



Local Agency Formation Commission
LAFCO of Napa County

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April 5, 2010
Agenda Item No. 7a (Public Hearing)

March 29, 2010

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Big Ranch Road No. 4 Annexation to the Napa Sanitation District

The Commission will consider an application by a landowner to annex 1.1 acres of incorporated territory in the City of Napa to the Napa Sanitation District. Staff recommends annexation approval with standard conditions. Staff also recommends the Commission adopt a negative declaration consistent with the findings of an initial study concluding the annexation will not have any significant impacts on the environment.

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

A. Proposal Summary

LAFCO of Napa County (“Commission”) has received an application from Louis Russo, landowner, requesting the annexation of 1.1 acres of incorporated territory in the City of Napa to the Napa Sanitation District (NSD). The affected territory comprises one residential parcel located at 2047 Big Ranch Road and an associated portion of the fronting right-of-way. The Commission previously authorized NSD to provide temporary outside sewer service to the affected territory given documentation of a failed septic system serving an existing 2,150 square foot residence built in 1950. The outside service agreement between the landowner and NSD expires on May 1, 2010. Annexation would provide permanent public sewer service to the affected territory. The County of Napa Assessor’s Office identifies the subject parcel as 038-170-006.

Juliana Inman, Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

Bill Dodd, Vice Chair
County of Napa Supervisor, 4th District

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

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

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer



B. Discussion

Agency Profile

NSD was formed in 1945 to provide public sewer service for Napa and the surrounding unincorporated area. NSD presently provides sewer service to most of Napa along with several surrounding unincorporated developments, including the Silverado Country Club, Napa State Hospital, and the Napa County Airport. In all, NSD currently serves 31,283 residential customers with an estimated resident service population of 81,336.¹

¹ The resident service projection based on the 2009 California Department of Finance population per household estimate (2.6) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (31,283). NSD also serves 4,182 non-residential customers, including industrial and commercial users.

Proposal Purpose

The underlying purpose of the application before the Commission is to provide permanent public sewer service to an existing single-family residence occupying the affected territory. As mentioned, the Commission previously authorized NSD to enter into an agreement with the landowner to provide temporary public sewer service to the affected territory. The agreement expires on May 1, 2010.² Although the landowner has indicated interest in eventually dividing and developing the affected territory as permitted under the Napa General Plan to accommodate up to eight residential lots, no plans exist at this time.

C. Analysis

G.C. Section 56375 delegates LAFCOs the responsibility to approve with or without amendment proposals for change of organization or reorganization consistent with its adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving proposals as long as they do not directly regulate land uses. Underlying LAFCOs' determination in approving or disapproving proposals for change of organization or reorganization is to consider the logical and timely development of the affected agencies in context with statutory objectives and local circumstances.

Possible Modifications

The affected territory represents one of four assessor parcels comprising a "service island" substantially surrounded by NSD.³ The remaining three assessor parcels total 3.2 acres and consist of low-density single-family residences served by private septic systems. The Commission has expressed interest in modifying NSD proposals to eliminate service islands whenever possible. Expanding this proposal, however, is not feasible due to financial and infrastructure limitations coupled with NSD's practice of not annexing lands that do not immediately connect to their sewer system.⁴ In particular, the former consideration is pertinent given the remaining three assessor parcels can only be served by extending a mainline currently stubbed in the far southwest end of the affected territory from Catania Lane. This extension would necessitate multiple easements to extend the mainline to the remaining three assessor parcels with the landowners responsible for the associated costs. All three affected landowners have expressed interest to staff in annexing their respective properties to NSD. None of the landowners, though, expressed interest in participating in a cost-sharing arrangement to facilitate the mainline extension at this time.⁵

No other possible modifications were identified by staff in the review of the proposal.

² The temporary outside service was approved by the Chair on November 18, 2009 and was ratified by the Commission on December 7, 2009. Annexation will provide permanent public sewer service to the affected territory.

³ "Service island" is not defined under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

⁴ NSD uses the County of Napa's assessor roll to levy its annual sewer service fee. Accordingly, this practice precludes an assessor parcel to be annexed into NSD without being charged for service regardless of actual connectivity.

⁵ This landowner, whose property is located at 2033 Big Ranch Road, also reports they recently installed a new septic system and have no immediate need to connect to the public sewer line.

Required Factors for Review

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

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

The landowner states there is one person presently residing in the approximate 2,150 square foot single-family residence occupying the affected territory. The subject parcel could be further divided to include up to seven additional single-family lots under the Napa General Plan. It is reasonable to assume the landowner will pursue a development project within the next 10 years, but no plans currently exist. The current assessed value of the affected territory is \$87,362.

Topography within in the affected territory is relatively flat with an elevation range between 43 and 47 feet above sea-level. There are no identifiable natural boundaries or drainage basins. The affected territory lies within Napa's "Vintage" neighborhood and is surrounded to the north and west by moderately dense single-family residential uses. Land to the south consists of low-density residential uses, which could be further divided and developed based on the Napa General Plan. Land to the east is unincorporated and consists of rural residential and agricultural uses. These unincorporated lands cannot be further divided and developed based on the County General Plan.

2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The proposed annexation will provide permanent public sewer service to the existing single-family residence occupying the affected territory. Temporary public sewer service was authorized by the Commission on November 18, 2009 through an outside service agreement between NSD and the landowner. The outside service agreement expires on May 1, 2010. The permanent provision of public sewer service to the affected territory is needed given the site's current and planned urban uses. Staff estimates the single-family residence's average dry-weather daily sewer flow is 149 gallons based on current residential uses within NSD. It is reasonable to assume the affected territory's projected daily dry-weather sewer flow would increase to 1,192 gallons if developed to its maximum density of eight residential

lots. This potential amount can be adequately accommodated by NSD given its current daily average dry-weather flow is 6.5 million gallons, which equals 42% of the agency's total available capacity.

3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The proposed annexation would formalize social and economic ties existing between NSD and the affected territory given the agency already provides public sewer service to the site through an outside service agreement.

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

The proposed annexation is consistent with the adopted policies of the Commission in facilitating the logical extension of municipal services to support orderly urban development. The affected territory does not include any open-space lands and therefore does not conflict with G.C. Section 56377.

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

The affected territory does not qualify as agricultural land as defined under G.C. Section 56016.

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

A map and geographic description have been prepared by a licensed surveyor identifying the boundaries of the affected territory in accordance with the requirements of the State Board of Equalization. These documents provide sufficient certainty with regards to the exact boundaries of the affected territory.

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

The proposed annexation would provide permanent public sewer service to the affected territory. The availability of this municipal service to the affected territory is consistent with the Napa General Plan, which designates the land for moderately dense single-family residential uses. The design and development standards associated with these residential uses are further outlined in Napa's Big Ranch Specific Plan. The proposed annexation involves a developed property and is consistent with the regional transportation plan adopted by the Metropolitan Transportation Commission.

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

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

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

On November 5, 2009, as required, LAFCO staff electronically circulated copies of the application materials for review and comment to affected local governmental agencies. Agency recipients and their comments, if any, are provided below.

- **Napa Sanitation District**
NSD has adopted a resolution consenting to the annexation and waiver of protest proceedings subject to the inclusion of special approval conditions. These special conditions are reflected in Exhibit "B" to the attached draft resolution of approval.
- **City of Napa**
The City's Planning Department provided written support of the proposed annexation as submitted.
- **County of Napa**
The County's Environmental Management Department has provided written support of the proposed annexation as submitted.
- **Napa Valley Unified School District**
The Napa Valley Unified School District has provided written support of the proposed annexation as submitted.
- **County Service Area No. 4**
No comments were received.
- **Napa County Flood Control and Water Conservation District**
No comments were received.
- **Napa County Mosquito Abatement District**
No comments were received.
- **Napa County Regional Parks and Open Space District**
No comments were received.
- **Napa County Resource Conservation District**
No comments were received.

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

Information collected and analyzed in the Commission's recent countywide municipal service review on sewer services indicates NSD has adequate service capacities, financial resources, and administrative controls to serve the affected territory at its designated density levels under the Napa General Plan. Notably, in terms of financial resources, NSD's ability to provide sewer services to existing and new customers is based on two principal revenue sources: (a) connection fees and (b) user charges. The connection fee is currently \$5,660 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The user fee for a single-family unit is currently \$421 annually and is intended to proportionally cover NSD's ongoing maintenance and operation expenses. The landowner for the affected territory has already paid a connection fee to NSD as a result of the earlier outside service agreement and the user fee will be pro-rated to the date of service establishment.

NSD's operating budget in 2009-2010 is \$14.0 million. NSD anticipates collecting \$18.2 million in general revenues resulting in an operating surplus of \$4.2 million. NSD's fund balance as of the beginning of the fiscal year totaled \$130.6 million with \$11.1 million categorized as unrestricted. This unrestricted fund balance is sufficient to presently cover over nine months of operating expenses.

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

The affected territory currently receives water from an onsite private well. Staff estimates the single-family residence's annual groundwater demand is 0.3 acre-feet.⁶ It is reasonable to assume the affected territory's projected annual water demand would increase to 2.2 acre-feet if developed to its maximum density of eight residential lots as allowed under the Napa General Plan. Any development would require connection to Napa's potable water system. Napa reports its current annual water demand is approximately 14,900 acre-feet, which equals 50% of its current water supplies under normal conditions.⁷ Demands tied with the future potential development of the affected territory would not adversely impact Napa.

⁶ The estimated current water demand assumes 250 gallons per day and based on average use information collected by staff during the inaugural round of municipal service reviews.

⁷ The current water supply figure assumes an approximate 20% reduction in contracted State Water Project supplies.

- 12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.**

The affected territory is located entirely within Napa. All potential development units associated with the site are already assigned to Napa as part of the Association of Bay Area Governments regional housing needs allocation system.

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

The landowner of the affected territory is the petitioner for the proposed annexation.

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

The Napa General Plan designates the affected territory as *Single-Family Residential – 33*. This designation provides a density range of three to six units per acre.⁸ Intended uses are summarized below:

“[D]etached and attached single-family homes, second units, planned unit and cluster developments, mobile homes, manufactured housing, and compatible uses such as day care and residential care facilities. Non-residential uses may also be allowed in appropriate locations at the discretion of the City, including bed-and-breakfast inns and public and quasi-public uses of an administrative, educational, recreational, religious, cultural, communications, or public service nature.”

- 15) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.**

There is no documentation or evidence suggesting the proposed annexation will have a measurable effect with respect to promoting environmental justice.

- 16) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.**

The proposed annexation will benefit current and future landowners and residents associated with the affected territory by providing permanent access to public sewer service. The provision of public sewer service will eliminate set-aside land requirements previously dedicated to the septic system, which will assist in intensifying future residential development opportunities within the site.

⁸ This land use designation provides a density range less than the City’s zoning ordinance for the affected territory, which specifies a minimum lot requirement of 0.11 acres. This discrepancy is permissible given Napa incorporated as a charter law city.

Property Tax Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts.

In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall occur as a result of jurisdictional changes involving the District. This resolution has been applied to all subsequent changes of organization involving NSD. In processing this proposal, staff provided notice to the affected agencies the Commission would again apply this resolution unless otherwise informed. No comments were received.

Environmental Review

The Commission serves as lead agency for the proposal given it is solely responsible for approving the underlying activity: annexation. Staff has determined the activity is a project under CEQA and no existing categorical or statutory exemptions apply. Accordingly, staff has prepared an initial study to assess the environmental impacts associated with the annexation. The initial study identifies the annexation may generate future indirect impacts given it does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the Napa General Plan. None of the indirect impacts identified with the annexation, however, are deemed significant and therefore a draft negative declaration has been prepared. A copy of the initial study is attached for Commission review along with a draft resolution adopting a negative declaration.

D. Alternatives for Commission Action

Staff has identified the following alternative actions for Commission consideration with respect to (a) making an environmental determination and (b) considering the proposed annexation.

Environmental Determination

- Option 1A:** Adopt the draft resolution identified as Attachment Three approving a negative declaration for the proposed annexation. If this option is selected, the Commission can consider making a determination on the proposed annexation.

- Option 1B:** Continue consideration of the negative declaration for the proposed annexation to a future meeting. If this option is selected, the Commission cannot consider making a determination on the proposed annexation.

Proposal Determination

- Option 2A:** Adopt the draft resolution identified as Attachment Four approving the proposed annexation as submitted with standard terms and conditions.
- Option 2B:** Continue consideration of the proposed annexation to a future meeting if more information is required.
- Option 2C:** Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

E. Recommendation

Staff recommends the Commission adopt draft resolutions approving the negative declaration and proposed annexation as identified in the preceding sections as Options 1A and 2A.

Respectfully submitted,

Keene Simonds
Executive Officer

Brendon Freeman
Analyst

Attachments:

- ~~1) Application Materials~~
- 2) Initial Study
- 3) Draft Resolution Approving the Negative Declaration
- 4) Draft Resolution Approving the Proposal



Local Agency Formation Commission of Napa County

1700 Second Street, Suite 268

Napa, California 94559

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

February 5, 2010

INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

1. **Project Title:** Big Ranch Road No. 4 Annexation to the Napa Sanitation District
2. **Lead Agency:** Local Agency Formation Commission (LAFCO) of Napa County
1700 Second Street, Suite 268
Napa, California 94559
3. **Contact Person:** Keene Simonds, Executive Officer
LAFCO of Napa County
(707) 259-8645
ksimonds@napa.lafco.ca.gov
4. **Project Location:** The project location consists of 1.1 acres of incorporated territory in the City of Napa. It includes one residential parcel located at 2047 Big Ranch Road (038-170-006) and a portion of the associated right-of-way, hereinafter referred to as the “project site.” A map depicting the project site is depicted in Figure “A” on page three.
5. **Project Sponsor:** Louis Russo, Property Owner
c/o Rosemary Hafeli, Appointed Representative
447 Seymour Street
Napa, California 94559
6. **General Plan Designation:** The City of Napa designates the entire project site as *Single Family Residential – 33L*. This designation allows for a density range of three to six dwelling units for every acre.
7. **Zoning Standard:** The City of Napa zones the project site *Residential Single 5*. This zoning standard requires a minimum lot size of 0.11 acres.
8. **Background/ Project Description** Louis Russo has filed an application with LAFCO to annex the project site to the Napa Sanitation District (NSD). The purpose of the annexation is to establish permanent public sewer service to an existing single-family residence, which is already connected to NSD as a result of a recently approved outside service agreement (OSA). LAFCO approved the OSA to expedite sewer service to the project site given the affected residence’s septic system had failed causing a public health threat. The OSA expires on May 1, 2010.
9. **Surrounding Land Uses:** The project site is surrounded by existing incorporated residential uses to the north, west and south and within the City of Napa’s “Big Ranch” neighborhood. Land to the east of the project site is unincorporated and comprise rural residential and agricultural uses.
10. **Other Agency Approval:** NSD

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards/ Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Findings of Significance |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population and Housing | |

DETERMINATION:

On the basis of information analyzed in this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis described in the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Nothing further is required.



February 5, 2010

Signature

Date

Keene Simonds
Preparer's Name

LAFCO of Napa County
Lead Agency

FIGURE ONE



ENVIRONMENTAL CHECKLIST

The following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the potential environmental impacts of the proposed project with respect to 17 factors prescribed for consideration. A brief discussion follows each environmental issue identified in the checklist. For this checklist, the following four designations are used:

- **Potentially Significant Impact:** An impact that may be significant, and for which no mitigation has been identified.
- **Potentially Significant Unless Mitigation Incorporated:** An impact that requires mitigation measures to reduce the effect to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that may not be considered significant under CEQA relative to baseline conditions.
- **No Impact.** Baseline conditions remain unchanged.

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

Would the project:

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

Discussion/Analysis:

The project will not directly impact aesthetics with regard to effecting scenic vistas, damaging scenic resources, degrading visual character, or creating new sources of light given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may generate future indirect impacts on aesthetics due to the construction of additional structures and facilities. An assessment on aesthetic impacts relating to planned citywide development was addressed in the FEIR prepared for the City General Plan on pages 3.6-1 to 3.6-5. Pertinent mitigating policies and implementation measures to manage citywide aesthetic impacts are outlined in the General Plan’s Land Use, Housing, and Natural Resources Elements and include: LU-1.2; LU-1.4; LU-1.5; LU-1.8; LU-1.A; LU-1.B; LU-1.C; LU-4.10; LU-4.11; LU-4.A; LU-4.B; LU-10.1; LU.10.2; LU-10.3; LU-10.4; LU-10.5; LU-10.A; LU-10.C; H-3.1; H-3.2; H-3.3; H-3.A; H-3.C; H-3.I; H-3.J; NR-1.6; NR-1.7; NR-1.C; and NR-1.E. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 197 to 211. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.10-2 and 4.10-4. These documents provide reasonable assurances any potential future indirect impacts on aesthetics associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, and d).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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2. AGRICULTURE RESOURCES

Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ■
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? ■
- c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use? ■

Discussion/Analysis:

The project will not have direct or indirect impacts on agricultural resources. The project site is identified as urban land by the California Natural Resources Agency (a). The project site is not subject to an agricultural zoning standard or a Williamson Act contract or involve any other changes that could result in prime, unique, or statewide important farmland losses (b and c).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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3. AIR QUALITY

Would the project:

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

Discussion/Analysis:

The project will not directly impact air quality with regard to conflicting with applicable air quality plans and standards or cause objectionable odors and pollutants given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts during construction phases as well as from additional vehicular emissions. An assessment on air quality impacts relating to planned citywide development was addressed in the FEIR prepared for the City General Plan on pages 3.10-1 to 3.10-5. Pertinent mitigating policies and implementation measures to manage citywide air quality impacts consistent with Bay Area Air Quality Management District standards are outlined in the General Plan’s Natural Resources and Transportation Elements and include: NR-.5.1; NR-5.2; NR-5.3; NR-5.4; NR-5.5; NR-5.6; T-1.1; T-5.1; T-5.2; T-5.13; T-5.B; T-6.1; T-6.2; and T-6.10. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 140 to 151. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.7-4. These documents provide reasonable assurances any potential future indirect impacts on air quality associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, d, and e).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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4. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adversely effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the State Fish and Game or U.S. Fish and Wildlife Service? ■
- b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by State Fish and Game or U.S. Fish and Wildlife Service? ■
- c. Have a substantial adverse effect on federally protected wetlands as defined by the Clean Water Act through direct removal, filling, hydrological interruption, or other means? ■
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? ■
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ■
- f. Conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan? ■

Discussion/Analysis:

The project will not have any direct or indirect impacts on biological resources. There are no endangered, sensitive, or special status species, riparian habitat, sensitive communities, or protected wetlands within the project site listed in federal, state, or local agency indices (a, b, and c). The project would not substantially effect in impeding the movement of any habitat within the project site (d). The project does not conflict with any local policies or ordinances protecting biological resources or the provisions of a habitat conservation plan or natural community conservation plan (e and f).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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5. CULTURAL RESOURCES

Would the project:

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

Discussion/Analysis:

The project will not have direct or indirect impacts on cultural resources. No historical, archeological, or paleontological resources have been identified within the project site in state or local registries (a, b, c, and d).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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6. GEOLOGY AND SOILS

Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 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. ■
 - ii. Strong seismic ground shaking? ■
 - iii. Seismic-related ground failure, including liquefaction? ■
 - iv. Landslides? ■
- b. Result in substantial soil erosion or the loss of topsoil? ■
- 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? ■
- d. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ■
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ■

Discussion/Analysis:

The project will not directly impact geology and soils given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect geology and soil impacts involving soil erosion and topsoil losses due to grading activities. An assessment on all geology and soil impacts relating to planned citywide development has been addressed in the FEIR prepared for the City

General Plan on pages 3.8-1 to 3.8-3. Pertinent mitigating policies and implementation measures to manage citywide impacts on soil erosion and topsoil losses are outlined in the General Plan's Health and Safety Element and include: HS-2.1; HS-2.2; and HS-2.A. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 68 to 67. Applicable mitigation measures identified in the Specific Plan's EIR include 4.3-2, 4.3-3, and 4.3-4. These documents provide reasonable assurances any potential future indirect impacts on soil erosion and top soil losses associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (b). The project site is not located within an Alquist Priolo Earthquake Fault Zone, which protects against soil liquefaction, subsidence, and landslide (a). The project site is not located within a geological unit or soil deemed unstable or comprise expansive soils under the Uniform Building Code (c and d). Public sewer service is currently available and provided to the project site by NSD through an OSA (e).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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7. HAZARDS & HAZARDOUS MATERIALS

Would the project:

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

Discussion/Analysis:

The project will not directly create impacts in terms of emitting or transporting hazards or hazardous materials. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts in creating, emitting, or transporting hazards or hazardous materials due to their handling during construction, such as storing diesel fuel for ancillary equipment. However, local and state regulations concerning the use and storage of these materials result in a less-than significant impact (a, b, and c). The project site is not included in a list of hazardous material sites compiled by the California Department of Toxic Substances Control (d). The project site is not located within a high wildland fire risk area or near a private or public airstrip or physically interfere with an adopted emergency plan (e, f, g, and h).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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8. HYDROLOGY & WATER QUALITY

Would the project:

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

Discussion/Analysis:

The project will not directly or indirectly impact hydrology and water quality as it relates to violating or degrading water quality standards or waste discharge requirements (a and f). The project will also not directly or indirectly impact hydrology and water quality given it does not alter a stream or river, lie within 100 year floodplain, or located within reasonable distance of a dam or levee (c, g, h, i, and j). The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect hydrology and water quality impacts with regard to increasing groundwater withdraws, increasing surface runoff that could contribute to on or offsite flooding, and adding demands on the stormwater drainage system due to the construction of impervious surfaces. An assessment on all hydrology and water quality impacts relating to planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.9-1 to 3.9-3. Pertinent mitigating policies and implementation measures to manage citywide impacts on groundwater, runoff, and storm water drainage systems are outlined in the General Plan's Natural Resources and Community Services Elements and include: NR-4.1, CS-9.3, CS-11.1; CS-11.2; CS-11.3; CS-11.4; CS-11.5; CS-11.7; and CS-11.A. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 78 to 97. Applicable mitigation measures identified in the Specific Plan's EIR include 4.4-2, 4.4-3, and 4.4-4. These documents provide reasonable assurances any potential future indirect impacts on groundwater, storm water drainage systems, and runoff tied to the project have already been adequately assessed for purposes of avoidance and mitigation, and therefore deemed less-than-significant (b, d and e).

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

Would the project:

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

Discussion/Analysis:

The project will not have direct or indirect impacts on land use planning. The project does not physically divide an established community (a). The project is consistent with the City’s land use policies as well as LAFCO’s adopted sphere of influence for NSD (b). The project does not conflict with any applicable conservation plan (c).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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10. MINERAL RESOURCES

Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? ■
- 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? ■

Discussion/Analysis:

The project will not have direct or indirect impacts on mineral resources. There are no known mineral resources of value or locally important within the project site as delineated under the City or County General Plans (a and b).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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11. NOISE

Would the project result in:

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

Discussion/Analysis:

The project will not directly create noise impacts given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts involving temporary or periodic increases in noise levels and groundborne vibrations. An assessment on all noise related impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.11-1 to 3.11-9. Pertinent mitigating policies and implementation measures to manage citywide impacts relating to noises are outlined in the General Plan’s Health and Safety Element and include: HS-9.1; HS-9.2; HS-9.3; HS-9.4; HS-9.5; HS-9.6; HS-9.7; HS-9.8; HS-9.9; HS-9.10; HS-9.11; HS-9.12; HS-9.13; HS-9.14; HS-9.A; and HS-9.B. A more focused review of these impacts relating to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 152 to 167. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.8-1 and 4.8-3. These documents provide reasonable assurances any potential future

indirect impacts on creating noises and groundborne vibrations associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, and d). The project site is surrounded by existing urban uses with typical residential noise environment, and therefore potential new permanent noises associated with its development would be considered non-substantial (c). The project is not located within an airport land use plan or in the vicinity of a private airstrip, and thereby negating any potential noises associated with aircraft (e and f).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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12. POPULATION AND HOUSING

Would the project:

- a. Induce substantial growth in an area, either directly or indirectly? ■
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ■
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ■

Discussion/Analysis:

The project will not directly create impacts on population and housing given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts in terms of fostering new growth. An assessment on growth impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.2-1 to 3.2-8. Pertinent mitigating policies and implementation measures to manage growth impacts are outlined throughout the General Plan’s Land Use and Housing Elements. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 59 to 67, which does not identify any needed applicable mitigation measures. These documents provide reasonable assurances any potential future indirect impacts on growth associated with the project have been adequately assessed for purposes of mitigation, and therefore deemed less than significant (a). There is no evidence to suggest the project will displace substantial numbers of existing housing or people either in the short or long term (b and c).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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13. PUBLIC SERVICES

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

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

Discussion/Analysis:

The project will not directly create impacts on public services given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts on public fire, police, schools, park, and emergency medical services. An assessment on public service impacts associated with planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.4-1 to 3.4-2, 3.4-5 to 3.4-6, and 3.4-16 to 3.4-17. Pertinent mitigating policies and implementation measures to manage impacts on these public services are outlined in the General Plan’s Community Services Element and include: CS-1.1 through CS-1.7; CS-1.A through CS-1.B; CS-2.1 through CS-3.3; CS-4.1 through CS-4.4; CS-4.A through CS-4.D; CS-5.1 through CS-5.8; CS-5.A through CS-5.C; CS-6.1 through CS-6.8; CS-6.A through CS-6.B; CS-7.1 through CS-7.5; CS-7.A, and CS-8.1 through CS-8.3. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 168 to 196. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.9-1, 4.9-2, 4.9-3, and 4.9-12. These documents provide reasonable assurances any potential future indirect impacts on these public services associated with the project have been adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a, b, c, d, and e).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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14. RECREATION

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

Discussion/Analysis:

The project will not directly impact recreational resources given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts on recreational resources in terms of increasing the use of existing parks and related facilities. An assessment on all recreational related impacts associated with planned citywide development was addressed in the City General Plan’s Parks and Recreation Element FEIR. Pertinent mitigating policies and implementation measures to manage citywide impacts on existing parks and related facilities are outlined in the General Plan’s Parks and Resources Element and include: PR-1.1 through PR-1.24; PR-1.A through PR-1.G; PR-2.1 through PR-2.15; PR-2.A through PR-2.D; PR-3.1 through PR3.11; PR-3.A; PR-4.1 through PR4-17; PR-4.A through PR-4.C; PR-5.1 through PR5.19; PR-5.A; PR-6.1 through PR.6-23; PR-6.A through PR-6.D; PR7.1 through PR7.10; and PR7.A through PR-7.C. No specific significant impacts on existing parks and related facilities concerning the future development of the project site and surrounding area were identified in the FEIR prepared for the Big Ranch Road Specific Plan. These documents provide reasonable assurances any potential future indirect impacts on parks and related facilities associated with the project have been already adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a). The project does not include any recreational facilities nor would it require construction or expansion of existing facilities (b).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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15. TRANSPORTATION AND TRAFFIC

Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? ■
- b. Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways? ■
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ■
- d. Substantially increase hazards due to a design? ■
- e. Result in inadequate emergency access? ■
- f. Result in inadequate parking capacity? ■
- g. Conflict with adopted policies supporting alternative transportation? ■

Discussion/Analysis:

The project will not directly impact transportation or traffic given no physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect impacts on roadway traffic in terms of increasing vehicle trips to and from the site over current conditions. An assessment on all transportation and traffic impacts relating to planned citywide development has been addressed in the FEIR prepared for the City General Plan on pages 3.3-1 to 3.3-15. Pertinent mitigating policies and implementation measures to manage citywide impacts on traffic trips and capacities are outlined in the General Plan’s Transportation Element and include: T-1.1 through T-1.11; T-1.A through T-1.G; T-2.1 through T-2.7; T-3.1 through T-3.12; T-3.A; T-4.1 through T-4.5; and T-4.A through T-4.C. A more focused review of these impacts as it relates to the potential future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 115 to 139. Applicable mitigation measures identified in the Specific Plan’s EIR include 4.6-2. These documents provide reasonable assurances any potential future indirect impacts on vehicle trips associated with the project have been already adequately assessed for purposes of avoidance and/or mitigation, and therefore deemed less than significant (a). The project would not result in traffic volumes exceeding the

current level of service standard for nearby roads nor alter air tariff patterns (b and c). The project would not create a design hazard, impede emergency access, generate inadequate parking capacity, or conflict with any policies promoting alternative transportation given the site is located within an existing urbanized area (d, e, f, and g).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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16. UTILITIES & SERVICE SYSTEMS

Would the project:

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

Discussion/Analysis:

The project will not directly impact water, sewer, and solid waste service utilities given no substantive physical changes to the environment shall occur as a result of the annexation. The project does remove an obstacle in accommodating the future division and development of the site to include up to seven additional single-family lots as allowed under the City General Plan. This accommodation highlights the potential the project may create future indirect and cumulative impacts on water, sewer, solid waste, and storm drainage service utilities in terms of increasing uses. An assessment on water, sewer, and solid waste service utility impacts relating to planned citywide development have been addressed in the FEIR prepared for the City General Plan on pages 3.4-2 through 3.4-15. An assessment on impacts on storm drainage

service relating to planned citywide growth and development is addressed on pages 3.9-1 to 3.9-3 in the FEIR. Pertinent mitigating policies and implementation measures to manage impacts on water, sewer, solid waste, and storm drainage service utilities are outlined in the General Plan's Community Service Element and include: CS-9.1 through CS-9.10; CS-9.A; CS-10.1 through CS-10.3; CS-11.1 through CS-11.9; CS-11.A; CS-12.1 through CS-12.2; and CS-12.A. A more focused review of these impacts as it relates to the future development of the project site and surrounding area was addressed in the FEIR prepared for the Big Ranch Road Specific Plan on pages 78 to 97 and 168 to 184. Applicable mitigation measures identified in the Specific Plan's EIR include 4.4-2, 4.4-3, 4.9-1, 4.9-2, 4.9-4, 4.9-5, 4.9-6, 4.9-7, and 4.9-8. Further, NSD also has prepared a recent master plan to inform current and future capital improvement planning activities through 2030, which markedly contemplates serving the project site at its maximum assigned densities allowed under the City General Plan. These documents provide reasonable assurances any potential indirect impacts on the referenced service utilities tied to the project have been adequately assessed for purposes of avoidance, mitigation, and accommodation, and therefore deemed less-than-significant (a, b, c, d, e, f, and g).

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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17. MANDATORY FINDINGS OF SIGNIFICANCE

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples major periods of state history or prehistory? ■
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ■
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ■

Discussion/Analysis:

The project will not have direct or indirect impacts on biological resources, such as fish or wildlife species, as analyzed on page eight of this initial study. The potential future development of the project site may result in individually limited impacts on humans as well as on aesthetics, air quality, biological resources, hydrology, noise, population, public services, recreation, traffic, and utilities. These individual impacts would not be substantial or cumulatively considerable given any future development of the project site will need to comply with previously approved mitigating policies and programs of the City as the legal land use authority, and therefore result in de minimis contributions (a, b, and c).

SOURCES

Documents

- City of Napa, *General Plan Policy Document*, December 1998
- City of Napa, *General Plan Final Environmental Impact Report*, December 1998
- City of Napa, *Parks and Recreation Element Final Environmental Impact Report*, October 1993
- City of Napa, *Big Ranch Road Specific Plan*, August 1996
- City of Napa, *Big Ranch Road Specific Plan Final Environmental Impact Report*, August 1996
- City of Napa, Municipal Code: Section 17.08, *Residential Zoning Districts*, 2008
- City of Napa, *Combined Historic Resources List*, January 2000
- LAFCO of Napa County, *Sphere of Influence Update: Napa Sanitation District*, August 2006
- LAFCO of Napa County, *Municipal Service Review and Sphere of Influence Update of the City of Napa*, June 2005
- LAFCO of Napa County, *Comprehensive Study of Sanitation and Wastewater Treatment Providers*, 2005-2006
- Bay Area Air Quality Management District, *CEQA Guidelines*, Prepared December 1999
- State of California, Natural Resources Agency, *Napa County Important Farmland Map*, July 2009.

These documents are available for review at the LAFCO administration office located at 1700 Second Street, Suite 268, Napa.

Websites

- State of California: California Environmental Resources Evaluation System; Environmental Information by Geographic Area; Napa County; Historical and Cultural Resources: “California Historical Landmarks in Napa County,” http://ceres.ca.gov/geo_area/counties/Napa/landmarks.html
- State of California: California Environmental Protection Agency; Cortese List of Hazardous Material Sites, <http://www.calepa.ca.gov/sitecleanup/corteselist/default.htm>
- State of California: California Geological Survey; Alquist-Priolo Earthquake Fault Zones; <http://www.consrv.ca.gov/CGS/rghm/ap/index.htm>
- County of Napa GIS Parcel Mapping application <http://2kgisweb/gisweb/InteractiveMap3.asp>
- State of California: Department of Fish and Game, California Natural Diversity Database <http://www.dfg.ca.gov/biogeodata/cnddb/> (Accessed through County of Napa)

RESOLUTION NO. ____

**RESOLUTION OF THE
LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS AND
ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**BIG RANCH ROAD NO. 4 ANNEXATION
NAPA SANITATION DISTRICT**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as “the Commission,” is responsible for administering The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, an application by Louis Russo, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Executive Officer hereinafter referred to as “Executive Officer,” and

WHEREAS, the said annexation proposal is identified as the *Big Ranch Road No. 4 Annexation to the Napa Sanitation District*; and

WHEREAS, annexations are projects and subject to the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, the Commission has determined that, pursuant to CEQA, it is the Lead Agency for the proposed annexation, hereinafter referred to as the “project”; and

WHEREAS, in accordance with Title 22 of the California Code of Regulations Section 15074, the Commission has been presented with and duly considered an Initial Study assessing the impact of the project on the environment; and

WHEREAS, the Commission held a duly noticed public hearing on April 5, 2010 to consider the Initial Study and has determined that the project could not have a significant effect on the environment.

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

1. The Commission has read and considered the Executive Officer’s report and Initial Study prepared for the project.

2. The Commission finds the Initial Study shows that there is no substantial evidence in the record as a whole that the project shall have any significant environmental impact given existing mitigation measures adopted by the City of Napa. The Commission therefore adopts each of the environmental findings set forth in the Initial Study and finds there is no significant impact on the environment that will result from the project.
3. The Commission hereby adopts the Negative Declaration for the project and finds this is based on its independent judgment and analysis.
4. The Executive Officer is the custodian of the records of these environmental proceedings on which this determination is based. The records upon which these findings and determination are made are located at the office of the Commission at 1700 Second Street, Suite 268, Napa, California.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on April 5, 2010, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

RESOLUTION NO. __

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

**BIG RANCH ROAD NO. 4 ANNEXATION
NAPA SANITATION DISTRICT**

WHEREAS, an application by Louis Russo, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Executive Officer hereinafter referred to as “Executive Officer” of the Local Agency Formation Commission of Napa County, hereinafter referred to as “the Commission”, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code; and

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

WHEREAS, said proposal and the Executive Officer’s report 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 said proposal; and

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

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the Napa Sanitation District and with the Commission’s adopted policy determinations; and

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

WHEREAS, the Commission, in accordance with applicable provisions of the California Environmental Quality Act, determined there to be no significant effect to the environment from the proposed annexation and adopted a negative declaration concerning this project at a hearing held on April 5, 2010.

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

1. The proposal is APPROVED.
2. This proposal is assigned the following distinctive short-term designation:

**BIG RANCH ROAD NO. 4 ANNEXATION
NAPA SANITATION DISTRICT**

3. The affected territory is shown on the attached map and is more precisely described in the attached Exhibit "A".
4. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
5. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
6. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
7. The proposal shall be subject to the terms and conditions specified in the attached Exhibit "B."
8. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56663(c).
9. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.
 - (c) An indemnification agreement signed by the landowner in a form provided by the Commission.
 - (d) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" have been satisfied.
10. The effective date shall be the date of recordation of the Certificate of Completion.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the April 5, 2010, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary