County Clerk  
1400 Tenth Street, Room 121      900 Coombs St  
Sacramento, CA 95814      Napa CA 94559

**ENDORSED**

OCT 15 2008

JOHN TUTEUR  
Napa County Recorder - County Clerk  
By S. WRIGHT  
DEPUTY RECORDER - CLERK

**PROJECT TITLE:** Greenwood Commerce Center

**PERMIT(S):** Use Permit (File #P08-00312) & Tentative Parcel Map (File #P08-00313-PM)  
**SCH NUMBER:** 2008092056

**LEAD AGENCY:** Napa County Conservation Development & Planning Department  
**CONTACT PERSON:** Sean Trippi, Project Planner

**PHONE:** 707-253-4417

**PROJECT LOCATION:** The project is located on a 19.3 acre site on the southwest corner of Airport Boulevard and the terminus of Devlin Road within an IP:AC (Industrial Park, Airport Compatibility) zoning district. (Assessor's Parcel #: 057-210-055 & 056 (portion)), Napa.

**NEAREST CITY:** Napa    **COUNTY:** Napa

**GENERAL PROJECT DESCRIPTION: Request:** Approval of a Use Permit to construct three industrial buildings totaling 374,926 square feet of floor area for flexible warehousing/distribution and light industrial uses with ancillary office areas. Parking for up to 204 vehicles is provided on-site. An additional 62 on-site parking spaces could be provided if needed for subsequent tenant mix. Landscaping and a comprehensive sign plan are also included with the proposal. The request also includes a tentative parcel map to subdivide the project site into four (4) parcels ranging in size from 0.62 to 8.90 acres. A parcel will be created for each building with the fourth parcel being common area including the parking areas. A lot line adjustment is proposed with the property to the east, subsequent to project approval, to accommodate the right-of-way and alignment for the Devlin Road extension.

**COUNTY PERMIT(S):** Use Permit (File #P08-00312) & Tentative Parcel Map (File #P08-00313-PM)

**APPLICANT NAME:** Kristen Pigman, Napa Gateway Holdings, LLC  
**ADDRESS:** 2841 Sunrise Blvd., Suite 200, Gold River, CA 95670

This is to advise that Napa County as Lead Agency Responsible Agency approved the above-described project on October 15, 2008 and made the following determinations:  
(Date)

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of this project.
4. A statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

SIGNATURE: John McDowell      DATE: 10/15/2008  
TITLE: John McDowell, Deputy Director, Napa County Conservation, Development and Planning Department

Date sent to OPR: 10/15/2008

**COUNTY OF NAPA**  
**CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT**  
1195 THIRD ST., SUITE 210  
NAPA, CA 94559  
(707) 253-4416

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

1. **Project Title:** Greenwood Commerce Center, Use Permit (P08-00312-UP) and Parcel Map (P08-00313-PM)
2. **Property Owner(s):** Napa Gateway Holdings, LLCs and Napa 34 Holdings LLC
3. **Napa County contact person and phone number:** Sean Trippi, Principal Planner, 253-4417, [strippi@co.napa.ca.us](mailto:strippi@co.napa.ca.us).
4. **Project location and APN:** Located on a 18.72 acre property plus a 0.57 acre portion of a 33.85 acre property on the southwest corner of Airport Boulevard and the Devlin Road terminus within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-210-055 & 056 (portion). Napa.
5. **Project Sponsor's Name and Address:** Napa Gateway Holdings, LLC, 2841 Sunrise Blvd., Suite 200, Gold River CA 95670 (Kristen Pigman)
6. **Hazardous Waste Sites:** The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
7. **Project Description:**

Approval of a Use Permit to construct three concrete tilt-up industrial buildings totaling 374,926 square feet of floor area for flexible warehousing/distribution and light industrial uses with ancillary office areas. Approximately 92% percent of the total floor area (344,512 sq. ft.) would be utilized by warehouse/distribution and light industrial uses with the remaining 8% of the total floor area used for office functions (30,414 sq. ft.). Access would be provided from new driveways on Airport Boulevard, opposite Gateway Drive, and Devlin Road which will be extended from its terminus at Airport Boulevard to connect with the existing leg of Devlin at the south end of the project site. Parking for 204 vehicles is provided on-site. An additional 62 on-site parking spaces could be provided if needed for subsequent tenant mix. Landscaping and a comprehensive sign plan are also included with the proposal. The project will connect to municipal water and sewer services provided by the City of American Canyon and Napa Sanitation District, respectively. The request also includes a tentative parcel map to subdivide the project site into four (4) parcels ranging in size from 0.62 to 8.90 acres. A parcel will be created for each building with the fourth parcel being common area including the parking areas. A lot line adjustment is proposed with the property to the east, subsequent to project approval, to accommodate the right-of-way and alignment for the Devlin Road extension.

**PRELIMINARY DETERMINATION:**

The Conservation, Development and Planning Director of Napa County has tentatively determined that the following project would not have a significant effect on the environment and the County intends to adopt a **mitigated negative declaration**. Documentation supporting this determination is contained in the attached Initial Study Checklist and is available for inspection at the Napa County Conservation, Development and Planning Department Office, 1195 Third St., Room 210, Napa, California 94559 between the hours of 8:00 AM and 4:45 PM Monday through Friday (except holidays).

DATE: September 9, 2008

  
By: Sean Trippi

**WRITTEN COMMENT PERIOD: September 12, 2008 to October 13, 2008**

Please send written comments to the attention of Sean Trippi at 1195 Third St., Room 210, Napa, California 94559, or via e-mail to [strippi@co.napa.ca.us](mailto:strippi@co.napa.ca.us). A public hearing on this project is tentatively scheduled for the Napa County Planning Commission on Wednesday, October 15, 2008. You may confirm the date and time of this hearing by calling (707) 253-4416.

COUNTY OF NAPA  
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT  
1195 THIRD ST., SUITE 210  
NAPA, CA 94559  
(707) 253-4416

**Initial Study Checklist**  
(reference CEQA, Appendix G)

1. **Project Title:** Greenwood Commerce Center, Use Permit (P08-00312-UP) and Parcel Map (P08-00313-PM)
2. **Property Owner(s):** Napa Gateway Holdings, LLC and Napa 34 Holdings LLC
3. **Napa County contact person and phone number:** Sean Trippi, Principal Planner, 253-4417, strippi@co.napa.ca.us.
4. **Project location and APN:** Located on a 18.72 acre property plus a 0.57 acre portion of a 33.85 acre property on the southwest corner of Airport Boulevard and the Devlin Road terminus within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-210-055 & 056 (portion). Napa.
5. **Project Sponsor's Name and Address:** Napa Gateway Holdings, LLC, 2841 Sunrise Blvd., Suite 200, Gold River CA 95670 (Kristen Pigman)
6. **General Plan description:** Industrial
7. **Zoning:** Industrial Park: Airport Compatibility (IP:AC) and Industrial: Airport Compatibility (I:AC)
8. **Project Description:**

Approval of a Use Permit to construct three concrete tilt-up industrial buildings totaling 374,926 square feet of floor area for flexible warehousing/distribution and light industrial uses with ancillary office areas. Approximately 92% percent of the total floor area (344,512 sq. ft.) would be utilized by warehouse/distribution and light industrial uses with the remaining 8% of the total floor area used for office functions (30,414 sq. ft.). Access would be provided from new driveways on Airport Boulevard, opposite Gateway Drive, and Devlin Road which will be extended from its terminus at Airport Boulevard to connect with the existing leg of Devlin at the south end of the project site. Parking for 204 vehicles is provided on-site. An additional 62 on-site parking spaces could be provided if needed for subsequent tenant mix. Landscaping and a comprehensive sign plan are also included with the proposal. The project will connect to municipal water and sewer services provided by the City of American Canyon and Napa Sanitation District, respectively. The request also includes a tentative parcel map to subdivide the project site into four (4) parcels ranging in size from 0.62 to 8.90 acres. A parcel will be created for each building with the fourth parcel being common area including the parking areas. A lot line adjustment is proposed with the property to the east, subsequent to project approval, to accommodate the right-of-way and alignment for the Devlin Road extension.

Exterior building materials consist primarily of concrete tilt-up wall panels with multi-colored textured finishes. The building entries include stone veneer wall panels with painted steel accent strips that wrap the outside corners of the stone panels, glass office fronts with ribbed metal wall panels, and metal shed roofs with exposed tube steel supports and wood glu-lam beams. Tenant signs are shown above the office fronts. All buildings include depressed truck docks, at grade level roll-up doors and man doors, and faux window areas. All buildings are single-story. Building's A and B have 34-foot high parapet walls with 40-foot high stone veneer entry feature walls. Building C has 28-foot high parapet walls and a 36-foot high stone veneer entry wall.

Building A, the largest building with 234,223 sq. ft. of floor area, is located at the rear or south portion of the site. It is designed with office front entry areas at the northwest and northeast corners of the building, both corners being visible from Airport Boulevard and Devlin Road, respectively. A faux office front is also provided at the southeast corner of the building as well. Faux window areas accented with the ribbed metal wall panels are provided at the midpoint of the north, east and west building elevations. Additional faux window areas run the length of the north building elevation between the two entry features. The south building elevation includes six man doors and backs up to existing buildings on the adjoining properties. Both the east (facing Devlin Road) and west elevations include 10 roll-up doors grouped in pairs of five in two depressed loading docks, four at grade roll-up doors and four man doors. A portion of this building has been preleased to a glass manufacturer for the storage and distribution of wine bottles.



Building B, with 119,681 sq. ft. of floor area, is situated at the corner of Airport Boulevard and Devlin Road. Building B has the most expansive entry treatment at the northeast corner of the building addressing Airport Boulevard and Devlin Road. This corner is the focal point of the project site. Additional site enhancements proposed at this corner including a 35-foot high sculpture in the shape of a wine bottle, a curved stone-clad landscape wall that includes project signage, and landscaping. The northwest corner also includes an entry treatment. The rear (south) elevation includes 12 roll-up doors in two depressed loading docks grouped in pairs of six, four at grade roll-up doors and four man doors. The north and east elevations include additional faux windows.

Building C, the smallest of the three buildings with 21,022 sq. ft. of floor area is located at the northwest corner of the property, with its entry feature dominating the north and east building elevations. All four building elevations include additional faux window areas. The rear (south) elevation includes two depressed loading docks, one at grade roll-up door and two man doors.

Access to the site will be from Airport Boulevard and Devlin Road. The applicant will be extending Devlin Road south of its current terminus at Airport Boulevard to connect with an existing leg of Devlin at the south end of the site. A left turn pocket on west bound Airport Boulevard is proposed at the new driveway on Airport Boulevard opposite Gateway Drive. Interior and perimeter landscaping will be installed throughout the project in accordance with County standards. A total of 204 parking spaces are dispersed throughout the project.

The applicant will be extending public utilities into the project site and within the right-of-way of the Devlin Road extension. Utilities extended as part of this project include but are not limited to, City of American Canyon water lines; Napa Sanitation District sewer lines; reclaimed (purple pipe) water lines; and PG&E and telephone transmission lines. The applicant will be required to dedicate all necessary easements and conveyances prior to commencing construction.

Approximately 5,600 cubic yard of fill will need to be imported to facilitate development of the proposal. An approximate 230-foot long, 10 to 12 foot high retaining wall is proposed at the southeast corner of the property. A 4 to 5 foot high berm is proposed between the retaining wall and the Devlin Road extension running from the southwest corner of the property to the south side of the new driveway on Devlin Road. A U-shaped retaining wall approximately 4 to 8 feet high is proposed on the north side of the Devlin Road driveway.

#### 9. Environmental setting and surrounding land uses:

The site is vacant containing primarily non-native grasses and has historically been used for cattle grazing. There is a cluster of four (4) Blue Gum Eucalyptus trees in the western portion of the site and a few Coast Live Oak trees and a Blue Gum tree near the southeast corner of the site. Existing elevations of the site range from  $\pm 30$ -feet above mean sea level (M.S.L.) in the western part of the site to  $\pm 65$ -feet above M.S.L. at the southeast corner of the property. A seasonal drainage swale flows east to west on the northern third of the site. The site generally drains toward the swale from the north and southeast portions of the site. The swale exits the site at a drainage culvert that runs under Airport Boulevard just south of the proposed driveway. The swale is identified as jurisdictional wetlands by the project biologist. A portion of the swale will be piped through the site. A PG&E gas line and easement run diagonally across the northeast corner of the property. The site has been designated for industrial development for over 20 years. The project site is in close proximity to the Napa County Airport, and is located with Airport Land Use Compatibility Zone D, the Common Traffic Pattern. This is an area of frequent aircraft overflight at low elevations.

On the northern boundary of the site is Airport Boulevard, which connects to the current terminus of the leg of Devlin Road between Airport Boulevard and Soscol Ferry Road. Devlin Road is planned to ultimately connect to Green Island Road, paralleling Highway 29, and serving as an internal industrial collector street intended to reduce truck and industrial traffic from Highway 29. Presently several segments of Devlin Road are not yet completed, most notably the segment south of South Kelly Road to Green Island Road, and the segment north of Tower Road crossing Fagan Creek and connecting with Airport Boulevard.

There are a variety of land uses surrounding the project site. In general, the vicinity is a developing urban area focused on industrial development. Most of the industrial development has been related to the wine industry. Specifically, to the north/northwest of the site are existing office/light industrial buildings. Northeast of the site is the Gateway hotel and retail complex (the hotel is currently under construction). West of the project site is the Sheriff's facility. East of the site is vacant property.

10. **Other agencies whose approval is required:** Discretionary approval required by Napa County consists of a use permit. The proposed project would also require various ministerial approvals by the County including, but not limited to building permits, encroachment permits and grading permits. Permits to connect to water and sewer utilities are required from the City of American and Napa Sanitation District, respectively. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Bay Regional Water Quality Control Board standards which is administered by the County Public Works Department. A permit from the U.S. Army Corps of Engineers and written notification to the California Department of Fish and Game will be required regarding alteration of the drainage swale.

**Responsible (R) and Trustee (T) Agencies**

San Francisco Bay Regional Water Quality Control Board  
City of American Canyon  
Napa Sanitation District  
U.S. Army Corps of Engineers  
State Department Fish and Game (DFG)

**Other Agencies Contacted**

City of Napa

**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 NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis 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.

  
Signature

9/10/08  
Date

Sean Trippi, Principal Planner

Napa County Conservation, Development and Planning Department



# ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. <b>AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a/b. The proposed project would not be located within an area which would damage any known scenic vista, or damage scenic resources, trees, rock outcroppings, or historic buildings. The proposed project site is currently vacant and located within a developing industrial park. The site is not visible from a designated scenic highway or any scenic routes.
- c. The project is located within a fairly developed portion of the Napa County Airport Industrial Area Specific Plan (AIASP) that allows a mix of industrial developments. The building is located on the southwest corner of Airport Boulevard and the Devlin Road extension. The street facing building elevations include tenant storefronts, vertical elements that extend above the parapet and standing seam metal shed roofs over the tenant entry doors. The loading areas for the buildings are generally located at the rear of the buildings, and would not be visible from the street. Building A has loading areas that face Devlin Road (once it's extended) that will be screened by dense landscaping and the grade separation between Devlin Road and the project site. A 35-foot tall metal wine bottle is proposed at the corner of Airport Boulevard and Devlin Road. The wine bottle is opened framed and would not block views of any surrounding natural or man-made features. The overall design is equivalent to other similar industrial projects approved and constructed within the specific plan boundaries, and meets the minimum design requirements for the specific plan's industrial park area. Therefore, the project will not substantially degrade the existing visual character or quality of the site and surrounding area.
- d. The new facility will result in a minor increase in the nighttime lighting. In accordance with County standards, all exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and include shields to deflect the light down. Avoidance of highly reflective surfaces will be required, as well as standard County conditions to prevent light from being cast skyward. This is an area routinely overflowed by low flying aircraft which necessitates strong controls on skyward nighttime lighting. As designed, and as subject to standard conditions of approval, the project will not have a significant impact from light or glare.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. <b>AGRICULTURE RESOURCES.</b> In determining impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide 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"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The project site is located within a developing industrial park. The project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important as shown on the Napa County Important Farmland Map 2004 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- b. The project site is not subject to a Williamson Act contract, and is zoned for industrial development.
- c. The project site is surrounded by developing industrial park land. Although farming activities occurred on these lands in the past, the area has been designated for industrial development for over 20 years. The project will not result in the conversion of existing farmland.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. <b>AIR QUALITY.</b> 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The following analysis is based on the "BAAQMD CEQA Guidelines – Assessing the Air Quality Impacts of Projects and Plans" (December 1999).

- a. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plans. The project site lies at the southern end of the Napa Valley, which forms one of the climatologically sub regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the valley create a relatively high potential for air pollution. Potential air quality impacts could result from construction activities. 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. BAAQMD recommends incorporating feasible control measures as a means of addressing such impacts. These measures are set forth at Table 2 of the BAAQMD CEQA Guidelines. If the proposed project adheres to these measures, then BAAQMD recommends concluding that construction-related impacts will be insignificant. These measures will be incorporated into the proposed project as conditions of approval. In accordance with BAAQMD CEQA Guidelines, these impacts are considered less than significant.
- b.-e. See (a) above. There are no projected or existing air quality violations in this area that this proposed project would contribute to. Nor would it result in any violations of any applicable air quality standards.

The BAAQMD defines public exposure to offensive odors as a potentially significant impact. During project construction, the project has the potential to generate substantial amounts of dust or other construction-related air quality disturbances. As a standard practice for County development projects, application of water and/or dust palliatives are required in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. These Best Management Practices will reduce potential temporary changes in air quality to a less than significant level.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b> 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 Game or 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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 type="checkbox"/>	<input checked="" 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-c. The project site is highly disturbed and is not in a native state. The site is located within a developing industrial park and is bordered on three sides by existing development. Industrial development has been progressing in the general vicinity since the late 1980's. Some disturbance of the subject property occurred when Airport Boulevard was constructed across the property's northern boundary to provide improved access to the Napa County Airport. The previous roadway to the airport was constructed across the property's southern boundary and has since been abandoned. The site is vacant and is dominated by non-native grasses with a cluster of four (4) Blue Gum Eucalyptus trees in the western portion of the site and a few Coast Live Oak trees and a Blue Gum tree near the southeast corner of the site which provide potential suitable nesting habitat. The site generally does not meet DFG's criteria as suitable foraging habitat given its urbanized characteristics. A seasonal drainage swale flows east to west on the northern third of the site. The swale exits the site at a drainage culvert that runs under Airport Boulevard just south of the proposed driveway. According to the project Biologist, the drainage is considered a seasonal wetland a portion of which is under the jurisdiction of the U.S. Army Corps of Engineers (Corps) and possibly the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Game (CDF).

North Fork Associates prepared a Biological Resources Assessment report, dated April 14, 2008, a Special-Status Plant Survey addendum, dated June 9, 2008, for the proposed project site and a Wetland mitigation requirement discussion dated September 3, 2008. The reports were prepared to identify biological communities on the site and to determine whether the site is likely to contain state or federally listed rare, threatened, or endangered plant or animal species, address potential impacts, if any, to protected species, and recommend mitigation measures as needed. According to the report, nonnative grassland and ruderal habitats such as those found on the site provide limited wildlife habitat. The site is not expected to support a diversity of wildlife due to its lack of important habitat features including nesting sites, escape and thermal cover, and a variety of food sources. The drainage swale provides only a seasonal source of water for wildlife. The cluster of trees on the site may provide nesting and roosting sites for birds and shelter for small rodents. However, the trees within the study area are unlikely to support nesting Swainson's hawk due to nearby human activity

Numerous listed wildlife and plant species are known to occur in the region surrounding the project site including Vernal Pool fairy shrimp, California red-legged frog, White-tailed kite, Burrowing Owl, Swainson's hawk and Big-scale balsom-root, Pappose tarplant, Contra Costa goldfields, Dwarf downingia, and Showy Indian clover. The report indicated that vernal pool crustaceans and California red-legged frog were not found on the site and the site does not support habitat for these species. The report also indicated that the site may provide suitable

nesting habitat for raptors and other migratory birds, but is unlikely to provide habitat for Burrowing owls due to dense vegetation and the lack of small mammal burrows. The mitigation measures, below, will reduce impacts to any special-status wildlife species, including migratory birds protected under the Migratory Bird Treaty Act to a level of less than significant. The Special-status plant survey found no occurrence of the plant species listed above. No other special-status plant species were observed during the field surveys.

As noted above, North Fork Associates indicates the presence of both jurisdictional (0.62 acres) and non-jurisdictional (0.02 acres) wetlands on the project site, mostly contained within a seasonal drainage swale. The project is expected to permanently fill approximately 0.49 acres of the jurisdictional and all of the non-jurisdictional seasonal wetlands. Until the Corps determines the extent of its jurisdiction, acreages of impacts can only be estimated. For those wetland areas that cannot be avoided, appropriate permits shall be acquired from the Corps, RWQCB and CDF. The mitigation measures listed below will reduce potential impacts to wetlands to less than significant levels.

- d. There are no known wildlife corridors, native wildlife nursery sites, or sensitive plants identified on the property. The proposed project would not have a significant impact on the movement of native resident and migratory fish and wildlife species as there is no fencing or other obstructive barriers proposed for the project. The seasonal drainage swale does not support riparian habitat and provides no suitable habitat for any fish species known to occur in the area. Surveys will be conducted immediately prior to construction to ensure that raptors or other special status nesting birds or migratory birds, if present, are not disturbed.
- e. The project would not conflict with any local policies protecting biological species, such as tree preservation or the County's Conservation Regulations. The site is a semi-improved industrial lot with no native vegetation in the area proposed for development. In accordance with the requirements of the specific plan, new landscaping will be provided on the site. The project does not conflict with any County ordinance or requirement to preserve existing trees, and therefore is considered as not having potential for significant impact.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. There are no plans applicable to the subject parcel.

#### **Mitigation Measures:**

1. To avoid potential losses to nesting raptors and migratory birds protected under the Migratory Bird Treaty Act, construction activities shall occur outside the critical breeding period from March through August to the extent possible. If construction occurs during the breeding period, the site shall be surveyed for active nests by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game, shall be avoided until the nest has been vacated. If no nests are found on or immediately adjacent to the project site, tree removal could proceed without further surveys.

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.

2. To avoid potential losses to the Western Burrowing owl a nesting survey shall be conducted by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game, shall be avoided until the nest has been vacated. If no nests are found on the project site construction activities could proceed without further surveys.

Method of Mitigation Monitoring: The permittee shall have a nesting western Burrowing owl survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event western burrowing owls are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.

3. If the US Army Corps of Engineers (Corps) and/or RWQCB determines that fill of jurisdictional wetlands will occur as a result of the project and subsequently requires mitigation for jurisdictional wetlands loss, prior to approval of improvement plans by Napa County the project proponent shall provide documentation from the Corps indicating that one or more of the following measures will or has occurred and is or will be considered mitigation.
  - a. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, on the project site by enhancing existing wetlands or creating new wetlands to provide for no net loss of wetlands function. The applicant's biologist indicates on site mitigation using proposed drainage facilities such as a detention basin or vegetated swales is a viable option for restoring wetlands function although the acceptability of such to the Corps and/or RWQCB cannot be guaranteed; or,

- b. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by off-site creation or enhancement of wetlands in Napa County consistent with state and federal policies providing for no net loss of wetland function; or
- c. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by purchase of wetlands creation or preservation credits in an existing or future wetlands bank that "services" Napa County, consistent with state and federal policies providing for no net loss of wetland function; or
- d. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by financial participation in an existing wetlands enhancement or creation project in Napa County sponsored by a state, federal or County agency such as the Napa County Resource Conservation District (RCD) consistent with state and federal policies providing for no net loss of wetland function. The applicant is currently exploring locations for wetlands creation or enhancement. These locations include but should not be limited to:

*Carneros Creek Stream Restoration:* Funding is needed to implement restoring a failed water retaining stock pond back to a more natural channel condition for a length of 900 linear feet. Native plants and willows will be planted within the riparian corridor which will also be fenced off from grazing cattle. The benefits of the project include water quality protection, minimizing erosion and sediment delivery to Carneros Creek, increasing bird habitat, and improving downstream fish habitat. Permitting and planning on-going.

*Dry Creek Stream Restoration:* This project will restore 200 linear feet of eroding streambank along Dry Creek, a significant steelhead bearing stream within the Napa River watershed. Work entails installing a live willow brush mattress, willow walls, and stream barbs to stabilize the banks, provide canopy, and improve fish habitat. RCD will work with Center for Land Based Learning students to harvest willow and plant natives. Plans and permits are complete.

*Huichica Creek Wetland Habitat Improvement:* This project involves the continuation of planting up to 10,000 native grass plugs at the RCD's Huichica Creek Demonstration Vineyard site over a three year period. The RCD has an on-going relationship with Center for Land Based Learning SLEWS program which bridges classroom education with outdoor field experiences for high school students who will collect seeds and install some of the plantings under the direction of RCD staff. The project will benefit local birds and increase wetland habitat by ½ acre.

*Carneros and Sulphur Creek Water Quality Protection:* This project improves water quality and minimizes sediment delivery to fish bearing streams by improving stream crossings and eroding rural roads in the Carneros and Sulphur Creek watersheds. Up to 15 miles of rural roads will be "storm-proofed" resulting in the protection of significant steelhead habitat in the Heath Canyon, Sulphur Creek, and Carneros Creek watersheds. Plans and permits have been completed.

Or:

- e. a combination of the above measures, which in aggregate meets the prescribed ratio dictated by the Corps and/or RWQCB.
4. A wetland management plan shall be prepared in coordination with the Corps to include details of wetland protection, replacement and success criteria. A component of the wetland replacement plan shall be the establishment of multiple criteria against which the success of any replacement wetlands can be measured, listed below. All created and preserved wetlands shall be monitored for 5 years, biennially for years 6 through 10, and every 5 years thereafter until all success criteria are met. Annual reports shall be provided to the Corps and Napa County Conservation Development and Planning Department as specified in the approved wetland management plan.

Created Wetland Performance Criteria (preliminary partial list subject to corps approval) shall include at a minimum:

Performance Criteria	Years 1 – 4 Annual monitoring	Years 5 – 10 Two to three year monitoring intervals	Years 15 + Five year monitoring intervals
Hydrological Performance	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands
Wetland floral populations	At least 50% of the wetland vegetation should resemble the on-site wetland	At least 80% of the wetland vegetation should resemble the on-site wetland	At least 80% of the wetland vegetation should resemble the on-site wetland
Invasive species	During spring growing season, no more than 30% invasive species	During spring growing season, no more than 15% invasive species	During spring growing season, no more than 15% invasive species



Method of Mitigation Monitoring: Any required wetland mitigation shall be in place prior to the issuance of building or grading permits. The project proponent shall demonstrate to the satisfaction of the Director that all wetland mitigation has been approved by the Corps and has been initiated. The terms and conditions of wetland protection, replacements and performance criteria are subject to Corps concurrence and may be modified.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V.	<b>CULTURAL RESOURCES.</b> Would the project:				
	a) Cause a substantial adverse change in the significance of a historical resource as defined in 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"/>
	c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- a-c. The project site is vacant and does not contain any structures. Research into past uses has not identified historic resources that may be present at the site. A previous archaeological survey, entitled A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, prepared by Archaeological Resource Service (ARS), dated September 1983, was conducted in the airport industrial park area and included the project site. An additional study of the remainder of the Gunn-Greenwood Ranch area was conducted by ARS in 1988. Neither study indicated the presence of historical, archaeological, or paleontological resources. A follow-up to the two previous studies was conducted by ARS, dated April 17, 2008. The recent study found no new prehistoric sites or artifacts confirming the findings of the previous studies. The report concluded that the proposed project will not adversely affect any previously recorded or newly identified archaeological sites. It is therefore not anticipated that any cultural resources are present on the site, and the potential for impact is considered less-than-significant. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard conditions of approval.
- d. No human remains have been encountered on the property during past grading activities when nearby public improvements were constructed and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard conditions of approval.

**Mitigation Measures:** None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI.	<b>GEOLOGY AND SOILS.</b> Would the project:				
	a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
- i. 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 facility 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 facility must comply with all the latest building standards and codes at the time of construction, including the California Building Code which would reduce any potential impacts to a less than significant level.
  - iii. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction.
  - iv. The Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) did not indicate the presence of landslides on the property.
- b. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the soils in the area of development are predominantly Haire Loam, 2 to 9% slopes, which have slow to medium runoff and a slight erosion hazard, with Fagan Clay Loam, 5 to 15% percent slopes, which have medium runoff and moderate erosion. Fagan Clay Loam is found in the southeast corner of the property. These soil types are found mainly on old terraces and alluvial fans (Haire Loam) and at the foot of slopes and uplands (Fagan Clay Loam). Development on the site will be subject to the Napa County Stormwater Ordinance related to erosion control measures which would reduce any potential impacts to a less than significant level.
- c/d. According to the Napa County Environmental Resource Maps (Surficial Deposits layer) early or mid Pre-Quaternary deposits and bedrock and undifferentiated Late Pleistocene-Holocene fan deposits underlie the surficial soils on the project site. Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has very low to low susceptibility for liquefaction. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level. In addition, a soils report, prepared by a qualified Engineer will be required as part of the building permit submittal. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods.
- e. The project will connect to sewer service by Napa Sanitation District. "Will serve" letters have been submitted by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project.

**Mitigation Measure:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. <b>HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in construction of the facility. At this time, specific tenants are not known. It is anticipated that tenants will be a mix of warehousing, distribution and light industrial uses with ancillary and offices with many or most related to the wine industry as is typical of the rest of the Airport Industrial Area Specific Plan area. A Business Plan will be filed with the Environmental Health Division should the amount of any hazardous materials reach reportable levels. However, in the event that a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit modification and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of that use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less-than-significant impact.
- b. The project would not result in the release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile from the proposed project site.
- d. 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 Commission's Compatibility Plan. The project is located within Zone D of the compatibility plan which is an area of common overflight and moderate risk. The proposed use of the building is highly compatible with the risk and noise impacts associated with properties within Zone D. The building has also been designed to comply with specific requirements regarding light and glare to ensure airport land use compatibility. No up lighting of the proposed wine bottle sculpture will be approved. County development regulations have been certified as meeting ALUC compatibility requirements, and consequently the project is not subject to separate ALUC review because it has been designed to comply with County airport compatibility land use requirements.
- f. The project site is not located within the vicinity of any private airports.
- g. The proposed driveways that serve the project will be improved to comply with County standards, and access throughout the site is designed to accommodate fire apparatus and large trucks. The project is located within the American Canyon Fire District, which has reviewed the project and commented that the project is required to comply with all District standard conditions. The Fire Marshall did not identify any design issues. Therefore, the design of the project will not negatively impact or hinder emergency vehicle access.

- h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires because the project is located within an urbanized area.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project will discharge into an approved storm drainage system designed to accommodate the drainage from this site. Given that the applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board, which is administered in part by the County Public Works Department on behalf of the Board, and the County's established Best Management Practices which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.
- b. The project will connect to municipal water provided by the City of American Canyon. No groundwater wells are associated with this property.
- c-d. 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 and winter months (October to April). As noted above, the project is required to comply with County Public Works requirements which are fully consistent with Regional Water Quality Control Board standards. These established Best Management

Practices have been successfully implemented on numerous other projects within the Airport Industrial Area. By incorporating these erosion control measures, this project would have a less than significant impact. No substantial alteration of existing drainage is anticipated to occur. There will be an increase in the overall impervious surface resulting from the new buildings, pavement and sidewalks. However, given the size of the drainage basin, the increase in impervious surfaces will not discernibly change the amount of groundwater filtration or discernibly increase surface runoff from that which currently existing on site. This project would therefore result in a less than significant impact.

- e. The storm drainage system will be designed to County standards and is sized to accommodate all drainage from this site.
- f. There are no other factors in this project that would otherwise degrade water quality.
- g-i. The project site is not located within a flood hazard area, nor would it impede or redirect flood flows or expose structures or people to flooding. The project site is not located within a dam or levee failure inundation zone.
- j. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows.

**Mitigation Measures:** None required

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX.	<b>LAND USE AND PLANNING.</b> Would the project:				
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-c. 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 Code, The Airport Industrial Area Specific Plan, and all other applicable regulations. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

**Mitigation Measures:** None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X.	<b>MINERAL RESOURCES.</b> 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. The Airport Industrial Area Specific Plan and the Conservation Element of the General Plan do not indicate the presence of valuable or locally important mineral resources on the project site. The proposed project would not result in a loss of a mineral resource of any value.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. <b>NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. The proposed project will result in a temporary increase in noise levels during the construction of the building, parking areas, and associated 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 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Chapter 8.16).
- c/d. The anticipated level of noise to occur following the completion of construction including the operation of the facility would be typical of light industrial/warehousing/office uses in an existing industrial park. The project is located within an industrial park and is not in an area where noise increases resulting from additional industrial development will impact sensitive receptors. The design of the proposed project, together with adherence to the County Noise Ordinance, would ensure the proposed project would not result in adverse noise impacts.
- e) The proposed project site is located within compatibility Zone D of the Napa County Airport, which is an area of common aircraft overflight. As such, persons on the project site will be exposed to noise from regular aircraft overflight. The nature of the use is not sensitive to increased noise levels from aircraft, and is considered compatible with aircraft operations.
- f) The project is not within the vicinity of a private airstrip.

**Mitigation Measures:** None required.

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

Discussion:

- a-c. The project site is currently vacant and located in an industrial area. The project will increase the number of jobs within the industrial park. Given the size of the project, the number of jobs is expected to be relatively small compared to the overall business park and nearby communities; therefore this increase in jobs will not contribute to a cumulatively considerable increase in the demand for housing units within Napa County and the general vicinity. Furthermore, the County has adopted a Housing Element (certified by the State Housing and Community Development Agency) which identifies locations for new housing, and adopted a development impact fee to provide funds for constructing affordable housing. The fee is paid at the time building permits are issued. This fee is charged to all new non-residential developments based on the gross square footage of non-residential space multiplied by the applicable fee by type of use as listed in Chapter 15.60.100, Table 1, and is considered to reduce housing inducement impacts to a less than significant level.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES.</b> 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:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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. Public services are already provided to the site and the proposed project would not increase the demand on those public services. Fire protection measures are required as part of the development and there would be no expected impact to response time as the property has good public road access. School impact mitigation fees will be levied with the building permit application. Those fees assist local school districts with capacity building measures. The proposed project will have little impact on public parks. County revenue resulting from building permit fees, property tax increases and taxes will help meet the costs of providing public services to the property.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIV. RECREATION.</b> 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 type="checkbox"/>	<input checked="" 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/b. The proposed project would not significantly increase the use of existing recreational facilities, nor does the proposed project include recreational facilities that may have a significant adverse effect on the environment.

**Mitigation Measures:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

a-b. Weekday traffic volumes within the project vicinity consist primarily of commute traffic within the peak traffic periods, with residential from nearby communities, commercial, tourist, and industrial park traffic occurring throughout the day. Southern Napa County is characterized by two distinct commute traffic patterns: a Napa to Bay Area commute, and a smaller Solano County to Napa commute. The existing traffic congestion is primarily the result of regional growth impacts. Major improvements to both Highway 29 and Highway 12 are necessary to address regional traffic congestion. As mandated by Napa County, projects within the industrial park are responsible for paying "fair share" costs to the construction of improvements to impacted roadways within the industrial park.

Since 1990, the County has imposed and collected traffic mitigation fees on all development projects within the Airport Industrial Area. A developer's "fair share" fee goes toward funding roadway improvements within the specific plan area including improvements designed to relieve traffic on State Highways. The traffic mitigation fee is further described in Board of Supervisor's Resolution 08-20. For this project, a traffic mitigation fee based on PM peak hour vehicle trips will be imposed and collected prior to issuance of a building permit as determined by the Director of Public Works and is included as a mitigation measure below.

The County has established that a significant traffic impact would occur if increases in traffic from a project would cause intersections or two-lane highway capacity to deteriorate to worse than LOS E, or at intersections or two-lane highway where base case (without project) is LOS F, a significant impact is considered to occur if a project increases the base volumes by more than one percent. Napa County utilizes a one percent significance threshold for the identification of significant adverse traffic impact during peak hours to travel. This threshold was directed by the Napa County Transportation Planning Agency. This factor has been used consistently as the significance determination for all recent EIR and CEQA documents within the Airport Industrial Area.

The project includes the construction of three buildings totaling 374,926 square feet of floor area for flexible warehousing/distribution and light industrial uses with ancillary office areas. Approximately 92% percent of the total floor area (344,512 sq. ft.) would be utilized by warehouse/distribution and light industrial uses with the remaining 8% of the total floor area used for office functions (30,414 sq. ft.). The project also includes the construction of the full width of Devlin Road from its terminus at Airport Boulevard to connect with the existing leg of Devlin at the south end of the project site.

A project specific traffic report was prepared by George Nickelson, P.E., dated July 8, 2008, to address potential traffic related impacts and is attached to this initial study. The project is anticipated to generate 318 A.M. peak trips (261 inbound and 157), and 326 P.M. peak trips (68 inbound and 258 outbound) based on "Industrial Park" trips rates compiled by the Institute of Transportation Engineers (ITE). However, it



should be noted that the project applicant expects approximately 70 full and part time employees for the project. The traffic study indicated that no significant intersection level of service impacts would result from the project the near-term or at 2030 build-out conditions.

- c. The project does not have any impact on air traffic patterns.
- d/e. The project includes construction of new driveways on Airport Boulevard and Devlin Road. The new driveways have been designed to comply with all County standards and the recommendation of the traffic study prepared for this project (Crane Transportation, November 2007). The project will not result in any changes to levels of service or cause any new safety risks.
- f. The project has been designed with 266 parking spaces. Future building tenancy will be reviewed to ensure that the proposed mix of tenants does not exceed the parking supply per the County's standard practice as specified in the project conditions of approval. The project will not result in inadequate parking.
- g. The proposed project does not conflict with any known policies or plans supporting alternative transportation.

**Mitigation Measures:**

5. Prior to County authorization of a Building Permit, the permittee shall submit payment of the Napa County's traffic mitigation fee in accordance with Board Resolution 08-20, as may be amended, of the equivalent of the vehicle trips generated by the project in the PM peak traffic period.

Method of Mitigation Monitoring: Payment of fee is required prior to the issuance of a building permit.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI.	<b>UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
	a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- a. The project will occur within an urbanized area and connect to a publicly maintained wastewater treatment system. The wastewater provider, Napa Sanitation District, has provided a will serve letter and has found that project to be in compliance with district master plans. The District's wastewater treatment plant complies with all water quality discharge requirements, and therefore the project will comply with regional water quality control standards.

- b. The project will not require construction of any new water or wastewater treatment facilities that will result in a significant impact to the environment. The project site is located in an area planned for industrial development and existing water and wastewater treatment facilities have been sized to accommodate the proposed project. The proposed project would require new pipelines at the site to connect to existing supply pipelines that ultimately tie back into the City of American Canyon's water treatment plan. The project would also install purple irrigation pipe so that reclaimed water supplied by the Napa Sanitation District may be used for landscape irrigation demand. Use of reclaimed water for irrigation demand will reduce the use of treated water provided by the City of American Canyon. The City's water treatment plant has a maximum capacity of 5.5 million gallons per day (mgd) plus a potable water connection with the City of Vallejo that provides up to 1.3 mgd for a total current production capacity of 6.8 mgd. Between July 2006 and June 2007, the City of American Canyon treated an average of 3.37 mgd. The average daily demand for water at the City's project build-out in 2015, including the buildout of the proposed project area would be 5.97 mgd with a maximum daily demand of 11.2 mgd. The City's agreement with the City of Vallejo provides options to purchase up to 1.2 mgd of additional potable water capacity by 2015. Thus, the total treatment capacity at buildout would be a maximum of approximately 8.0 mgd, sufficient to meet average day demand, but not sufficient to meet maximum daily demand. Thus, the project's impact on water treatment capacity is potentially significant unless mitigated. The projected water and sewer demand is based on flows of 650 gallons/day/acre. It is necessary to mitigate the maximum day demand by applying the water conservation measures recommended in the City's Water Supply Report (September 2008) prepared for the project (see mitigation measures below). Inclusion of water conservation and recycled water measures recommended by the City, the municipal water provider, will reduce the potential for impact to a less-than-significant level. (source: City of American Canyon Initial Studies for Lombard Crossing Industrial Park and Biagi Brothers/Jackson Wine Estates Wine Distribution Warehouse, and City of American Canyon Water Supply Report for the Greenwood Commerce Center).
- c. The proposed project includes the construction of new drainage facilities. The new drainage system will be designed by a qualified engineer and is subject to review and approval by the Department of Public Works. The Department of Public Works has included conditions of approval requiring that the drainage system be designed to avoid diversion or concentration of storm water runoff onto adjacent properties.
- d. 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. The City has acquired water rights to provide adequate water for all areas within their service area, and has issued a will serve letter for the proposal.

The City has performed an in depth analysis of how this project impacts City water supply, and has conducted a project specific Water Supply Report completed in September 2008. This report greatly assisted the County in completing this initial study and complying with recent case law (Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova and Sunrise Douglas Property Owners Association et al) which sets forth guidelines for evaluating the water supply of a project under the California Environmental Quality Act (CEQA). It requires that water supplies not be illusory or intangible, that water supply over the entire length of the project be evaluated, and that environmental impacts of likely future water sources, as well as alternate sources, be summarized.

A summary of information contained in the City of American Canyon's Water Supply Report prepared for this project (September 2008), and a summary of the City's water analysis for the Lombard Crossing Industrial Park Initial Study are included below which accurately and comprehensively address short and long term water resource availability.

The City completed an Urban Water Management Plan in January 2006. The Urban Water Management Plan incorporated the project site as an industrial use. Potable water allocated to this site in the Urban Water Management Plan as an industrial use was 650 gallons per acre per day. As summarized in the American Canyon Urban Water Management Plan (2006), the City's water supply is from the following sources:

- State Water Project (SWP) water;
- Permit water (raw water) from the City of Vallejo;
- Treated water from Vallejo;
- Treated water from the City of Napa; and
- Recycled water from the City of American Canyon's treatment plant.

The State Water Project (SWP) delivers the City's raw water supply in the North Bay Aqueduct (NBA). The City's entitlement of 4,700 acre-feet per year (AFY) in 2005 will increase annually by 50 to 100 AFY, to 5,200 AFY in 2015. SWP water is not proposed to increase after 2015. The City of American Canyon Water Treatment Plant treats the SWP water or it is delivered as raw water to the customers who use it for irrigation. The Urban Water Management Plan finds that, as of 2005, the City of American Canyon would experience a shortfall in water supplies in multiple dry years of up to 427 acre feet and single-dry-years of up to 897 acre feet. By the year 2015, the City of American Canyon would experience a shortfall in multiple dry years of up to 1,037 acre feet and in single dry years of up to 1,557 acre feet.

In order to mitigate these single dry years, and multiple dry year events shortages for the long term, the City of American Canyon has undertaken a comprehensive Integrated Water Management Plan (IWMP) that will identify potential additional water supply solutions and increase the flexibility of its system. Additionally, the City of American Canyon is implementing an aggressive water conservation program to reduce water demands throughout the City. The County supports the water conservation efforts being employed by the municipal water service provider, and has included conservation mitigation measures, below, necessary to reduce the project's potential to contribute to these potential significant water supply impacts.

A project specific Water Supply Report was prepared in September 2008 by the City's Public Works Department to address a range of topics, including:

- The water service request for Greenwood Commerce Center
- Consistency with the Urban Water Management Plan
- Water footprint/zero water footprint
- Project's contribution to water capacity fee and improvements
- Capital improvement program status for water supply and water treatment
- Vineyards court case analysis
- Recommended mitigations
- Opportunities to reduce the project's water footprint

The average daily water demand, including domestic/potable and industrial water, is estimated to be 1,100 gallons per day. Total irrigation demand will use reclaimed water provided by Napa Sanitation District. So the total annual demand based on an average of 1,100 gallons per day will be 1.2 acre feet per year (AFY). The total maximum daily water demand will be a little more than twice the average daily demand or 2,400 gallons per day. According to the Water Supply Report, these estimates are considered to be reasonable.

The applicant has agreed to include project improvements to conserve water as requested by the City, the municipal water service provider, which include:

- Drought tolerant landscaping
- Use of recycled water for landscaping
- Dual plumbing for future conversion toilets to recycle water
- Low flow plumbing fixtures

The Urban Water Management Plan estimated 13.83 AFY, but assumed that only 16% of non-vineyard demands outside of the then-approved sphere of influence would be met by recycled water. The project's estimated total annual demand of 1.2 AFY, is well below the demands estimated in the Urban Water Management Plan after subtracting 16% for using recycled water.

On October 23, 2007, the City Council of the City American Canyon adopted the following definition of Zero Water Footprint (ZWF):

"No loss in water service reliability or increase in water rates to the City of American Canyon's existing customers due to the requested increased demand for water in the City's water service area."

Appendix A of the Water Supply Report is a flow chart of the process for water service requests considered by the City of American Canyon as part of their policy decision on Zero Water Footprint. The project does not have a zero water footprint. It would result in a loss in water service reliability of American Canyon water service due to the increased annual water demand without an offsetting source of supply.

The project may result in potential reliability impacts during multiple dry year and single dry year conditions during the 2009-2010 and 2010-2011 water years. This impact can feasibly be mitigated however by providing funds to the City of American Canyon to purchase dry year water, if necessary. Dry year water is available either through the State Water Project Contractor's Association or from individual sellers. The cost of dry year water is currently on the order of \$220 per AF per year. Acquisition of one-year water transfers for the 2009-2010 and 2010-2011 water years will mitigate short term impacts, as set forth in the City's Water Supply Report prepared for this project (attached).

- e. See response "a." above.
- f. The proposed project will be served by a landfill with sufficient capacity to meet the projects demands. No significant impact will occur from the disposal of solid waste generated by the proposed project.
- g. The proposed project will comply with federal, state, and local statutes and regulations related to solid waste.

**Mitigation Measures:**

6. The permittee shall pay all updated water capacity and impact fees to provide funding for the City of American Canyon to acquire additional long-term water resources and improve and develop its treatment and distribution system. The fees will allow for the City to exercise additional options for potable water capacity from the City of Vallejo and/or other sources, and will also provide for implementation of the recycled water system, helping to reduce the impact of additional water demand to less than significant.

Method of Mitigation Monitoring: Payment of fee is required prior to the issuance of a building permit.

7. The project shall contribute to the City of American Canyon Short-term Water Supply Mitigation, as set forth in the City's Water Supply Report Table 3, pages 15 and 16, as non-refundable payments to the water operations fund to allow the City to acquire dry year water if necessary. If the long-term mitigations are not in place prior to the 2011-2012 water year, the project shall continue to make annual non-refundable payments until the short-term impacts are mitigated by completion of long-term improvements.

Method of Mitigation Monitoring: Payment of fee is required prior to the issuance of a building permit.

8. The permittee shall pay a per-unit fee to the City of American Canyon's Water Conservation Program that is current at the time building permits are issued for the project, permitting the City to develop and implement the Program. The project can further reduce its water footprint by including one or more of the following off-site water conservation opportunities available through the Water Conservation Program:

- Conversion of existing toilets to high-efficiency toilets.
- Conversion of existing washing machines to high-efficiency, front-loading washing machines.
- Conversion of existing urinals to waterless urinals.
- Conversion of existing irrigation demands from potable water to recycled water.
- Conversion of existing industrial demands from potable water to recycled water.
- Conversion of a landscape conversion project.

Method of Mitigation Monitoring: Payment of fee is required prior to the issuance of a building permit.

9. The permittee shall incorporate water conservation Best Management Practices (BMP's) into the project as a whole and individual projects onsite. The project will be reviewed by the City of American Canyon Public Works Department for additional onsite conservation opportunities during the building permit plan review process.

Method of Mitigation Monitoring: The plans submitted for building permits shall incorporate water conservation BMP's to the extent feasible.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII.	<b>MANDATORY FINDINGS OF SIGNIFICANCE</b>				
	a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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. The Biological Resources section indicates that there is a possibility of state or federally protected species occurring in the vicinity of the site. Mitigation Measures are proposed to protect those species and no further effects are expected if all mitigation measures are implemented. No historic or prehistoric resources are anticipated to be affected by the proposed project. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. The project does not have impacts that are individually limited, but cumulatively considerable as mitigated. Potential impacts related to traffic and utilities are discussed in their respective sections above. The project would also increase the demands for public services to a limited extent, increase traffic and air pollution, all of which contribute to cumulative effects when future development along Highway 29 is considered. Cumulative impacts of these issues are discussed and mitigated in previous sections of this Initial Study (e.g. Traffic, Housing).
- c. The project does not pose any substantial adverse effects on human beings, either directly or indirectly.

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Attachments:

Attached to this report:

Mitigation Monitoring and Reporting Program  
Site Location Map (USGS Base Map)  
Project Graphics

Separate attachments:

Attachment A – Cultural Resources Evaluation, dated April 17, 2008  
Attachment B – Biological Resources Assessment, dated April 14, 2008  
    Special Status Plant Survey Addendum, dated June 9, 2008  
    Wetland Mitigation Requirements Discussion, dated September 3, 2008  
Attachment C -Traffic Analysis, dated July 8, 2008  
Attachment D - Water Supply Report, dated September 3, 2008

**GREENWOOD COMMERCE CENTER**

Use Permit (File #P08-00312-UP)  
Parcel Map (File #P08-00313-PM)

**APN'S: 057-210-055 & 056 (PORTION)**

**MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<b>Biological Resources (IV)</b>			
<p>1. To avoid potential losses to nesting raptors and migratory birds protected under the Migratory Bird Treaty Act, construction activities shall occur outside the critical breeding period from March through-August to the extent possible. If construction occurs during the breeding period, the site shall be surveyed for active nests by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game, shall be avoided until the nest has been vacated. If no nests are found on or immediately adjacent to the project site, tree removal could proceed without further surveys.</p>	Planning Department	The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event any special-status or other protected nesting birds are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.	
<p>2. To avoid potential losses to the Western Burrowing owl a nesting survey shall be conducted by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game, shall be avoided until the nest has been vacated. If no nests are found on the project site construction activities could proceed without further surveys.</p>	Planning Department	The permittee shall have a nesting western Burrowing owl survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event western burrowing owls are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods.	
<p>3. If the US Army Corps of Engineers (Corps) and/or RWQCB determines that fill of jurisdictional wetlands will occur as a result of the project and subsequently requires mitigation for jurisdictional wetlands loss, prior to approval of improvement plans by Napa County the project proponent shall provide documentation from the Corps indicating that one or more of the following measures will or has occurred and is or will be considered mitigation.</p>	Planning Department	Any required wetland mitigation shall be in place prior to the issuance of building or grading permits. The project proponent shall demonstrate to the satisfaction of the Director that all wetland mitigation has been approved by the Corps and has been initiated. The terms and conditions of wetland protection, replacements and performance criteria are subject to Corps concurrence and may be modified.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p>a. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, on the project site by enhancing existing wetlands or creating new wetlands to provide for no net loss of wetlands function. The applicant's biologist indicates on site mitigation using proposed drainage facilities such as a detention basin or vegetated swales is a viable option for restoring wetlands function although the acceptability of such to the Corps and/or RWQCB cannot be guaranteed; or,</p> <p>b. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by off-site creation or enhancement of wetlands in Napa County consistent with state and federal policies providing for no net loss of wetland function; or</p> <p>c. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by purchase of wetlands creation or preservation credits in an existing or future wetlands bank that "services" Napa County, consistent with state and federal policies providing for no net loss of wetland function; or</p> <p>d. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by financial participation in an existing wetlands enhancement or creation project in Napa County sponsored by a state, federal or County agency such as the Napa County Resource Conservation District (RCD) consistent with state and federal policies providing for no net loss of wetland function. The applicant is currently exploring locations for wetlands creation or enhancement. These locations include but should not be limited to:</p> <p><i>Carneros Creek Stream Restoration:</i> Funding is needed to implement restoring a failed water retaining stock pond back to a more natural channel condition for a length of 900 linear feet. Native plants and willows will be planted within the riparian corridor which will also be fenced off from grazing cattle. The benefits of the project include water quality protection, minimizing erosion and sediment delivery to Carneros Creek, increasing bird habitat, and improving downstream fish habitat. Permitting and planning on-going.</p>			

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p><i>Dry Creek Stream Restoration:</i> This project will restore 200 linear feet of eroding streambank along Dry Creek, a significant steelhead bearing stream within the Napa River watershed. Work entails installing a live willow brush mattress, willow walls, and stream barbs to stabilize the banks, provide canopy, and improve fish habitat. RCD will work with Center for Land Based Learning students to harvest willow and plant natives. Plans and permits are complete.</p> <p><i>Huichica Creek Wetland Habitat Improvement:</i> This project involves the continuation of planting up to 10,000 native grass plugs at the RCD's Huichica Creek Demonstration Vineyard site over a three year period. The RCD has an on-going relationship with Center for Land Based Learning SLEWS program which bridges classroom education with outdoor field experiences for high school students who will collect seeds and install some of the plantings under the direction of RCD staff. The project will benefit local birds and increase wetland habitat by ½ acre.</p> <p><i>Carneros and Sulphur Creek Water Quality Protection:</i> This project improves water quality and minimizes sediment delivery to fish bearing streams by improving stream crossings and eroding rural roads in the Carneros and Sulphur Creek watersheds. Up to 15 miles of rural roads will be "storm-proofed" resulting in the protection of significant steelhead habitat in the Heath Canyon, Sulphur Creek, and Carneros Creek watersheds. Plans and permits have been completed.</p> <p>Or:</p> <p>e. combination of the above measures, which in aggregate meets the prescribed ratio dictated by the Corps and/or RWQCB.</p>			



Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p>4. A wetland management plan shall be prepared in coordination with the Corps to include details of wetland protection, replacement and success criteria. A component of the wetland replacement plan shall be the establishment of multiple criteria against which the success of any replacement wetlands can be measured, listed below. All created and preserved wetlands shall be monitored for 5 years, biennially for years 6 through 10, and every 5 years thereafter until all success criteria are met. Annual reports shall be provided to the Corps and Napa County Conservation Development and Planning Department as specified in the approved wetland management plan.</p>			

Created Wetland Performance Criteria (preliminary partial list subject to corps approval) shall include at a minimum:

Performance Criteria	Years 1 – 4 Annual monitoring	Years 5 – 10 Two to three year monitoring intervals	Years 15 + Five year monitoring intervals
Hydrological Performance	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands	Created wetlands should have a similar hydroperiod, flooding regime, and topographic characteristics relative to on-site wetlands
Wetland floral populations	At least 50% of the wetland vegetation should resemble the on-site wetland	At least 80% of the wetland vegetation should resemble the on-site wetland	At least 80% of the wetland vegetation should resemble the on-site wetland
Invasive species	During spring growing season, no more than 30% invasive species	During spring growing season, no more than 15% invasive species	During spring growing season, no more than 15% invasive species

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<b>Transportation/Traffic (Section XV)</b>			
<p>5. Prior to County authorization of a Building Permit, the permittee shall submit payment of the Napa County's traffic mitigation fee in accordance with Board Resolution 08-20, as may be amended, of the equivalent of the vehicle trips generated by the project in the PM peak traffic period.</p>	Public Works Department	Payment of fee is required prior to the issuance of a building permit.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<b>Utilities and Service Systems (Section XVI)</b>			
<p>6. The permittee shall pay all updated water capacity and impact fees to provide funding for the City of American Canyon to acquire additional long-term water resources and improve and develop its treatment and distribution system. The fees will allow for the City to exercise additional options for potable water capacity from the City of Vallejo and/or other sources, and will also provide for implementation of the recycled water system, helping to reduce the impact of additional water demand to less than significant.</p>	Planning & Building Departments	Payment of fee is required prior to the issuance of a building permit.	
<p>7. The project shall contribute to the City of American Canyon Short-term Water Supply Mitigation, as set forth in the City's Water Supply Report Table 3, pages 15 and 16, as non-refundable payments to the water operations fund to allow the City to acquire dry year water if necessary. If the long-term mitigations are not in place prior to the 2011-2012 water year, the project shall continue to make annual non-refundable payments until the short-term impacts are mitigated by completion of long-term improvements.</p>	Planning & Building Departments	Payment of fee is required prior to the issuance of a building permit.	
<p>8. The permittee shall pay a per-unit fee to the City of American Canyon's Water Conservation Program that is current at the time building permits are issued for the project, permitting the City to develop and implement the Program. The project can further reduce its water footprint by including one or more of the following off-site water conservation opportunities available through the Water Conservation Program:</p> <ul style="list-style-type: none"> <li>• Conversion of existing toilets to high-efficiency toilets.</li> <li>• Conversion of existing washing machines to high-efficiency, front-loading washing machines.</li> <li>• Conversion of existing urinals to waterless urinals.</li> <li>• Conversion of existing irrigation demands from potable water to recycled water.</li> <li>• Conversion of existing industrial demands from potable water to recycled water.</li> <li>• Conversion of a landscape conversion project.</li> </ul>	Planning & Building Departments	Payment of fee is required prior to the issuance of a building permit.	

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
9. The permittee shall incorporate water conservation Best Management Practices (BMP's) into the project as a whole and individual projects onsite. The project will be reviewed by the City of American Canyon Public Works Department for additional onsite conservation opportunities during the building permit plan review process.	Planning & Building Departments	The plans submitted for building permits shall incorporate water conservation BMP's to the extent feasible.	

**PROJECT REVISION STATEMENT**

Greenwood Commerce Center

Use Permit (File #P08-00312-UP)  
Parcel Map (File #P08-00313-PM)

APN: 057-210-055 & 056 (portion)

Napa County  
Environmental Review

**I hereby revise my request to include the measures specified above.**

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.

Signature of Owner(s) \_\_\_\_\_

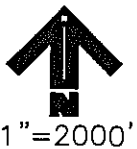
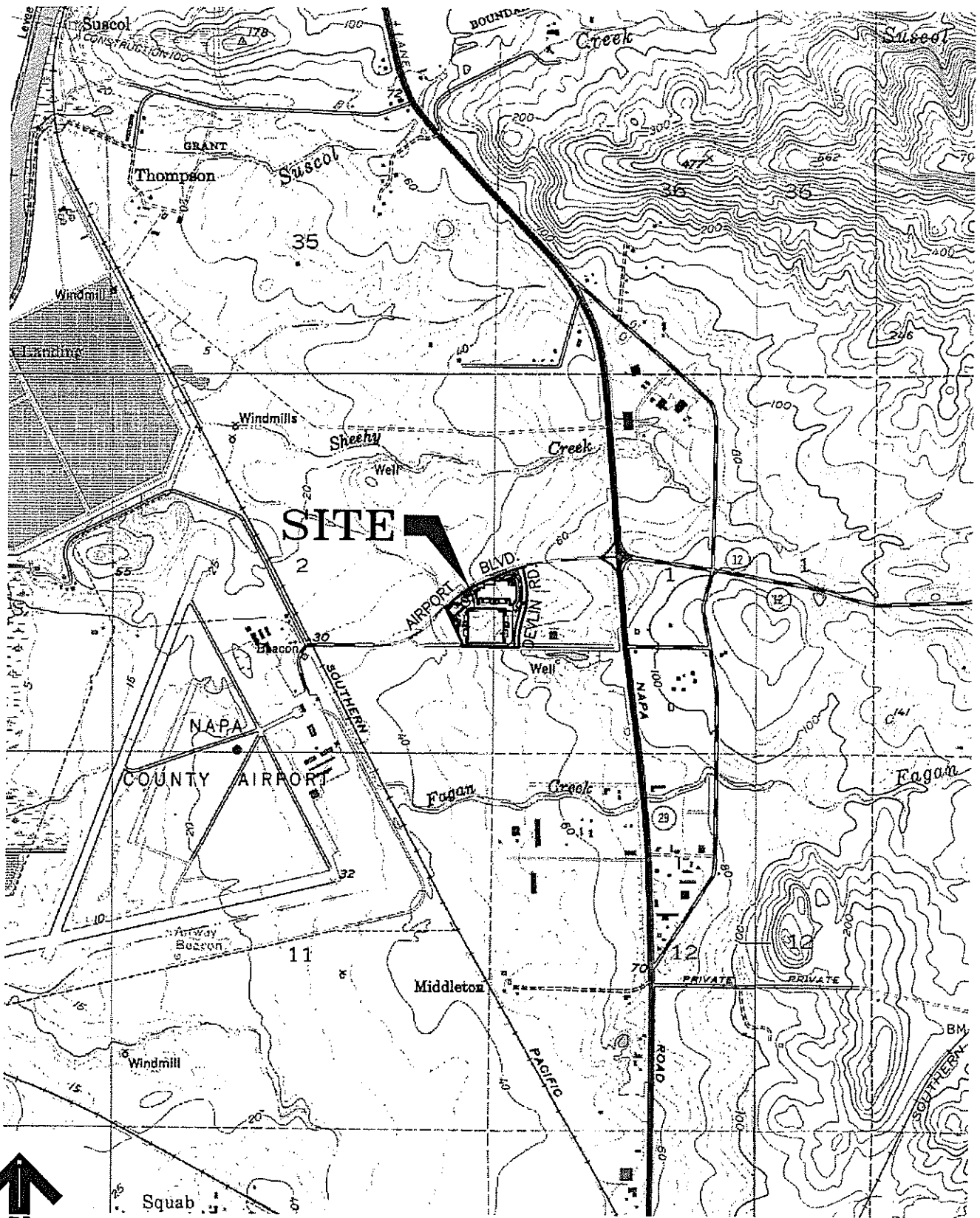
Interest | \_\_\_\_\_

9/11/08  
M. PLIGMAN  
M. PLIGMAN

Print Name

KRISTEN E. PLIGMAN

U.S. GEOLOGICAL SURVEY (USGS) TOPOGRAPHICAL SITE LOCATION MAP  
QUADRANGLE TITLE: CORDELIA & CUTTINGS WHARF FILE NO.:





**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  
Fax: (707) 251-1053  
www.napa.lafco.ca.gov

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

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**Agenda Item No. 7c (Action):**  
**ATTACHMENT FOUR**

May 20, 2014

**TO:** Local Agency Formation Commission

**FROM:** Jacqueline Gong, LAFCO Counsel

**SUBJECT:** CEQA Addendum to Mitigated Negative Declaration (as part of the environmental review of the Proposed Airport Road No. 1 Annexation to the Napa Sanitation District)

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This memorandum serves as an Addendum to the Mitigated Negative Declaration adopted by the County of Napa ("County") for the Greenwood Commerce Center project (APN 057-210-055) for the construction of three industrial buildings pursuant to a Use Permit (File No. P08-00312). This Addendum is to provide information relating to the County's further environmental review of the Greenwood Commerce Center project as modified in the Modification of Use Permit (File No. P13-00353), approved on December 23, 2013. The Commission, as the responsible agency under CEQA, must consider the Negative Declaration and other environmental information as needed as part of its consideration of the proposal to annex the Greenwood Commerce Center territory to the Napa Sanitation District (NSD).

On October 15, 2008, the County approved the issuance of a use permit for the construction of three concrete industrial buildings, totaling 374,926 square feet for flexible warehousing/distribution and light industrial uses with ancillary office areas. As part of its approval, the County adopted a Mitigated Negative Declaration determining this project, with mitigation measures, would have no significant effect on the environment as supported by the Initial Study, dated September 9, 2008. The Initial Study determined that the wastewater treatment provider, NSD, would have adequate capacity to serve the project in addition to its existing commitments and so would have less than significant environmental impact. The Initial Study further determined that NSD had provided a will serve letter and that the project would be in compliance with District master plans and all water quality discharge requirements, including regional water quality control standards. In its will serve letter, dated May 21, 2008, NSD indicated it would be able to provide sanitary sewer service upon completion of annexation proceedings and other specified conditions and that the letter was valid until May 21, 2013. The Use Permit automatically expired on October 15, 2010 unless otherwise activated.

Subsequently, a Modification of the Use Permit was sought in 2013, amending the site plan and building floor area for construction of three industrial/warehouse buildings totaling 334,672 square feet. In December 2013, the County approved the proposed Modification and found it to be within the original scope of potential environmental effects assessed in the Greenwood Commerce Center Mitigated Negative Declaration. The County found there were no substantial changes to the project or circumstances under which the project is being undertaken.

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Joan Bennett, Vice Chair  
Councilmember, City of American Canyon

Greg Pitts, Commissioner  
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Brian J. Kelly, Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Laura Snideman  
Executive Officer

In addition, the County found there was no new substantial information on the project. Therefore, the County determined no further environmental review was required for approval of the Modification of Use Permit. As part of its approval of this Modification, the County received a new will serve letter from NSD, dated May 20, 2013, which indicated the District would be able to provide sanitary sewer service to the project as modified upon completion of annexation proceedings into NSD, valid until May 20, 2018.

The Local Agency Formation Commission, as the responsible agency under CEQA for the modified Greenwood Commerce Center project, should review and consider this updated information, together with the Mitigated Negative Declaration, for the proposed annexation of the project territory to NSD (State CEQA Guidelines Sections 15050 & 15164). The Commission must certify it has reviewed and considered this environmental information, including the Mitigated Negative Declaration, in order to approve the proposal. All supporting environmental information is on file and available for inspection with the Executive Officer at 1030 Seminary Street, Suite B, Napa California.