



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

1754 Second Street, Suite C
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 6a (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Stephanie Pratt, Clerk/Jr. Analyst SP
MEETING DATE: August 5, 2024
SUBJECT: Proposed Devlin Road No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Devlin Road No. 6 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment 1). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Numbers: 057-170-024
Location: No situs address
Area Size: 27.55 acres
Jurisdiction: County of Napa
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Nova Business Park North
Current Land Uses: Vacant

Purpose: Development of Nova Business Park North
Application: Attachment 2
Maps of Affected Territory: Following pages

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Beth Painter, Commissioner
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner
Councilmember, City of American Canyon

Anne Cottrell, Chair
County of Napa Supervisor, 3rd District

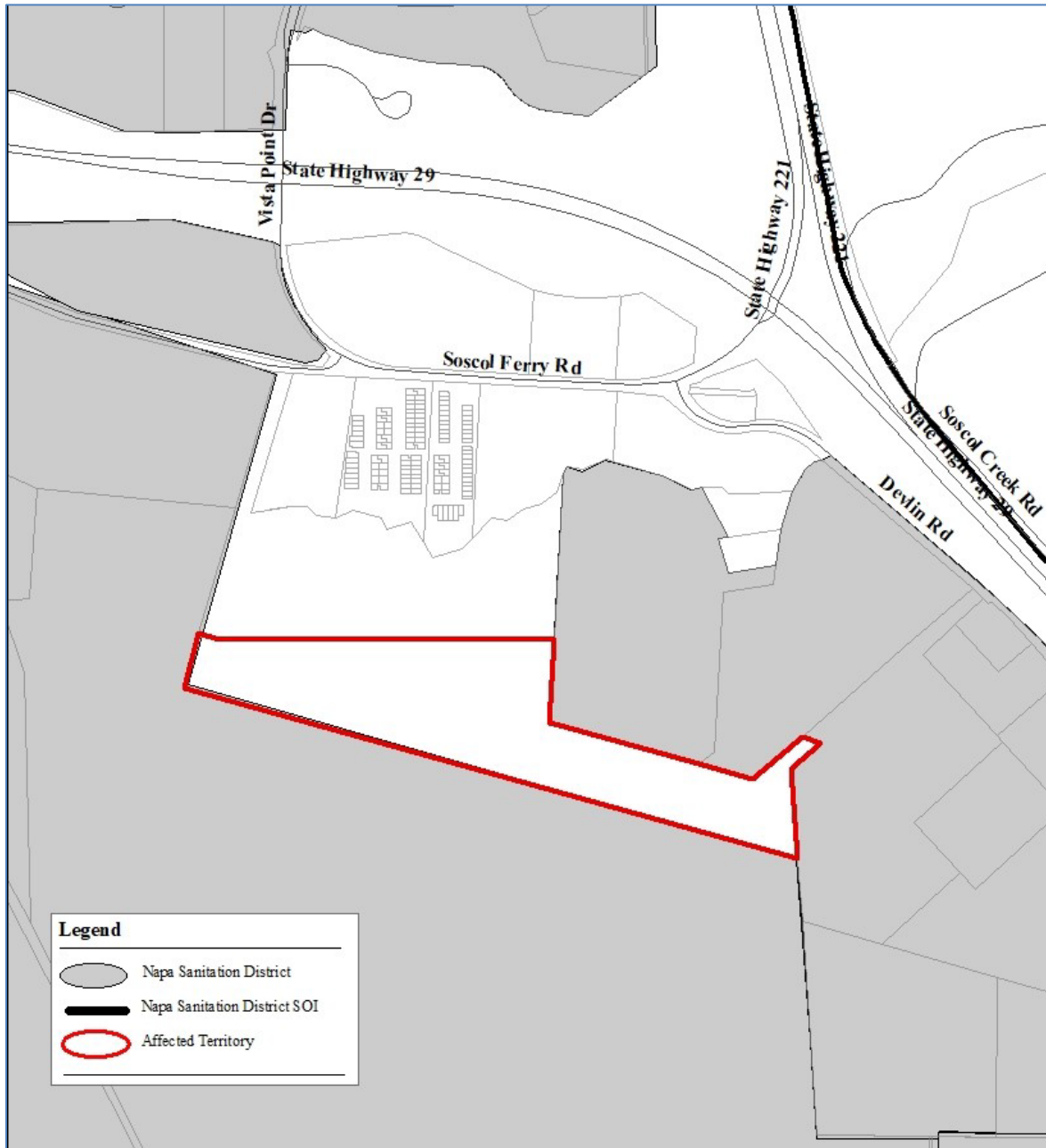
Belia Ramos, Commissioner
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer





DISCUSSION

Factors for Commission Determinations

Mandated Factors: Attachment 3¹

Property Tax Agreement

Master Property Tax Agreement: No change in allocation for annexations to NSD

Protest Proceedings

Waived: Legally uninhabited with 100% consent of property owners²

ENVIRONMENTAL REVIEW³

Lead Agency: County of Napa

Project Title: Nova Business Park North

Documentation: Attachment 4

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Factors for Commission Determinations
- 4) Initial Study and Mitigated Negative Declaration for Nova Business Park North

¹ California Government Code sections 56668 & 56668.3

² California Government Code section 56662(a): fewer than 12 registered voters

RESOLUTION NO. ____

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

**DEVLIN ROAD NO. 6
ANNEXATION TO THE NAPA SANITATION DISTRICT**

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

WHEREAS, the proposal seeks Commission approval to annex approximately 27.55 acres of incorporated land to the Napa Sanitation District and represents one entire parcel with no situs address and identified by the County of Napa Assessor’s Office as 057-170-024; and

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

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on August 5, 2024; and

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

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

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

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

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

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

**DEVLIN ROAD NO. 6
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit "A".
6. The affected territory so described is uninhabited as defined in California Government Code section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission waives conducting authority proceedings in accordance with California Government Code section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) All outstanding Commission fees.
 - (b) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
13. The Commission hereby directs staff to file a Notice of Determination in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on August 5, 2024, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

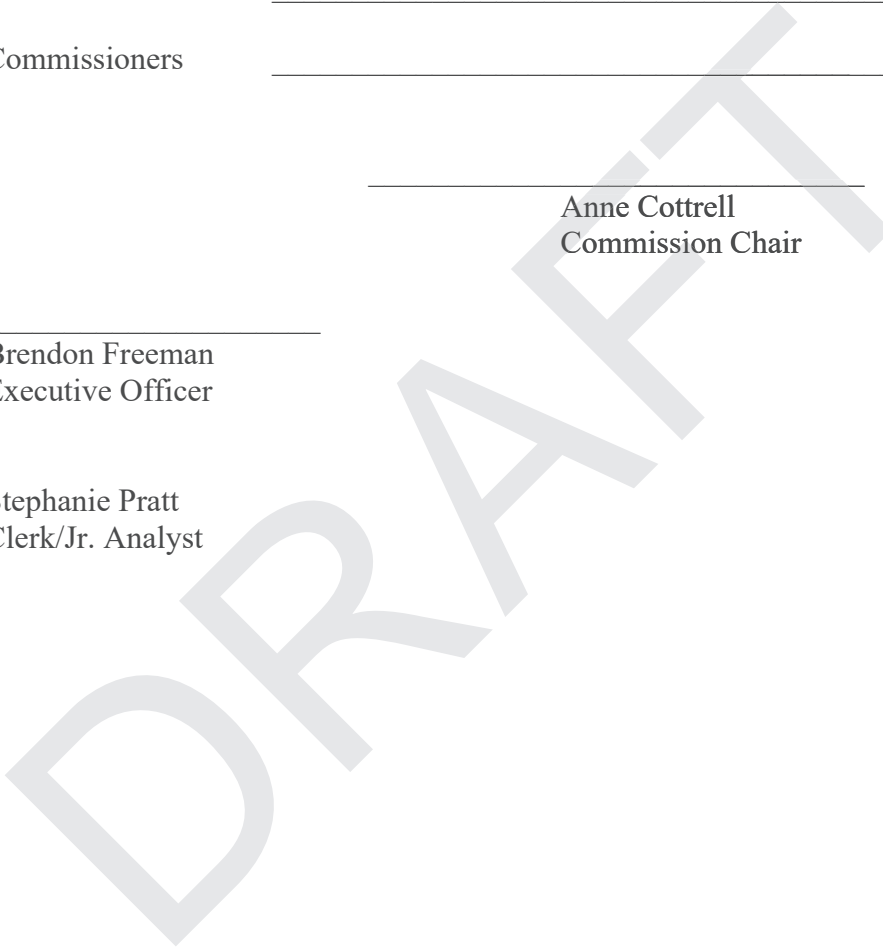
ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Anne Cottrell
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer



Recorded by: Stephanie Pratt
Clerk/Jr. Analyst

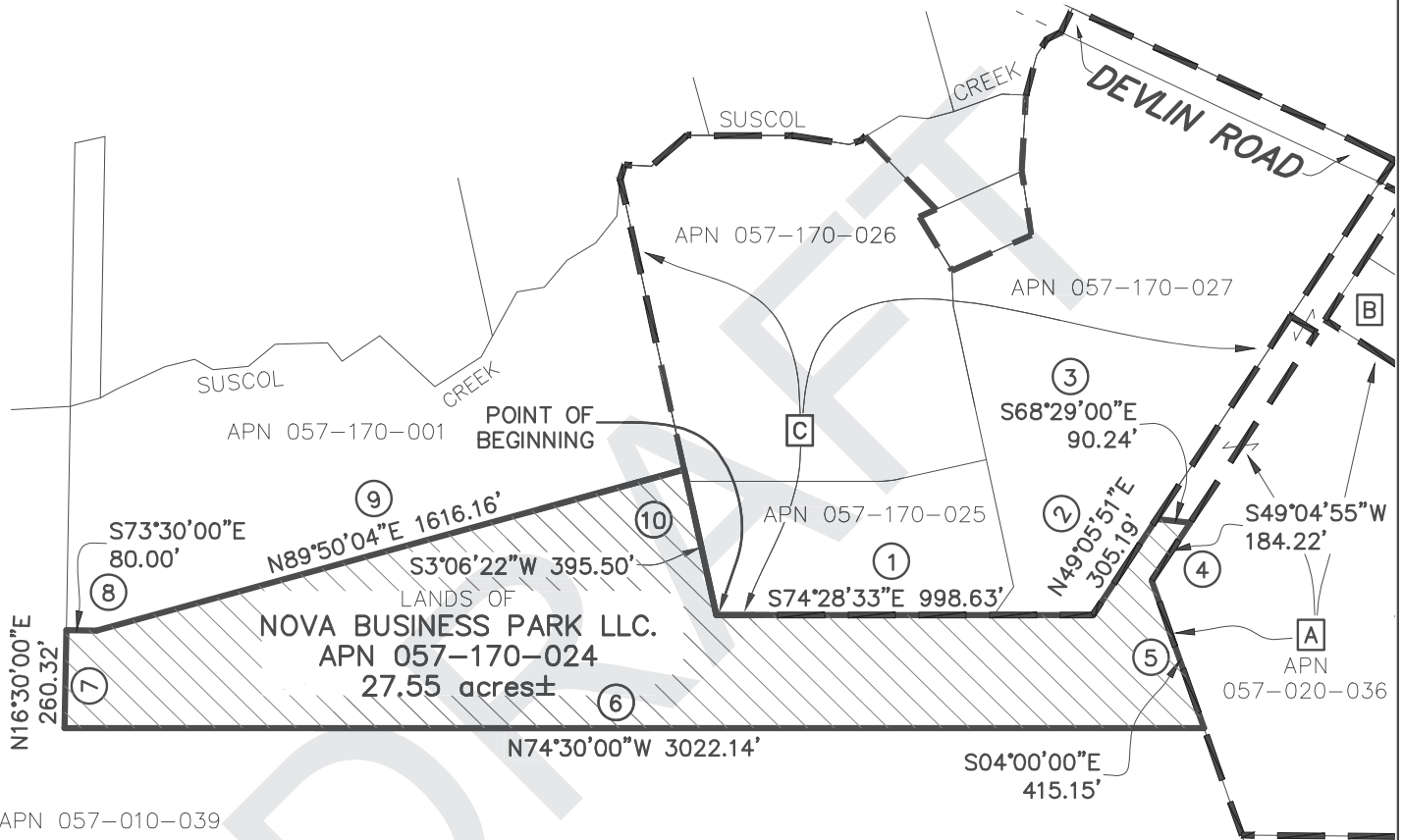
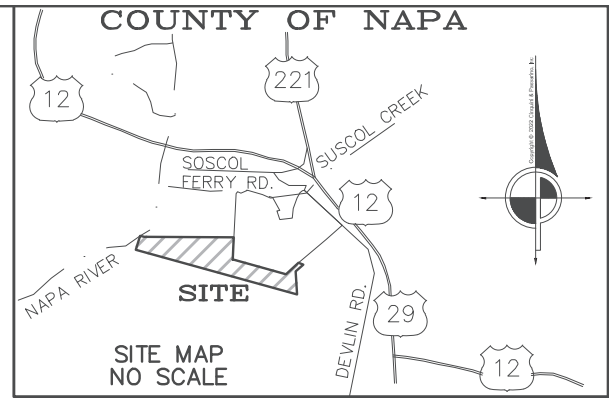


ANNEXATION DISTRICTS

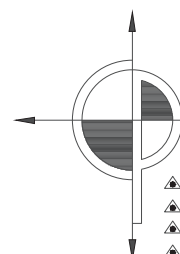
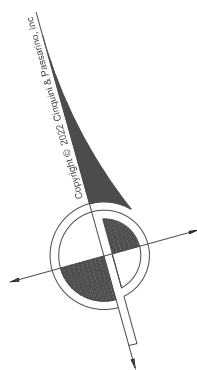
- A** DEVLIN ROAD ANNEXATION, 1983-8
(NSD RESOLUTION 6350)
- B** DEVLIN ROAD #2 DISTRICT ANNEXATION, 1986-10
(NSD RESOLUTION 6868)
- C** DEVLIN ROAD ANNEXATION #4 - ANNEX-000033
(NSD RESOLUTION 19-022)

LEGEND

-  EXISTING NSD BOUNDARY
-  PROPOSED NSD ANNEXATION (±27.55 ACRES)



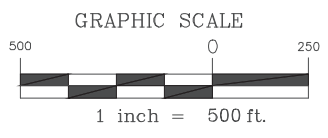
DISCLAIMER:
"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE AREA DESCRIBED."



CINQUINI & PASSARINO, INC.
LAND SURVEYING

▲ BOUNDARY
▲ TOPOGRAPHIC
▲ CONSTRUCTION
▲ SUBDIVISIONS

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



APN 057-170-024	DRAWN BY: CAF	CHECKED BY: DCS
DEVLIN ROAD NO.6 ANNEXATION TO NAPA SANITATION DISTRICT	SCALE: 1" = 500'	DATE: 08/05/2022
	JOB #: 8316-18	PAGE: 3 of 3

GEOGRAPHIC DESCRIPTION

DEVLIN ROAD NO. 6, ANNEXATION TO NAPA SANITATION DISTRICT

APN 057-170-024

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

BEGINNING at the southwest corner of Devlin Road No. 4 District Annexation ANNEX-000033, Napa Sanitary District Resolution Number 19-022;

thence along southerly and easterly boundaries of said annexation the following 2 (two) courses and distances:

(1) South 74°28'33" East 998.63 feet;

(2) North 49°05'51" East 305.19 feet;

thence leaving said annexation boundary,

(3) South 68°29'00" East 90.24 feet, to a point on the northerly boundary of the Devlin Road Annexation (1983-8), Napa Sanitary District Resolution Number 6350;

thence along northerly and northwesterly boundaries of said annexation the following 2 (two) courses and distances:

(4) South 49°04'55" West 184.22 feet;

(5) South 04°00'00" East 415.15 feet;

thence leaving said annexation boundary the following 4 (four) courses and distances:

(6) North 74°30'00" West 3022.14 feet;

(7) North 16°30'00" East 260.32 feet;

(8) South 73°30'00" East 80.00 feet;

(9) North 89°50'04" East 1616.16 feet, to a point on the westerly boundary of said Devlin Road No. 4 District Annexation;

thence along said westerly boundary,

(10) South 03°06'22" West 395.50 feet to the **POINT OF BEGINNING**.

Containing 27.55 acres of land more or less.

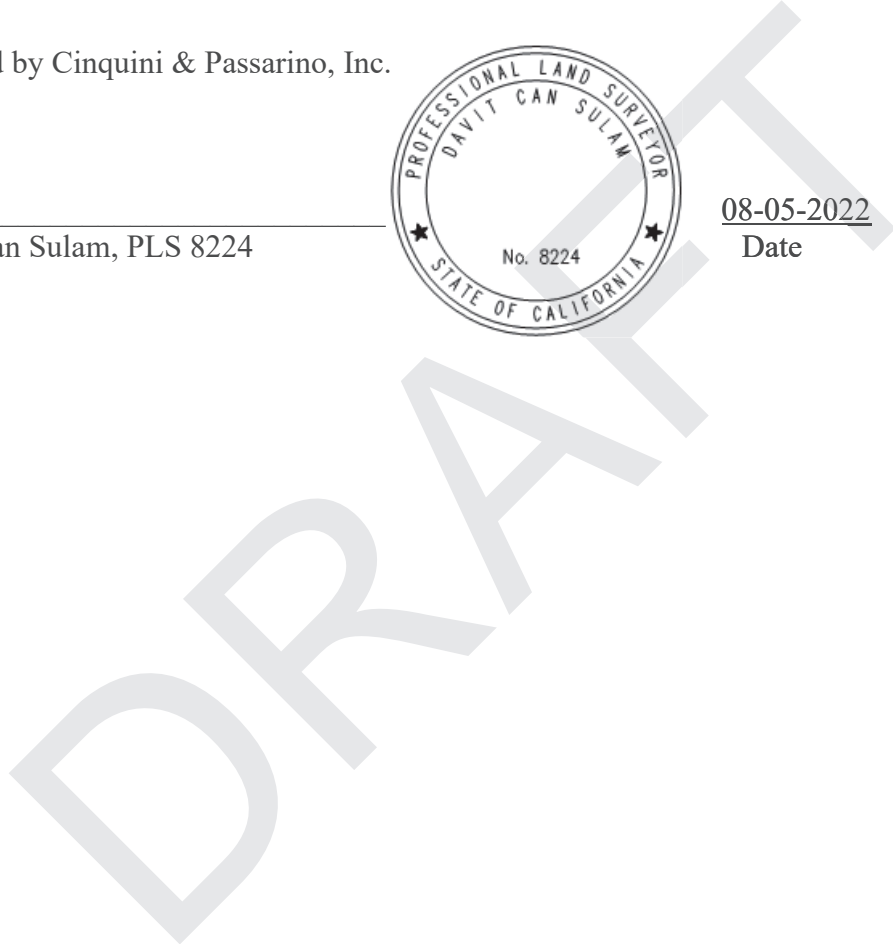
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

Prepared by Cinquini & Passarino, Inc.

Davit Can Sulam, PLS 8224



08-05-2022
Date



Date Filed: 8/5/22
 Received By: BF

FORM D

JUSTIFICATION OF PROPOSAL
 Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Ron Fedrick Nova Business Park LLC
 Contact Person Agency/Business (If Applicable)

Address: 185 Devlin Road, Box 4050, Napa, CA 94558
 Street Number Street Name City Zip Code

Contact: 707.253.1990 rfedrick@novabpllc.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 District, C/O Andrew Damron, 1515 Soscol Ferry Rd, Napa CA 94558

Name	Address
Name	Address
Name	Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)

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

C. Purpose Statement: (Specific) Purpose of annexation is to support development of "Nova Business Park North" project by connecting sewer and reclaimed water service to Napa Sanitation District sewer and reclaimed water lines.

III. GENERAL INFORMATION

A. Location:	Devlin Road	APN 057-170-02 ⁴	34.04 27.55
	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)			44.84 27.55

B. Landowners:

(1) Assessor Parcel Number : 057-170-02⁴ Name: Nova Business Park LLC
Mailing Address: 185 Devlin Road, Box 4050, Napa CA 94558
Phone Number: 707.253.1990 E-mail: rfedrick@novabpllc.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: 0

(2) Total Number of Registered Voters: 0

D. Land Use Factors:

- (1a) County General Plan Designation: Industrial
- (1b) County Zoning Standard: Industrial Park:Airport Compatibility
- (2a) Applicable City General Plan Designation: NA
- (2b) Applicable City Rezoning Standard: NA

E. Existing Land Uses:
(Specific)

Vacant

F. Development Plans:

- (1a) Territory Subject to a Development Project?



Yes



No

- (1b) If Yes, Describe Project:

Project is map and infrastructure development of for 14 future parcels on roughly 113 acres.

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

NA

G. Physical Characteristics:

- (1) Describe Topography:

Topography is slightly sloped terrain at approximately 2% from the northeast to southwest.

- (2) Describe Any Natural Boundaries:

The natural boundary on the north and west property line is Suscol Creek.

- (3) Describe Soil Composition and Any Drainage Basins:

Soils are primarily gravelly clay loam. Site drains southwest eventually to Napa River.

- (4) Describe Vegetation:

Vegetation is annual grasses.

H. Williamson Act Contracts
(Check One)



Yes



No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

- (1) Enumerate and Describe Services to Be Provided to the Affected Territory:
Approximately 2500 feet of sanitary sewer and reclaimed water are proposed for the project.

- (2) Level and Range of Services to Be Provided to the Affected Territory:
Standard commercial service (8" gravity sewer main and 8" pressurized reclaimed water) is proposed to site and along southern property boundary to serve proposed parcels 7-11 (sewer) and 1-14 (reclaimed water). See attached preliminary utility plan prepared for the tentative map.

- (3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:
Reclaimed water services can feasibly be extended following easement agreement with APN 057-020-~~025~~
024.

- (4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:
Infrastructure to be approximately 800 feet of gravity sewer and reclaimed water through APN 057-010-039, owned by NSD, to APN 057-170-~~024~~
024.

- (5) Information On How Services to the Affected Territory Will Be Financed:
Owner will finance installation and maintenance of pressurized system to existing NSD gravity sewer.

Use Additional Sheets As Needed

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: Napa County
Name

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

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: _____
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Napa County requires connection to Napa Sanitation District as part of project.

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: Napa Sanitation District C/O Andrew Damron
Mailing Address: 1515 Soscol Ferry Road, Napa, CA 94558
E-Mail: adamron@napasan.com
- (2) Recipient Name: Napa Count PBES C/O Sean Trippi
Mailing Address: 1195 Third St. STE 210, Napa CA 94558
E-Mail: sean.trippi@countyofnapa.org
- (3) Recipient Name: CAB Consulting Engineers C/O Carl Butts
Mailing Address: PO Box 140, Napa CA 94559
E-Mail: cbutts@cabengineering.com

VII. CERTIFICATION

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

Signature:  _____

Printed Name: Carl Butts _____

Title: Project Civil Engineer _____

Date: 2019.08.21 _____

Devlin Road No.6 Annexation to NSD
FACTORS FOR COMMISSION CONSIDERATION

Government Code §56668 requires the review of a proposal to include the following factors:

FACTOR TO CONSIDER	COMMENT
1. Population and density [§56668(a)]	Consistent: Zero
2. Land area and land use [§56668(a)]	Consistent: 27.55 acres, vacant Jurisdiction: County of Napa, <i>Industrial Park: Airport Compatibility (IP:AC)</i> ; Napa Valley Business Park Specific Plan
3. Assessed valuation [§56668(a)]	Consistent: Land: \$4,285,861 Structural improvements: Zero
4. Topography, natural boundaries and drainage basins [§56668(a)]	Consistent: Slightly sloped: 2 percent slopes northeast to southwest Natural boundary: north and west Suscol Creek Drainage basin: <i>Mouth of the Napa River</i> watershed and <i>Sheehy Creek</i> drainage basin
5. Proximity to other populated areas [§56668(a)]	Consistent: Area includes current and planned industrial uses
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	Consistent: Reference - Napa Valley Business Park Specific Plan , South County Region MSR (2018) and Countywide Water & Wastewater MSR (2021)
7. Need for government services [§56668(b)]	Consistent: Reference - Napa Valley Business Park Specific Plan
8. Government services present cost, adequacy and controls in area [§56668(b)]	Consistent: Reference - South County Region MSR (2018) and Countywide Water & Wastewater MSR (2021)

<p>9. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas [§56668(b)]</p>	<p>Consistent: Reference - South County Region MSR (2018) and Countywide Water & Wastewater MSR (2021)</p>
<p>10. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County [§56668(c)]</p>	<p>Consistent: Area included in NSD SOI since 1975</p>
<p>11. Effects on planned efficient patterns of urban development [§56668(d)]</p>	<p>Consistent: Napa LAFCO Policy on Spheres of Influence; County General Plan land use designation: <i>Industrial</i>; planned industrial area</p>
<p>12. Effects on maintaining physical and economic integrity of agricultural lands [§56668(e)]</p>	<p>Consistent: County General Plan: <i>Industrial</i>; planned industrial area saves agriculture; not LAFCO defined “agricultural land”¹</p>
<p>13. Boundaries: logical, contiguous, not difficult to serve, definite and certain [§56668(f)]</p>	<p>Consistent: One entire parcel, planned industrial area</p>
<p>14. Conformance to lines of assessment, ownership [§56668(f)]</p>	<p>Consistent: One entire parcel: APN 057-170-024</p>
<p>15. Creation of islands, corridors, irregular boundaries [§56668(f)]</p>	<p>Consistent: One entire parcel located in planned industrial area.</p>
<p>16. Consistency with regional transportation plan [§56668(g)]</p>	<p>Consistent: No specific projects in regional transportation plan (RTP), <i>Plan Bay Area 2050</i></p>
<p>17. Consistency with city or county general and specific plans [§56668(h)]</p>	<p>Consistent: County General Plan designation: <i>Industrial</i> County Zoning: <i>Industrial Park: Airport Compatibility (IP:AC)</i></p>

¹ California Government Code section 56377

18. Consistency with spheres of influence [§56668(i)]	Consistent: Within NSD SOI since 1975
19. Comments from affected agencies and other public agencies [§56668(j)]	Consistent: No comments received
20. Ability of agency to provide service including sufficiency of revenues [§56668(k)]	Consistent: Reference - South County Region MSR (2018) and Countywide Water & Wastewater MSR (2021)
21. Timely availability of adequate water supply [§56668(l)]	Consistent: Reference - South County Region MSR (2018) and Countywide Water & Wastewater MSR (2021)
22. Fair share of regional housing needs [§56668(m)]	Consistent: County required development fee to reduce housing impacts
23. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]	Consistent: 100% consent of landowners
24. Existing land use designations [§56668(o)]	Consistent: County General Plan designation: <i>Industrial</i> County Zoning: <i>Industrial Park: Airport Compatibility (IP:AC)</i>
25. Effect on environmental justice [§56668(p)]	Consistent: No documentation or evidence suggesting the proposal will have any implication
26. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]	Consistent: Located in a high fire hazard zone; project approval requires compliance with fire safety regulations
27. Special district annexations: for the interest of landowners or inhabitants within the district and affected territory [§56668.3(a)(1)]	Consistent: Landowners – benefit from urban services for development General public – benefit from planned industrial use

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

Initial Study Checklist
 (form updated January 2019)

1. **Project Title:** Nova Business Park North, Tentative Map (#P22-00093-TM)
2. **Property Owner:** Nova Business Park, LLC (Ron Fedrick); 185 Devlin Road, Napa, CA 94558
3. **County Contact Person, Phone Number and email:** Sean Trippi, (707) 299-1353, sean.trippi@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** The project is proposed on six lots totaling approximately 93.2 acres located on the west side of Devlin Road, south of Suscol Creek. APN's: 057-020-092; -093; -094 and 057-170-024 (SFAP); -025 (SFAP); -027. Napa.
5. **Project sponsor's name and address:** Carl Butts, CAB Consulting Engineers, P.O. Box 140, Napa, CA 94559
6. **General Plan description:** Industrial
7. **Zoning:** Industrial Park: Airport Compatibility (IP:AC)
8. **Background/Project History:**
 On May 1, 2019, The Planning Commission approved Use Permit (P16-00456) for a speculative light industrial building with approximately 400,500 square feet of floor area on a 16.18-acre lot, on what is now APN 057-0170-026, created through a lot line adjustment with what is now 057-170-027. No development was proposed as part of the use permit on APN 057-170-027. Access to APN 057-170-026 is provided through the boundaries of the proposed subdivision. A subsequent use permit modification (P21-00065) was approved by the Director on June 15, 2021, reducing the building floor area from 400,500 to 250,650 square feet. The building is currently under construction.
9. **Description of Project:**
 The project is a request to subdivide six lots totaling approximately 93.2-acres to create 13 new parcels ranging in size from 2.20 to 12.15 acres. The project includes street and infrastructure improvements including two new cul-de-sacs accessed from the existing main roadway from Devlin Road that provides access to APN 057-170-026. No specific land uses or buildings are proposed as part of this permit application, however potential building envelopes and parking layouts have been shown for future development of the proposed parcels.
10. **Describe the environmental setting and surrounding land uses.**
 Most of the site is currently vacant, has been previously graded for weed abatement and is located within a partially developed industrial/business park. The project area has been designated for industrial development for over 35 years. A small portion of the northern boundary of the site adjoins Suscol Creek. Nova Group Inc's., a general engineering contractor, home offices and fabrication facility are on a 15.16-acre parcel included within the project area. The development area is relatively flat with gentle slopes ranging from 0-7 percent from northeast to southwest and includes non-native grasses, a smattering of bushes, a row of small trees along a portion of the southern boundary of the project area, and a riparian area along Suscol Creek. The project area also contains 24 isolated seasonal wetlands ranging in size from 4.2 square feet up to 6,272 square feet. North of the project area is a commercial solar farm, the 250,650 square foot speculative light-industrial building, mentioned above, currently under construction, and two small lots developed with a partially built winery and a single-family home. Beyond these properties is Suscol Creek. West/southwest of the project area are six properties owned by the Napa Sanitation District (NSD) totaling a little over 649 acres. These properties include NSD's wastewater treatment facility, offices, spray fields and oxidation ponds. South/southeast of the project area is an approved but unbuilt 336-room Montalcino at Napa Resort and associated amenities situated on five properties totaling approximately 68 acres. To the east are a self-storage facility, light industrial building, office building, gasoline station, and a 20.23-acre property owned by the project applicant with an approved tentative map for 11 new lots, ranging in size from 0.91 to 2.81 acres.

The project site is near the Napa County Airport. Most of the project area is located in Zone C of the Airport Land Use Compatibility Plan, which is Extended (runway) Approach/Departure Zone where aircraft will be below 300-feet above ground level as determined by the type of approach (Zone C). The southeast and northwest portions of the project area are located within Zone D, the Common Traffic Pattern. These are areas where aircraft will be about 1,000 feet above ground to as low as 300-feet above the ground.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).

Discretionary approval required by Napa County consist of the tentative subdivision map. The project would also require various discretionary and/or ministerial approvals by the County and responsible agencies related to proposed street and infrastructure improvements for storm drainage, sewer, water, power, etc. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Regional Water Quality Control Board standards and is administered by the Engineering Services Division.

The proposed project does involve modifications to several small seasonal wetlands not connected or adjacent to navigable waters that may be regulated by the Regional Water Quality Control Board. The proposed project does not involve modifications to any streambeds, and thus does not require a streambed alteration agreement from the California Department of Fish and Wildlife. The proposed project does not involve the fill of waters of the United States, and thus does not require a dredge-and-fill permit from the U.S. Army Corps of Engineers. The proposed project does not involve the "take" of listed endangered or threatened species, and thus does not require a "take permit" from the Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service.

Responsible (R) and Trustee (T) Agencies

City of American Canyon
 Napa Sanitation District
 California Department of Fish and Wildlife
 U.S. Army Corps of Engineers
 Regional Water Quality Control Board

Other Agencies Contacted

12. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?

On October 3, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No comments were received, and the consultation period subsequently closed on November 6, 2023. Pursuant to Public Resources Code section 21080.3.1, invitation for tribal consultation was completed.

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

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a 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.

Sean Trippi

November 15, 2023

Signature

Date

Name: Sean Trippi, Supervising Planner
Napa County Planning, Building and Environmental Services Department

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-c. The proposed 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 has been maintained over the years for weed abatement and contains scattered vegetation and a row of small trees along the southern boundary of the site. The project area is predominantly undeveloped, save for the one industrial building. No new structures are proposed as part of this project. The only visual difference with the existing conditions is the construction of the proposed streets and associated curb, gutter, and sidewalk.

The land currently is designated for industrial development. Subdivision of the property into additional parcels itself would not result in changes to aesthetics within the project vicinity. Future development of the parcels will be subject to environmental review prior to approval of a proposed development application.

d. The proposed project would not result in the creation of a substantial new source of light and glare as no new buildings are included in this proposal. In accordance with County standards, all future exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be required to be kept as low to the ground as possible and required to include shields to deflect the light downward. Avoidance of highly reflective surfaces will also be required, as well as standard adherence to 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 subject to standard conditions of approval, future development will not create a significant impact from light or glare.

Mitigation Measures: None Required

II.	AGRICULTURE AND FOREST RESOURCES. ¹ Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. 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 GIS map (*Farmland Mapping and Monitoring Program*.) According to Napa County GIS the property is categorized as Farmland of Local Importance. Although the site, as well as other undeveloped land in the NVBPSP area, is classified as locally important, the site has been designated for industrial park uses for over 35 years. Undeveloped lands within the boundary of the NVBPSP are designated as Farmland of Local Importance because they include areas of soils that meet all the characteristics of Prime Farmland or of additional Farmland of Statewide Importance except for irrigation. As development in the NVBPSP area continues, the surrounding developed parcels have been reclassified as Urban and Built-up Land. The project site is not subject to a Williamson Act contract.
- c/d. The project site is zoned Industrial Park (IP), which allows light industrial, manufacturing, office and business park uses upon grant of a use permit and is located within the Napa Valley Business Park Specific Plan. According to the Napa County Environmental Resource Maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest, and Coniferous Forest) the project site does not contain woodland or forested areas. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production
- e. The project site is within an area of developing industrial park land. Although farming activities occurred on these lands in the past, the area has been designated for industrial development for over 35 years. The project will not result in the conversion of existing farmland.

Mitigation Measures: None required.

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

III.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory, and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

The Air District published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's 2015 opinion in *Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Ca 4th 369.

On April 20, 2022, the BAAQMD adopted updated thresholds of significance for climate impacts: CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAQMD April 2022. The proposed thresholds to evaluate GHG and climate impacts from land use projects are qualitative, therefore there is no bright-line (quantitative) level to mitigate below. Projects that decline to integrate qualitative design elements can alternatively demonstrate consistency with a local Greenhouse Gas (GHG) Reduction Strategy that meets the criteria of the State CEQA Guidelines section 15183.5(b).

There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

In short, these thresholds of significance changes can be used by agencies as guidelines for determining climate impacts from projects subject to CEQA. However, agencies are not required to abide by these thresholds, as they are only guidelines. Refer to Section VIII, Greenhouse Gas Emissions.

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

Ozone and fine particle pollution, or PM_{2.5}, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM_{2.5} levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, In Your Community: Napa County, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Other criteria pollutants, such as lead and sulfur dioxide (SO₂), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

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

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Since the project does not include any new buildings or uses that would generate operational air pollutants or precursors the project will not significantly impact air quality and does not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.). Given the limited scope of the project and the fact that subsequent development of the proposed parcels will require environmental review as required by CEQA, the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

- c/d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to road and infrastructure improvements. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings, if applicable. The proposed grading plan has been designed to balance cut and fill resulting no off or on-haul of soils. If grading were to result in off or on-haul of soils, these potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process.

The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts will not expose sensitive receptors to substantial pollutant concentrations and are considered less than significant:

7.1 SITE IMPROVEMENT

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic

Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.

All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>

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

7.1. SITE IMPROVEMENT
 b. DUST CONTROL

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

Mitigation Measures: None required.

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

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input 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:

Most of the site is currently vacant, has been previously graded for weed abatement and contains primarily ruderal vegetation, dominated by non-native weeds. The project area has been designated for industrial development for over 35 years. A small portion of the northern boundary of the site adjoins Suscol Creek. No improvements or construction activity is proposed within the riparian area along the creek or within bed or bank. Nova Group Inc's. home offices and fabrication facility are on a 20.34-acre portion of the project area. The Nova facility generally separates the northern and southern portions of the proposed subdivision. The development area is relatively flat with gentle slopes ranging from 0-7 percent from northeast to southwest and includes non-native grasses, a smattering of bushes, a row of small trees along a portion of the southern boundary of the project area, and a riparian area along Suscol Creek. The project area also contains 24 isolated seasonal wetlands ranging in size from 4.2 square feet up to 6,272 square feet.

As noted above, north of the project area is a commercial solar farm, a 250,650 square foot speculative light-industrial building currently under construction, and two small lots developed with a partially built winery and a single-family home. Beyond these properties is Suscol Creek. West/southwest of the project area are six properties owned by the Napa Sanitation District (NSD) totaling a little over 649 acres. These properties include NSD's wastewater treatment facility, offices, spray fields and oxidation ponds. South/southeast of the project area is an approved but unbuilt 336-room Montalcino at Napa Resort and associated amenities situated on five properties totaling approximately 68 acres. To the east are a self-storage facility, light industrial building, office building, gasoline station, and a 20.23-acre property owned by the project applicant with an approved tentative map for 11 new lots, ranging in size from 0.91 to 2.81 acres.

a/b. A Biological Evaluation of the subject property, dated March 2022 (Revised), was prepared by Zentner Planning & Ecology (*Zentner, 2022*). The analysis identifies special status species, habitats, and other biological resources within the project site as well as potential project impacts, if any, to biological resources and recommended mitigation measures as needed. Site surveys were conducted on October 5 & 7, 2021, and February 7 & 22, 2022. At the time of the report, the project included a total of approximately 109 acres. After preparation of the report, a 16.18-acre property (APN 057-170-026) within the original boundaries of the proposed tentative subdivision map was sold to another party, reducing the total acreage of the project to approximately 93 acres. The 16.18-acre property is home to the previously approved 250,650 square foot speculative warehouse currently under construction. According to the evaluation, the site is dominated by annual grasslands with scattered coyote bush and other relatively small stature trees and shrubs. There are several seasonal wetlands scattered throughout the southern portion of the project area. A wetland constructed to provide mitigation for a previous project is located in the southeastern part of the project area and is bound by a raised berm. An offsite tributary and surrounding landscaping provide flows to the wetland. According to the Evaluation, there are six plant communities on the project site: annual grassland, ruderal, seasonal wetlands, ephemeral tributaries, riparian woodland, and Suscol Creek. Annual grasslands comprise the majority of the property with the other habitat types comprising only a small fraction of the remaining property. (*Zentner, 2022, p. 3*)

Annual grassland is the dominant habitat on the project site. The annual grasslands are dominated by non-native annual species with occasional coyote bush scattered throughout. The coyote bush are relatively large and generally solitary. These annual grasslands are characteristic of the region and are common throughout the region's open spaces generally in sites that have a history of grazing and land use disturbances. Brome fescue (*Festuca bromoides*), ripgut (*Bromus diandrus*), wild oats (*Avena fatua*), medusa head (*Elymus caput-medusae*), and soft chess (*Bromus hordeaceus*) are generally dominant, though other forbs including bindweed (*Concolculus arvensis*), red-stem filaree (*Erodium cicutarium*) and wild geranium (*Geranium dissectum*) are also common. Native species including salt grass (*Distichlis spicata*) and purple needle grass (*Stipa pulchra*) also occur at low densities within the grasslands. Several large blue gums are growing along the eastern border of the project site. The blue gum (*Eucalyptus globulus*), which are tall mature trees,

were likely planted as wind breaks. A subcommunity of the annual grassland is mixed non-native annual grassland - coyote bush scrub. This sub-community is found predominantly on the Nova south portion of the project site. (*Zentner, 2022, p. 4*)

The ruderal vegetation plant communities are scattered throughout the Property. The ruderal vegetation communities are dominated by Italian thistle (*Carduus pycnocephalus*), black mustard (*Brassica nigra*), radish (*Raphanus sativus*), teasel (*Dipsacus sp.*), Harding grass (*Phalaris aquatica*), and Himalayan blackberry (*Rubus armeniacus*). Other vegetation in the ruderal areas include stinkwort (*Dittrichia graveolens*), red-stem filaree, cut-leaved geranium and other non-native annual grasses and forbs. Most of these plants rank from moderate to high on the California Invasive Plant Council Inventory of invasive plants, except for radish, red stem filaree and cut leaved geranium, which rank limited (CAL IPC 2019) (*Zentner, 2022, p. 4*).

There are numerous seasonal wetlands scattered throughout the project site, some of which are associated with the ephemeral channels, while the remainder are isolated. There are a total of 24 small seasonal wetlands, which total 0.607 acres (shown on Figures 2 and 3 of the Zentner report). These wetlands are mostly dominated by annual grasses such as Mediterranean barley (*Hordeum marinum*; FAC) and Italian ryegrass (*Festuca perennis*; FAC). Most of these seasonal wetlands are very shallow depressions caused by differential settling on site fills. These wetlands have very small watersheds and are primarily filled by direct rainfall and remain inundated a short time after heavy rainfall, though saturation may continue for longer periods during the rainy season. The dominant vegetation within the wetlands, Italian ryegrass, Mediterranean barley, and hyssop loosestrife (*Lythrum hyssopifolia*), with occasional salt grass (*Distichlis spicata*), and rush (*Juncus xiphioides* and *balticus*) (*Zentner, 2022, pp. 4,5*)

There are two ephemeral tributaries and one ephemeral drainage ditch on the project site. The main ephemeral tributary on site (A1) runs 635.8 feet-long through Nova south and has a number of seasonal wetlands that are associated with it, as noted above. This channel drains from a culvert on Nova south's northeastern border and continues through the site to its southwestern border and totals 0.040 acres. Drainage ditch B1 (0.017 acres; 443.8 lf) and Tributary C1 (0.008 acres; 69.7 lf) meet each other adjacent to Nova south's western border and drain into the existing mitigation channel terrace (shown on Figures 2 and 3 of the Zentner report). (*Zentner, 2022, p. 5*)

The property contains only a very small area of riparian woodland habitat adjacent to Suscol Creek in the property's northeastern corner. The creek has a moderately dense band of riparian vegetation. The riparian woodland is dominated by valley oaks (*Quercus lobata*) with sandbar willow (*Salix lasiolepis*), yellow willow (*Salix lasiandra*), and white alder (*Alnus rhombifolia*) near the creek and buckeye (*Aesculus californica*), coast live oak (*Quercus agrifolia*) and invading black locust (*Robinia pseudoacacia*) away from the creek. The non-native locust was planted as a windbreak downstream of the site but has been methodically spreading along the riparian zone and now composes a good portion of the existing tree cover within the riparian zone. Ruderal vegetation is dominant in the understory vegetation and contains the same suite of species described in the ruderal plant community discussion above. (*Zentner, 2022, p. 5*)

A small portion of Suscol Creek, an intermittent tributary, touches the far northeastern corner of the Nova north border of the project site and totals 0.008 acres. Suscol Creek is a relatively natural but incised intermittent creek. Suscol Creek flows from the hills to the east beneath State Highway 29 and west before passing the corner of the project site and flowing another approximately 2,750 feet west into the Napa River. West of the project site, the creek has been channelized. The channel bed is predominantly unvegetated with cobble with earthen banks. (*Zentner, 2022, p. 5*)

According to CNPS Inventory, USFWS database, and CDFW's California Natural Diversity database (CNDDDB), a total of 28 special status wildlife and 29 special status plant species are known to occur within the general region of the project area (USGS 7.5 minute Quadrangles surrounding the project area), with 27 wildlife and 23 plants species known to occur within a five mile radius of the project site. A complete list and description of all special status wildlife and plant species that may occur within the project's region is provided in the Zentner report in Tables 1 and 2, respectively. Appendices A and B list plant and wildlife species, respectively, observed during the site visits.

No special-status plant species were observed during the field surveys by Zentner. The majority of the plant species occurring within the region are highly unlikely to occur on the project site because the site is not within their range, the site lacks suitable habitat or local occurrences, or they were not observed on the project site during vegetation surveys on the site during their blooming period. Although no special-status plant species were observed during the field surveys, the project site provides potentially suitable habitat for the following 14 special-status plant species; Henderson's bent grass (*Agrostis hendersonii*), Franciscan onion (*Allium peninsulare* var. *franciscanum*), Alkali milk-vetch (*Astragalus tener* var. *tener*), Johnny-nip (*Castilleja ambigua* var. *ambigua*), Dwarf downingia (*Downingia pusilla*), St. Helena fawn lily (*Erythronium helenaiae*), Brewer's western flax (*Hesperolinon breweri*), Contra Costa goldfields (*Lasthenia conjugens*), Bristly leptosiphon (*Leptosiphon acicularis*), Jepson's leptosiphon (*Leptosiphon jepsonii*), Marin knotweed (*Polygonum marinense*), Lobb's aquatic buttercup (*Ranunculus lobbii*), Two-fork clover (*Trifolium amoenum*), and Saline Clover (*Trifolium hydrophilum*).

The original evaluation included a mitigation measure to address potential impacts to the 14 plant species listed above because the site surveys were conducted outside the blooming periods for these species. However, a subsequent survey was conducted on May 9, 2022, in order to capture the blooming period of all 14 of these species and when the species would be most readily identifiable. No special status plant species were observed within the project area during the subsequent survey. Consequently, all botanical surveys of the site have been completed and no special status plant species have been observed or are likely to occur within the project area. Therefore, the recommended mitigation measure is no longer applicable.

The proposed project will result in the loss of non-native, grassland and ruderal habitats. Both of these habitats are dominated by weedy, non-native species, though a small number of common native plants are present. This habitat is relatively degraded due to extensive and lengthy disturbance. The loss of this habitat is not a significant impact as there is an abundance of non-native ruderal grassland habitats in the region. Similarly, impacts to common wildlife species that may potentially use this habitat are not significant as these species are common and capable of using adjacent lands. (Zentner, 2022, p. 38)

Wildlife at the site appears limited primarily to common suburban/rural species. Mammals could include coyote (*Canis latrans*), mule deer (*Odocoileus hemionus*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), and lagomorphs (rabbits) such as black-tailed jackrabbit (*Lepus californicus*). Small mammals on the site likely include California vole (*Microtus californicus*) and deer mouse (*Peromyscus maniculatus*). Predatory birds such as red-tailed hawks (*Buteo jamaicensis*), red-shouldered hawks (*Buteo lineatus*), American kestrels (*Falco sparverius*), white-tailed kites (*Elanus leucurus*), and Swainson's hawks (*Buteo swainsoni*) are known from the region. Other birds commonly found in this type of grassland habitat include mourning dove (*Zenaidura macroura*), turkey vulture (*Cathartes aura*), red-winged black bird (*Agelaius phoeniceus*), and barn swallow (*Hirundo rustica*). Common reptiles likely present include western fence lizard (*Sceloporus occidentalis*), southern alligator lizard (*Gerrhonotus multicarinatus*), gopher snake (*Pituophis melanoleucus*), and western rattle snake (*Crotalus viridis*). A full list of species observed on site is attached in Appendix B. The dominant ruderal vegetation is tall and dense which makes it difficult for small mammal predators, such as coyotes and the previously listed predatory birds, to hunt the small mammals within the grassland. Therefore, foraging most likely takes place in adjacent areas where vegetation is primarily shorter grassland with fewer ruderal species because hunting would be easier. However, mammals may pass through or otherwise utilize the site. (Zentner, 2022, pp. 5,6)

No special-status animal species were observed on the site or within the project's vicinity during the field surveys. As is the case with the potential occurrence of special status plants, the majority of the 28 special-status animal species occurring within the region are highly unlikely to occur on the project site because the site is not within their range, the site lacks suitable habitat or local occurrences, or they were not observed on the project site. The Zentner report notes that although not seen on the site, only Swainson's hawks (*Buteo swainsoni*) and white-tailed kites (*Elanus leucurus*) have been observed in proximity to the site during previous site surveys by Zentner (Zentner and Zentner 2016). Further, several species have at least some potential to nest on-site at some time, move through the site, or otherwise depend on the site for some function given the presence of potentially suitable habitat and known occurrences in the surrounding area. Of these species, the American Badger (*Taxidea taxus*), Western Bumblebee (*Bombus occidentalis*), and the Vernal pool fairy shrimp (*Branchinecta lynchi*) were determined to be unlikely to occur on the site for the reasons enumerated previously and survey data (see Zentner evaluation for additional details regarding these species). Six additional species were discussed in the report as having at least some potential to nest or move through the project area. These species are the California red-legged frog (*Rana aurora draytonii*; CRLF), Golden Eagle (*Aquila chrysaetos*), Burrowing Owl (*Athene cunicularia*), Northern harrier (*Circus cyaneus*), Pallid Bat (*Antrozous pallidus*), and Western Pond Turtle (*Actinemys marmorata*).

According to CNDDDB, there have been three observations of CRLF within five miles of the project site. All three occurrences are located south of the project site between approximately 3 to 5 miles from the site in areas with either perennial water and/or emergent vegetation. There is no habitat on the property that provides potential breeding habitat for the CRLF. Neither the ephemeral tributary nor the seasonal wetlands on the site hold sufficient water to support CRLF breeding. As well, Suscol Creek, a small part of which passes through the property, is relatively shallow and bare, with a few short-lived ponds. Suscol Creek, therefore, does not contain suitable CRLF breeding habitat. As noted in the report, there are no known occurrences of (CRLF) on the project site or within Suscol Creek. Though there is no breeding habitat on the property, there is a small potential for the species to pass through or otherwise utilize the property. The project biologist recommends a pre-construction survey to ensure that there are no CRLF in the project vicinity when work commences in the unlikely event that a stray CRLF moves along the creek corridor. Mitigation measure BIO-1, below, will reduce potential impacts to the CRLF to a level of less than significant.

There is one CNDDDB record of a golden eagle within five miles of the project site. The occurrence is located nearly 2 miles northwest of the site. At this CNDDDB observation, birds were observed in a nest from 2003 to 2005, no birds were observed in the nest in 2006, the nest was no longer present in the tree in 2008, and the tree was removed in 2008. The CNDDDB presence is listed as "possibly extirpated." Since 2005 there have been no recorded observations of golden eagles within five miles of the project site and the previous observation is listed as possibly extirpated. Additionally, no golden eagles have been seen during recent site surveys and

there are no trees on the property that could support golden eagle nesting. However, there are a number of large trees in the vicinity that could support nesting. Though it is unlikely that a golden eagle occurs in the vicinity of the project site a pre-construction survey should be completed to ensure the species is not impacted by the proposed project.

CNDDDB has one observation of a northern harrier approximately 4 miles southwest of the project from March 1, 2004 to June 15, 2004. Although the project site contains moderately suitable foraging habitat and potential nesting habitat, no northern harriers have been observed on or in the vicinity of the project site. Additionally, no northern harriers have been observed on the project site during recent site visits. However, a pre-construction survey should be completed to determine the presence/absence of the species within the project vicinity and to ensure no impacts to the species result from the project.

There is one CNDDDB record of a white-tailed kite within five miles of the project site. The occurrence, recorded in 2018, was located roughly 2 miles north of the project site. The record notes two nests, both near ruderal grassland. One nest was observed in an oak tree in 2017 with a nesting pair and four fledglings. The other nest was observed in a pine tree in 2018 with a nesting pair and two fledglings. The project site does not contain suitable nesting or breeding habitat for the white-tailed kite. Though several of the adjacent and nearby properties contain trees that could support nesting white-tailed kites. Though there are not any recorded observations of the bird within the immediate vicinity of the project site, the species was observed flying over the site during the February 7, 2022 site survey. A pre-construction survey should be completed to ensure the species is absent from the vicinity of the project and will not be impacted by the project.

The site contains moderately suitable foraging habitat for raptor species though it lacks suitable nesting habitat. However, there is potential nesting habitat on the adjacent properties and, therefore, project related work could cause indirect impacts to nesting raptors if they are located in proximity to the site. The project site also provides suitable habitat for nesting birds protected by the MBTA, primarily within the smaller trees and shrubs on site. Accordingly, there is some limited potential for migratory nesting birds to nest on or adjacent to the site. Consequently, a preconstruction nesting bird survey should be completed to determine the presence/absence of nesting raptors and other migratory nesting birds; protected by the MBTA on and in the vicinity of the project, prior to the start of construction.

According to CNDDDB, there have been seven observations of Swainson's hawks within five miles of the project site. Three of the occurrences are located north of the project site and four are located south of the project site. The closest occurrence is located within one quarter mile of the project site along Suscol Creek. The CNDDDB record for this occurrence states, "nesting suspected in 2003 but no nest found. One pair nested, a 2nd pair may have nested nearby in 2005; nest-building, copulation, & courtship display observed, 1st-14th May 2005. Nest fledged three young in 2012 and two in 2013." The second closest CNDDDB occurrence was within a mile of the project site and describes two adults and a nest from 2008 in a eucalyptus grove south of the project site near open wastewater spray fields. Another CNDDDB occurrence describes the presence of a nesting pair in early 2012 approximately within a mile northeast of the project site in Suscol creek. Three of the remaining CNDDDB records are located within two and a half miles of the project site along the railroad tracks north of the Napa County Airport (2008), approximately 0.3 miles north of Sheehy Creek (2007 & 2012), and approximately 0.2 miles south of highway junction 12 and 29 (2013). The furthest observation is approximately four miles away in Carneros Creek, about 0.25 miles southeast of highway 12 (2013). The project site contains only a few trees that provide suitable potential nesting habitat for the Swainson's hawk.

As noted above, the proposed project will result in the loss of non-native, grassland and ruderal habitats. These habitats provide relatively poor-quality, potential foraging habitat for Swainson's hawk. The site contains few trees that could provide potential nesting habitats and there are currently no known, active nests in the area. Studies of Swainson's hawks have shown that nesting birds can forage up to 18 miles from their nest (Estep 1989, Babcock 1993) or approximately 1,018 square miles of foraging habitat per nest. The project site would provide well under 1% of this area in a region that has large tracks of grasslands that provide better quality foraging habitat for this species. (Zentner, 2022, p. 38)

While the populations of Swainson's hawks were once declining, their populations more recently have been expanding into additional areas outside of the Central Valley where they were historically concentrated. This recovery success and expansion of SWHA range has been well-documented in other environmental documents from projects in the region, which have not been required to provide SWHA mitigation for foraging habitat. While Swainson's hawk's nests are protected, foraging habitat mitigation has generally not been required in the business park area. LSA noted that they were "not aware of any projects in Napa County that have required mitigation for loss of Swainson's hawk foraging habitat" (LSA 2015). Therefore, given the relatively small amount of relatively poor-quality potential habitat, which would not make a significant contribution to the loss of foraging habitat for the Swainson's hawk, the loss of ruderal and grassland habitat is not a significant impact to this species. (Zentner, 2022, p. 38)

The adjacent properties directly east and south of the southeast corner contain potential trees that could provide potential nesting habitat. The SR 29/221 Soscol Junction Improvement Project EA/EIR (Caltrans 2015), which is located approximately 0.50 miles north

of the project site, concluded that 23.66 acres of Swainson's hawk foraging habitat accounted for just 0.16% of their potential foraging habitat. Further it found that the loss of this small amount of vegetation relative to the Swainson's hawk territory size would not have a substantial adverse effect, either directly or indirectly, on the Swainson's hawk or its habitat, nor would it substantially reduce the number or restrict the range of that species. The proposed project would affect a relatively small potential foraging area (approximately 93 acres), which is still well below 1% of the potential foraging area for a Swainson's hawk. In addition, Napa Sanitation District owns approximately 453 acres within $\frac{3}{4}$ of a mile of the project site that they utilize as spray fields. Further, the quality and extent of foraging habitat approximately 3-3/4 miles to the southeast, which includes the 620-acre Newall Open Space, the 1,039 acre Lynch Canyon Open Space Park, and the 308 acre American Canyon California red-legged frog preserve, provide ample foraging habitat. The site also provides a very small amount of potential nesting and roosting habitat for the Swainson's hawk. Therefore, there is no evidence that this species may be significantly impacted by the proposed project. However, to ensure that no nesting birds are disrupted by the project, a preconstruction nesting season survey should be conducted to determine the presence/absence of this species in proximity to the proposed work on the site.

As noted above, no golden eagles, or northern harriers, or Swainson's hawks have been observed within the vicinity of the project site or observed during the site surveys and white-tailed kite was seen flying over the site during a site survey in 2022. However, the project biologist recommends that a pre-construction survey be conducted to determine the presence or absence of these species due to potential nesting habitat nearby. The pre-construction survey would also address other nesting raptors and migratory birds. To ensure no adverse impacts occur to Swainson's hawk, other protected raptors, and migratory birds protected under the Migratory Bird Treaty Act. Mitigation measure BIO-2, below, will reduce impacts to any special-status raptor species and migratory birds to a level of less than significant.

According to CNDDDB, there have been three observations of burrowing owls within five miles of the project site. All three occurrences are located south of the project site. The closest occurrence is located less than one mile away. The CNDDDB record lists this occurrence as a "wintering site...no burrow or whitewash observed; owl may have flushed from concrete utility box partly covered with plywood." The other two occurrences are approximately 5 miles southwest of the site near the Napa River marshes. A single burrowing owl has been recorded in proximity to the project site, though this observation was a wintering site and not a breeding site. There are no known occurrences of burrowing owls on the project site and there have not been any observed on the project site during recent site surveys. As well, the project site is not ideal burrowing owl habitat because the grassland vegetation is relatively tall and dense and the site's soil are generally hardened and compact making it difficult for animals burrows. Additionally, no ground squirrels or ground squirrel burrows were observed on site during recent surveys; ground squirrel burrows are commonly used by burrowing owls. Finally, the site's history of farming and tilling reduces the likelihood of this species, and no burrows of any kind were noted on the project. For these reasons, burrowing owls are unlikely to be found on the site. However, because the species is known from the region, a pre-construction survey should be completed in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation, prior to commencing the proposed project to ensure the species is not impacted by the proposed project. Mitigation measure BIO-3, below, will reduce potential impacts to burrowing owls to less-than-significant levels.

The CNDDDB lists seven records of the pallid bat within five miles of the project site. Five of the records are located west of the project site and two of the records are located north of the project site. The records describe the presence of maternity and bachelor roosts, breeding habitats, and foraging areas within the project vicinity. Several of the records describe multi-species assemblages of bats. The pallid bat is not likely to occur on the project site, as CNDDDB has no records of the species on the site nor have any been observed during recent site visits. However, the property contains a small amount of potential roosting habitat in the trees along Suscol Creek, though no observations or indications of this species have been made on-site. Therefore, a pre-construction survey should be conducted to ensure that the pallid bat is not impacted by the proposed project. Mitigation Measure BIO-4, below, will reduce potential impacts to the pallid bat to a level of less than significant.

There are six CNDDDB records of the western pond turtle within five miles of the project site. Three of the records are north of the project site, two of which were observed in 1996. The records in 1996 include an observation of two adults in a pond between the Napa River and highway 12, and an observation of four adults in South Napa east of the Napa River. The third observation north of the project site was described in Lake Camille, in small artificial lakes, where two adults were observed in 2011 and one adult was observed in 2016. The last three observations include over 15 adults west of elkhorn point in 2001, two juvenile male turtles in a northern slough channel in 2002, and at Tulucay creek where two adults were seen in 2003 and two adults were observed in 2016. The project site contains moderately suitable habitat for the western pond turtle. The species could use the ephemeral tributary, which runs through the project site. Therefore, a preconstruction survey should be conducted for to ensure that no western pond turtles are in the vicinity when work commences. Mitigation Measure BIO-5, below, will reduce potential impacts to the western pond turtle to a level of less than significant.

- c. There are numerous seasonal wetlands scattered throughout the project site, some of which are associated with the ephemeral channels, while the remainder are isolated. There are a total of 24 small seasonal wetlands, which total 0.607 acres (shown on Figures

2 and 3 of the Zentner report). These wetlands are mostly dominated by annual grasses such as Mediterranean barley (*Hordeum marinum*; FAC) and Italian ryegrass (*Festuca perennis*; FAC). Most of these seasonal wetlands are very shallow depressions caused by differential settling on site fills. These wetlands have very small watersheds and are primarily filled by direct rainfall and remain inundated a short time after heavy rainfall, though saturation may continue for longer periods during the rainy season. The dominant vegetation within the wetlands, Italian ryegrass, Mediterranean barley, and hyssop loosestrife (*Lythrum hyssopifolia*), with occasional salt grass (*Distichlis spicata*), and rush (*Juncus xiphioides* and *balticus*) (Zentner, 2022, pp. 4,5)

There are two ephemeral tributaries and one ephemeral drainage ditch on the project site. The main ephemeral tributary on site (A1) runs 635.8 feet-long through Nova south and has a number of seasonal wetlands that are associated with it, as noted above. This channel drains from a culvert on Nova south's northeastern border and continues through the site to its southwestern border and totals 0.040 acres. Drainage ditch B1 (0.017 acres; 443.8 lf) and Tributary C1 (0.008 acres; 69.7 lf) meet each other adjacent to Nova south's western border and drain into the existing mitigation channel terrace (shown on Figures 2 and 3 of the Zentner report). (Zentner, 2022, p. 5).

Each of the wetlands meet the Corps three technical criteria for wetlands, though because they are not connected or adjacent to navigable waters, they are outside of the Corps jurisdiction. These areas are however regulated by the County and likely by the Regional Water Quality Control Board. The majority of the sites wetlands occur in shallow depressions within the otherwise, generally, flat property. However, several of the wetlands (wetland areas W, X, and Y, shown on Figures 2 and 3 of the Zentner report) occur in wide parts of the site's main ephemeral tributary. As well, several wetlands (wetland areas O, P, Q, R, and S, shown on Figures 2 and 3 of the Zentner report) occur in what was formerly a channelized ditch, that was re-routed into the site's existing wetland mitigation area.

Grading for the lots, roads, and other infrastructure will impact a total of 12 isolated, seasonal wetlands for a total of 0.436 acres. The remaining tributaries and seasonal wetlands associated with the tributaries would be preserved. Any utility work within the easements that cross these tributaries, would be completed by jack-and-bore, so as not to result in any impacts to the tributaries. Figures 6 and 7 of the Zentner report illustrate the impacted and preserved areas as a result of the project. The project proposes to mitigate impacts to the isolated seasonal wetlands at a 1:1 ratio of created to impacted (see Mitigation Measure BIO-6). The proposed wetland mitigation areas will be created in areas adjacent to existing intermittent drainages as well as existing wetland mitigation areas. This will create a complex system of preserved and created tributaries, wetlands, riparian, and native grassland habitats along the natural drainages within the property. The potential wetland mitigation areas are shown in Figure 8 of the Zentner report. Currently, the mitigation areas are slightly larger than those that are impacted and will allow the mitigation wetlands to be refined within these areas. (Zentner, 2022, p. 32)

- d. Wildlife corridors are generally described as pathways or habitat linkages that connect discrete areas of natural open space otherwise separated or fragmented by topography, changes in vegetation, and other natural or human induced factors such as urbanization. The fragmentation of natural habitat creates isolated "islands" of vegetation that may not provide sufficient area or resources to accommodate sustainable populations for a number of species and thus, adversely affecting both genetic and species diversity. Corridors often partially or largely eliminate the adverse effects of fragmentation by 1) allowing animals to move between remaining habitats to replenish depleted populations and increase the gene pool available; 2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fire or disease) will result in population or species extinction; and 3) serving as travel paths for individual animals moving throughout their home range in search of food, water, mates, and other needs, or for dispersing juveniles in search of new home ranges. The majority of the project site is open grassland habitat with little canopy to provide refuge and cover for wildlife. The project site is also located between Devlin Road and Sanitary District Spray fields without clear linkages to open lands. As well, Suscol Creek and Sheehy Creek located just north and south of the project site contain water sources as well as shade, structure, and potential hiding spots for both predators and prey. These two Creeks provide much more obvious and likely movement corridors for wildlife moving through the area. The project site is therefore unlikely to be utilized as a wildlife movement corridor. However, a small portion of Suscol Creek passes through the property, the project does not propose any work within the Creek, riparian woodland or within the Creek's top of bank. 32 Therefore, the proposed project is unlikely to impact wildlife that may utilize Suscol Creek as a movement corridor; no significant impact would occur. (Zentner, 2022, p. 31)
- e. The project would not conflict with any local policies protecting biological resources, such as tree preservation or the County's Conservation Regulations. The site is within an business park/industrial are lot with little to no native vegetation. The project does not conflict with any County ordinance or requirement to preserve existing trees, and therefore is considered as not having potential for a significant impact thereto.
- f. The proposed project would not conflict with the provisions of 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:

BIO-1: Within 48 hours prior to the commencement of construction activities, a qualified biologist shall conduct a preconstruction CRLF survey to ensure that no CRLF are located on or in proximity to the site. If CRLF are found, the CDFW and USFW will be contacted to determine appropriate mitigation measures and the work shall be halted until the consultations are completed.

Method of Mitigation Monitoring: The permittee shall have a CRLF survey completed prior to any construction/earth disturbing activities scheduled to occur on the site. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event CRLF are found to occur on-site consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts CRLF.

BIO-2: If construction would commence anytime during the nesting/breeding season of the Swainson's hawk, golden eagle, white tailed kite northern harrier, or other raptor or bird species listed in the Migratory Bird Treaty Act (typically February 1 through September 15), a pre-construction survey of the project vicinity for nesting birds should be conducted. This survey should be conducted by a qualified biologist (experienced with the nesting behavior of bird species of the region) within 14 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey should be to determine if active nests are present within or adjacent to the construction zone within approximately 250 feet. The surveys should be timed such that the last survey is concluded no more than two weeks prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey should be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities.

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

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

The buffer zone around an active nest should be established in the field with orange construction fencing or another appropriate barrier and construction personnel should be instructed on the sensitivity of nest areas. The qualified biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special status bird species to ensure that no impacts on these nests occur.

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction/earth disturbing activities scheduled to occur on the site from February 1 through September 15. The survey shall also be conducted in accordance with the protocol of the Swainson's Hawk Technical Advisory Committee's (TAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. 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 and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds protected under the MBTA.

BIO-3: Prior to the commencement of construction activities, a qualified biologist shall conduct a focused survey to determine if burrowing owls are present on the site. This survey shall be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation within 14 days prior to the commencement of construction activities. The survey should include the project site and environs. If a burrowing owl is identified on the project site all work shall be put on pause until the CDFW has been consulted regarding avoidance and minimization measures.

Method of Mitigation Monitoring: The permittee shall have a burrowing owl survey completed prior to any construction/disturbing activities scheduled to occur within 14 days prior to any construction/earth disturbing activities. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any burrowing owls are found to occur on-site construction activities will be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to burrowing owls.

BIO 4: For construction activities between October 16 and August 14: Prior to the commencement of construction activities, a qualified biologist shall conduct a focused survey to determine the presence/absence of any special status bat species. If bats are found, then a plan for removal or exclusion between October 16 and August 14 will be developed by a qualified biologist and in consultation with CDFW.

For construction activities between August 15 and October 15: If trees are to be removed between August 15 and October 15, they will be trimmed and removed in a two-phased system conducted over two consecutive days under the supervision of a qualified biologist. The first day (afternoon), limbs, branches and trunks without cavities, crevices and deep bark fissures are removed by chainsaw. Limbs and trunks with cavities, crevices and bark fissures would be avoided. On the second day, the remainder of the tree may be removed.

Method of Mitigation Monitoring: The permittee shall have a bat habitat assessment and survey, as applicable, prior to any tree removal as specified above. In the event special-status bat species are detected, a tree removal plan will be developed by a qualified biologist and in consultation with CDFW.

BIO 5: Within 5 days of construction, a qualified biologist shall conduct a preconstruction survey of all areas that would be impacted by construction activities that are within 100 feet of potential western pond turtle habitat. If any western pond turtles or eggs observed within the construction zone, the CDFW shall be consulted.

Method of Mitigation Monitoring: The permittee shall have a western pond turtle survey completed prior to any construction activities scheduled to occur on the site. The survey results shall be provided to the Planning Division. In the event western pond turtles or eggs are found to occur, on-site consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts.

BIO-6: The project will construct a total of at least 0.436 acres of seasonal wetlands or 1:1 mitigation, in order to mitigate for those that are impacted by the project.

Method of Mitigation Monitoring: Prior to any earth disturbing activities a mitigation plan describing the constructed wetland locations, construction methods, and monitoring and success criteria will be submitted to the applicable permitting agencies for review and approval.

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. As noted above, most of the site is currently vacant, has been previously graded for weed abatement and is located within a partially developed industrial/business park. The project area has been designated for industrial development for over 35 years. A small portion of the northern boundary of the site adjoins Suscol Creek. No improvements or construction activity is proposed within the riparian area along the creek or within bed or bank. Nova Group Inc's. home offices and fabrication facility are on a 20.34-acre portion of the project area. A Cultural Resources Study was prepared by Tom Origer and Associates, dated March 25, 2022. The study was conducted to determine the presence or absence of archaeological resources, and potential impacts, if any, as a result of the proposed project. According to the study, the field survey found no archaeological sites within the project site. Further, there is a very low potential for buried archaeological sites. The Nova Group's facility was developed in the early 1980s and is therefore too recently constructed to be considered historically important. The report noted that there is an approximately five-acre area in the southern

portion of the study area that is obscured with fill. No improvements are proposed in this area. If plans for development of this area should arise, an archaeologist who meets the Secretary of the Interior’s standards should examine this area after the fill is removed and before any construction. The report concluded that no further study is recommended to look for buried sites. However, if any previously undiscovered 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 the following standard condition of approval that will be imposed on the project:

7.2 ARCHEOLOGICAL FINDING

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

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

- c. No human remains have been previously encountered on the property; no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply. No impacts would occur.

Mitigation Measures: None required.

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

Discussion:

- a. Project construction includes street and infrastructure improvements including two new cul-de-sacs accessed from the existing main roadway from Devlin Road. No specific land uses or buildings are proposed as part of this permit application. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers’ commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient when compared with other similar construction sites within Napa County. Once construction of the roadways and infrastructure is complete, equipment and energy use would only be necessary for the maintenance of the road and infrastructure improvements which would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. In addition, subsequent development of the proposed parcels will require environmental review as required by CEQA. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant.
- b. During construction of the roadways and infrastructure, construction vehicles and equipment will need to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation. The proposed project would comply with these State requirements and the Air Quality conditions of approval presented in Section III (Air Quality). Subsequent development on the site would comply with Tile 24 energy

use requirements of the California Building Code. Napa County has not implemented an energy action plan. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency or impede progress towards achieving goals and targets, and impacts would be less than significant.

Mitigation Measures: None required.

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
 - i.) There are no known faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing of a known fault. Impacts would be less than significant.
 - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the latest standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level in relation to seismic ground shaking.
 - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or

liquefaction. Compliance with the latest edition of the California Building Code for seismic stability would reduce any impacts to a less than significant level.

- iv.) The Napa County GIS Sensitivity Maps (Landslides line, polygon, and geology layers) did not indicate the presence of landslides within the project area.
- b. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. According to the Napa County GIS Sensitivity Maps (based on the following layers - Geology, Surficial deposits, and Soil Type), the project area is composed of Coombs gravelly loam (2 to 5% slopes), Haire loam and Haire clay loam (2 to 9% slopes), and Sobrante loam (5 to 30% slopes). The project area is underlain by Early or mid-Pleistocene fan or terrace deposits. Based Napa County GIS Sensitivity Maps (Liquefaction layer) the project site has very low susceptibility for liquefaction. All proposed construction will be required to comply with all the latest building standards and codes at the time of construction. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Compliance with the latest editions of the California Building Code for seismic stability would reduce any potential impacts to the maximum extent possible, resulting in less than significant impacts. Project approval will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways
- e. Future development on the project site will connect to municipal water service provided by the City of American Canyon and sewer service by Napa Sanitation District. "Will Serve" letters have been provided by the affected jurisdictions indicating that they have sufficient capacity to accommodate the water and wastewater demand of this project. (see Section XVII Utilities and Service Systems (d), below.)
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the site was originally graded for development of the Nova Groups facility. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the standard condition of approval stated above.

Mitigation Measures:

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

Discussion:

On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project must include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

- a-b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.

Consistent with the General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009 and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County. During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). For the purposes of this analysis potential GHG emissions associated with construction of roadways and infrastructure.

Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAQMD proposed thresholds for land use projects are designed to address "Operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a light industrial uses generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario; and ii) ongoing emissions from the energy used to maintain and operate the light industrial uses, including vehicle trips associated with employee and visitor trips. As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

As indicated above the County is currently preparing a CAP and as the part of the first phase of development and preparation of the CAP has released Final Technical Memorandum #1 (2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016). Table 1 of the Technical Memorandum indicates that 2% of the County's GHG emissions in 2014 were a result of land use change. Since the proposal does not include development of the proposed lots that would be created by the subdivision, there are no Operational GHG emissions to evaluate at this time. Subsequent development will be subject to analysis under the CEQA, including an analysis of GHG emissions.

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

Mitigation Measures: None required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) 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"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts normally use I the construction of infrastructure improvements. Impacts would be less than significant.
- b. Hazardous materials such as diesel and maintenance fluids would potentially be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the project area. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. The project site is located within two miles of the Napa County Airport and is therefore subject to the requirements of the County's Airport Compatibility Combination zoning district and the requirements of the Napa County Airport Land Use Compatibility Plan (ALUCP). The project site is located within compatibility Zones C and D of the ALUCP. Zone C is an extended approach/departure zone with aircraft overflight below 300-feet above ground level and Zone D which is an area of common overflight and moderate risk. County development regulations have been certified as meeting ALUCP compatibility requirements, and consequently the project is not subject to separate review by the Airport Land Use Commission because it has been designed to comply with County airport compatibility land use requirements. In addition, recordation of an aircraft overflight easement will be required as part of the final map that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations.
- f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery, and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed subdivision. Access to the prosed lots will meet County standards. The proposed subdivision would not obstruct an emergency response or evacuation plan. Impacts would be less than significant.
- g. According to the Napa County Environmental resource maps (based on the following GIS layer – SRA) the project area is located within a Local Response Area for fire protection services and has a low risk of damage from wildland fires. Subsequent development on the proposed lots created by the subdivision would be subject to review by the Fire Department for compliance with the Uniform Fire Code. The proposed subdivision does not increase the potential for significant loss, injury or death due to wild-land fires. See section XX. Wildfire for additional detail. Impacts of the project would be less than significant.

Mitigation Measures: None required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
	i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On April 21, 2021, Governor Gavin Newsom declared a drought emergency in the state of California and as of July 8, 2021, 50 counties are under the drought state of emergency, including Napa County. The Governor directed the Department of Water Resources to increase resilience of water supplies during drought conditions. On June 8, 2021, the Napa County Board of Supervisors adopted a resolution declaring a Proclamation of Local Emergency due to drought conditions which are occurring in Napa County. On October 19, 2021, the Governor issued a proclamation extending the drought emergency statewide. The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well (or approval of an alteration to an existing well) in a basin subject to the Sustainable Groundwater Management Act and that is classified as medium- or high-priority, obtaining written verification from the GSA (Groundwater Sustainability Agency) managing the basin that groundwater extraction would not be inconsistent with any sustainable groundwater management program established in any applicable GSP (Groundwater Sustainability Plan) and would not decrease the likelihood of achieving sustainability goals for the basin covered by a GSP, or that the it is determined first that extraction of groundwater from the new/proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

On March 28, 2022, August 9, 2022, and November 8, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3 acre-feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. Because the project will be provided water by the City of American Canyon, Executive Order N-7-22 does not apply.

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project will discharge stormwater runoff into an approved on-site storm drainage system designed to accommodate the drainage from this site. The applicant is required to obtain a stormwater permit from the Regional Water Quality Control Board (RWQCB) which is administered in part by the County Engineering Services Division on behalf of the RWQCB. Given the essentially level terrain, and the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.
- b. The project will receive water from the City of American Canyon. The project is located within an area designated for urban development by the City of American Canyon. The City has acquired water rights to provide adequate water for all areas within their service area. The City has reviewed the proposed project and determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant shall contribute to the City's water conservation fund and has issued a Will Serve letter for the proposal. No groundwater wells are associated with this property. (see Section XIX Utilities and Service Systems (d), below.)
- c. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a grading permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan. No impacts would occur.

Mitigation Measures: None required.

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

Discussion:

- a/b. The proposed project would not occur within an established community, nor would it result in the division of an established community. The proposed project complies with the Napa County General Plan, the Napa County Zoning Ordinance, applicable County Code

sections, the Napa Valley Business Park Specific Plan, and all other applicable regulations.

Mitigation Measures: None required.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

Mitigation Measures: None required.

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. The proposed project will result in a temporary increase in noise levels during the construction of the roadways and infrastructure. 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 (N.C.C. Chapter 8.16) which would ensure the proposed project would not result in adverse noise impacts.

- c. The proposed project site is located within compatibility Zones C and D of the Napa County Airport Land Use Compatibility Plan. Zone C is an extended approach/departure zone with aircraft overflight below 300-feet above ground level. 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 Napa County Zoning Code, section 8.16.070 Exterior noise limits, lists the maximum allowable level for Industrial areas as 75 dBA. Based on the County General Plan Community Character Element, figure CC-1: Napa County Airport Projected Noise Levels (dBA CNEL), the project site is located outside of the airport area projected to have levels of 65 dBA or less, which is less than the maximum allowed in the Industrial area. Therefore the location of the project within the airport land use area will have a less than significant impact on people working in the project area. The nature of the uses allowed in the Industrial Park (IP) zoning is not sensitive to increased noise levels from aircraft and is considered compatible with aircraft operations.

Mitigation Measures: None required.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

- a. The project site is currently vacant and located in a developing industrial area, save for Nova Group Inc's., a general engineering contractor, home offices and fabrication facility. The project will increase the number of jobs within the industrial park once development occurs on the lots created by the proposed subdivision. However, given the size of the project, the new jobs are considered 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. As noted above, the County has adopted a Housing Element which identifies locations for new affordable housing and adopted a development impact fee. The fee provides funds for constructing affordable housing to off-set the cumulative existing affordable housing shortage in the County. 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 floor area of non-residential space multiplied by the applicable fee by type of use as required under Chapter 18.107, of the Napa County Code and is considered to reduce housing impacts to a less than significant level.

b. There are no existing homes on, or adjacent to, the project site. The project will not result in the displacement of any housing units or people.

Mitigation Measures: None required.

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. The property is located within the service areas of both the Napa County Sheriff's Department as well as the Napa County Fire Department. Subsequent development on the lots within the proposed subdivision, if approved, would be inspected by County building inspectors and fire officials in order to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of any requisite building permit application(s). The proposed project does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the project site. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to future building permit submittal. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed subdivision. County revenue resulting from any building permit fees and property tax increases will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

b. Mitigation Measures: None required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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. The requested tentative subdivision map does not include any residential component and is not likely to lead to the accompanying introduction of new residents to the site or area that would utilize existing parks in the area. The tentative subdivision map would create new lots for future light industrial development that would lead to new employees, some of whom might visit regional recreational facilities on the way to or from their place of employment. However, given that the purpose of employees' trips are to and from the work place as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. This impact would be less than significant.
- b. No new public recreational amenities are proposed to be built with, or as a result of, the requested tentative subdivision map. The proposed project would have no impact.

Mitigation Measures: None required.

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a./c./d. Access will be provided by an existing roadway off Devlin Road and two new cul-de-sacs. The access road and cul-de-sacs are designed to comply with all County standards including emergency vehicle access. The project will not result in any changes to levels of service or cause any new safety risks.

There is currently bus service on Devlin Road and Airport Blvd., with a bus stop on the east side of Devlin Road and the north side of Airport Blvd., a little over a mile south of the project area. The proposed project would not impair use of public transit facilities in its vicinity. The Napa Countywide Bicycle Plan, adopted by the Board of Supervisors in June 2012, identifies Devlin Road as an existing Class II bicycle facility (on-street bike lane) and a proposed Class I multi use path, which includes a segment of the Vine Trail. The proposed project would maintain existing bicycle facilities in its vicinity.

- b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised *CEQA Guidelines* in December 2018, along with a *Technical Advisory on Evaluating Transportation Impacts in CEQA* to assist practitioners in implementing the *CEQA Guidelines* revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new CEQA Guidelines and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

Since no development is proposed as part of the tentative subdivision map, no further analysis is required. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

- d. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity is discouraged. As noted above, no development is proposed as part of the tentative subdivision map. Subsequent development would be required to provide parking in accordance with the parking requirements specified in the Napa Valley Business Park Specific Plan.

Mitigation Measures: None required.

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

Discussion:

a/b. On October 3, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No consultations were requested and the consultation period closed on November 6, 2023. If any resources are found during earth disturbing activities, construction of the project would be required to cease and the appropriate individuals contacted in accordance with standard conditions of approval, as noted above in **Section V. Cultural Resources**.

Mitigation Measures: None required.

Mitigation Measures:

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

existing commitments?

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion:

a-c. The project would not require the construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. 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.

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and town across California to reduce water usage by 25 percent. However, on April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne).

The project will receive water from the City of American Canyon. On October 23, 2007, the City of American Canyon adopted a Zero Water Footprint (ZWF) Policy which defines a ZWF as "no net loss of water service reliability or increase in water rates to the City of American Canyon's existing water service customers due to requested increase demand for water within the City's water service area." The City prepared a Water Supply Report (WSR) dated August 22, 2023, incorporated herein by reference, to determine if the requested water service is consistent with City ordinances, policies and practices; whether the City's water supply is sufficient to grant the request; and, establish a water allocation for the property. The WSR indicates the property has a baseline water footprint of zero gallons per day (gpd) because the project site is undeveloped and has no historic water use. The request includes an anticipated water demand of 22,867 gpd annualized average-day demand (AADD) and 45,735 gpd maximum day demand (MDD.) The City has determined that in order to comply with the City's Zero Water Footprint (ZWF) Policy the applicant must offset the new AADD. According to the WSR, the applicant has committed to a financial contribution to the City's Zero Water Footprint Mitigation Fund which is the primary funding source for the City's Water Conservation Program. Payment of the mitigation funds offset the property's increased AADD. In accordance with the WSR, the City has issued a will-serve letter for water service subject the ZWF offset described above and other conditions outlined in the City's letter dated August 22, 2023, and incorporated as conditions of project approval.

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 Conditional Will Serve letter indicating the district will provide sewer services once the project area is annexed within the district's boundaries. NSD has found the 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 and therefore has a less than significant impact.

The proposed project includes self-treating and self-retaining areas, as well as bioretention areas that in combination would serve as both stormwater quality and runoff management measures. Grading for construction of the bioretention basins, storm drain pipelines, wastewater and water system infrastructure improvements would occur concurrently with site grading associated construction of the roadways serving the proposed new lots. Construction activities would be subject to the dust suppression measures listed in section III, Air Quality, of this initial study. The new drainage system will be designed by a qualified engineer and is subject to review and approval by the Engineering Services Division. The Engineering Services Division 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/e. Non-recyclable and non-organic waste generated on the property is collected by Napa Recycling and Waste Services (NRWS) and ultimately deposited at the Keller Canyon Landfill (located in unincorporated eastern Contra Costa County), which, having reached roughly 15 percent of its capacity in the first 12 years of its approximated 50 years of operation (which began in 1992), and extrapolating that same rate of material to date, has adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from future development on the property. Beginning in 2016, all establishments that would generate organic waste are required to participate in NRWS's food composting program, as a means to support efforts to achieve State mandates for reductions of greenhouse gas emissions generated from decomposition of material into landfills.

Mitigation Measures: None required.

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

Discussion:

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

Mitigation Measures:

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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)?
- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

- a. The site has been previously disturbed and does not contain any known listed plant or animal species. 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, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section IV above, although no special-status species were found during site surveys, mitigation measures are proposed to conduct pre-construction surveys in the event that special-status species inhabit the site prior to construction. All potential biological related impacts would be less than significant, with mitigation. As identified in Section V above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory. In the event archaeological artifacts are found, a standard condition of approval and mitigation measure would be incorporated into the project. Impacts would be less than significant.
- b. The project does not have impacts that are individually limited but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The analysis determined that all potential impacts were less than significant and would not contribute significantly to cumulative impacts. The project does not propose new development that would have a significant impact on the environment or substantially change the existing conditions. With the imposition of standard and project specific conditions of approval, the project does not have impacts that are individually limited, but cumulatively considerable.
- c. There are no schools or hospitals housing sensitive receptors within a quarter mile of the project site. Noise from construction that would occur with construction and installation of the proposed site improvements would be temporary and would be limited to day time hours, and would be subject to best management practices intended to limit fugitive dust and protect stormwater quality.

Mitigation Measures: