

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT
1195 3rd Street, Suite 210
Napa, Calif. 94559
707.253.4417

Notice of Intent to Adopt a Revised Mitigated Negative Declaration¹

1. **Project Title:** Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application № P09-00329-UP and Tentative Parcel Map and Lot Line Adjustment Application № P09-00330-TPM.
2. **Property Owner:** Napa 34 Holdings, LLC (Brian Kaufman, Member)
3. **Contact person and phone number:** Christopher M. Cahill, Project Planner, (707) 253.4847, ccahill@co.napa.ca.us
4. **Project location and APN:** The project is located in the Napa Airport Industrial Area on a 33.9 acre parcel located at the southwest corner of the intersection of State Route 29 and Airport Boulevard, within an IP:AC (Industrial Park: Airport Compatibility Zone D) zoning district. (Assessor's Parcel №: 057-210-056). No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558
5. **Project Sponsor's Name and Address:** Brad Shirhall, TLA Engineering and Planning, 1528 Eureka Rd., Ste. 100, Roseville, Calif. 95661, (916) 786.0685, bshirhall@tla-inc.com
6. **Hazardous Waste Sites:** This project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.
7. **Project Description:**

Approval of a Use Permit to allow the construction and operation of an industrial park totaling approximately 490,500 square feet of new development in eight buildings, including: 1.) two +/- 41,700 square foot two-story office buildings; 2.) two +/- 7,600 square foot single-story office buildings with ancillary warehouse space; 3.) one +/- 8,800 square foot single-story office building with ancillary warehouse space; and 4.) +/- 152,600 square foot, +/- 148,800 square foot, and +/- 81,600 square foot single-story warehouse/distribution buildings with ancillary office space. Approximately 73% percent (or +/- 356,000 square feet) of the total development floor area would be dedicated to warehousing uses, while the remaining 27% (or +/- 134,500 square feet) would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road, located south of the existing Devlin Road/Airport Boulevard intersection, and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements, including road construction at Devlin Road and road widening at Airport Boulevard are also proposed. Parking for 740 vehicles is to be provided on-site, along with six loading docks. Approximately 3 acres of existing wetlands will be preserved and enhanced, partially as a component of proposed stormwater improvements. The project would connect to the City of American Canyon municipal water system and sewer service would be provided by the Napa Sanitation District, subsequent to annexation into the District. In addition, the following approvals are requested:

 - Lot Line Adjustment to transfer 1.10 acres from the subject property (currently APN 057-210-056) to the property directly to the west (currently APN 057-210-055) to relocate the shared property line to the centerline of the extension of Devlin Road.
 - Tentative Parcel Map to allow the creation of eight industrial parcels ranging in size from 0.60 to 7.18 acres and three wetland/drainage parcels ranging in size from 0.23 to 5.35 acres. Dedication of the Devlin

¹ The initial project mitigated negative declaration was circulated for public review on March 22, 2010. Based on comments received during the initial comment period, the County of Napa determined that revisions to and recirculation of the document were necessary. Revisions are indicated using redline text and strikethrough throughout the document. Based on those revisions and the additional mitigation measures incorporated into the project and addressed in this recirculated document, the Planning Director finds that, as mitigated, the project would not have a significant effect on the environment.

Road right-of-way is also proposed, as is the reduction of an existing utility easement at the abandoned Aviation Way right-of-way from 60' to 15' in width.

- Use Permit Variation to Airport Industrial Area Specific Plan standards to allow: 1.) driveway access onto Airport Boulevard where such access is generally not allowed and 2.) a substandard parking ratio at proposed parcel F (88 required, 78 proposed).

PRELIMINARY DETERMINATION:

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

June 18, 2010



BY: Christopher M. Cahill

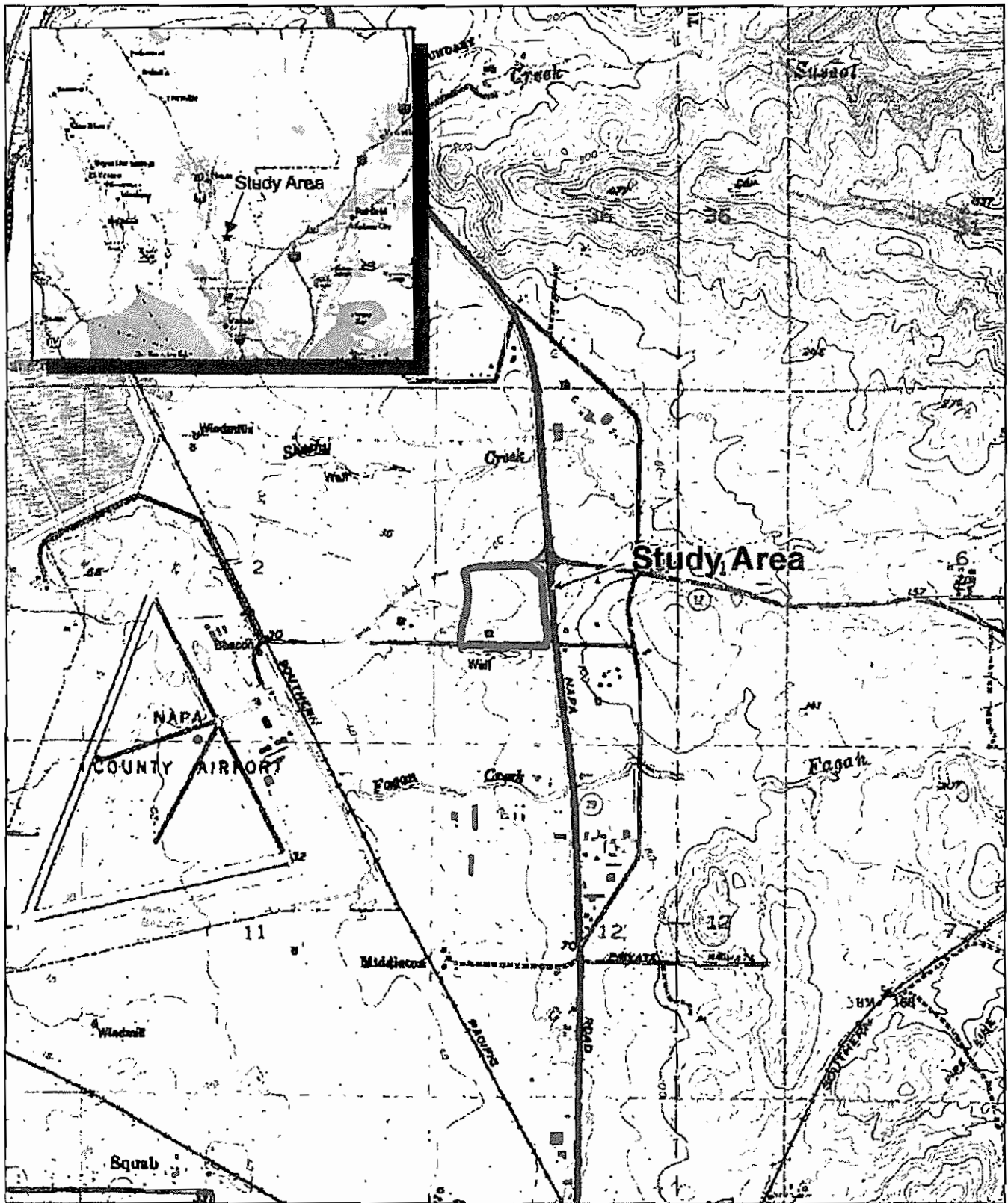
Planner

Napa County Conservation, Development, & Planning

Date

WRITTEN COMMENT PERIOD: June 21, 2010 through July 20, 2010

Please send written comments to the attention of Chris Cahill at 1195 Third St., Suite 210, Napa, Calif. 94559, or via e-mail to chris.cahill@countyofnapa.org. A public hearing on this project is tentatively scheduled for the Napa County Conservation, Development, and Planning Commission at 9:00 AM or later on Wednesday, July 21, 2010. You may confirm the date and time of the hearing by calling (707) 253.4417.



	<p>N</p> <p>0 500 1,000 2,000</p> <p>Scale in Feet</p>	<p>NOTES</p> <p>Base map: Cuttings Wharf, CA, USGS</p> <p>7.5 minute topographic quadrangle</p> <p>Section: 1</p> <p>Township: 04N</p> <p>Range: 04W</p>	<p>Site & Vicinity</p> <p>Napa Commerce Center</p> <p>Napa County, California</p>
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Study Area

N

0 250 500
Scale in Feet

NOTES:
Aerial Photo Date: July 2007

Aerial Photo Map
Napa Commerce Center
Napa County, California

NAPA COUNTY, CALIFORNIA

MARCH 2010
SHEET 1 OF 4



L. ECHINATA

BULL DOING SEETHACKS

[illegible]

PROPOSED USES

[illegible]

PARKING SUMMARY:

CHAPTER / DIVISION / OFFICE

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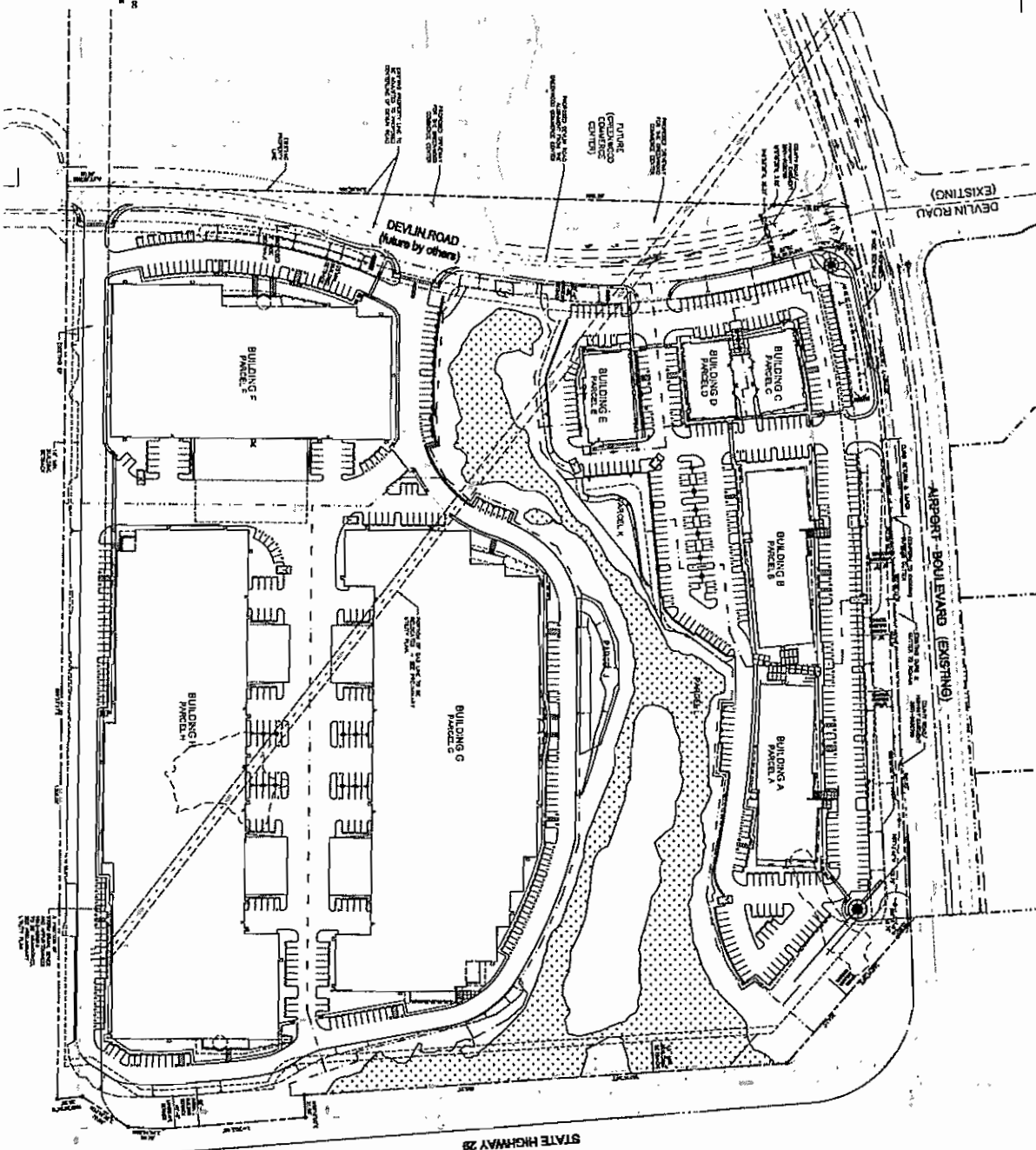
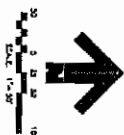
LAKEWOOD & LUND
1535 RIVER ROAD, SUITE 100
MONTROSE, CA 94025
(415) 796-0640
FAX: (415) 796-0239

ABSTRACT

2718 260TH STREET, SUITE 201
 BIRMINGHAM, AL 35211
 (205) 444-1422
 FAX (205) 444-0716

LANDSCAPE ARCHITECTURE

ERIC BEARMAN
VISTA PARKS LANDSCAPING INC.
11325 SLOVER CIRCLE SUITE
RANCHO COACHEA, CA 92743
PH 916-826-1244
FAX 916-827-5081



STATE HIGHWAY 28

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT, AND PLANNING DEPARTMENT
1195 3rd Street, Suite 210
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707.253.4417

Revised Initial Study Checklist

1. Project Title

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2. Property Owner

Napa 34 Holdings, LLC (Brian Kaufman, Member).

3. Contact person and phone number

Christopher M. Cahill, Project Planner, (707) 253.4847, ccahill@co.napa.ca.us

4. Project location and APN

The project is located in the Napa Airport Industrial Area on a 33.9 acre parcel located at the southwest corner of the intersection of State Route 29 and Airport Boulevard, within an IP:AC (Industrial Park: Airport Compatibility Zone D) zoning district. (Assessor's Parcel №: 057-210-056). No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558

5. Project Sponsor's Name and Address

Brad Shirhall, TLA Engineering and Planning, 1528 Eureka Rd., Ste 100, Roseville, Calif. 95661, (916) 786.0685, bshirhall@tla-inc.com

6. General Plan Description

I (Industrial)

7. Current Zoning

IP:AC (Industrial Park: Airport Compatibility Zone D)

8. Project Description

Approval of a Use Permit to allow the construction and operation of an industrial park totaling approximately 490,500 square feet of new development in eight buildings, including: 1.) two +/- 41,700 square foot two-story office buildings; 2.) two +/- 7,600 square foot single-story office buildings with ancillary warehouse space; 3.) one +/- 8,800 square foot single-story office building with ancillary warehouse space; and 4.) +/- 152,600 square foot, +/- 148,800 square foot, and +/- 81,600 square foot single-story warehouse/distribution buildings with ancillary office space. Approximately 73% percent (or +/- 356,000 square feet) of the total development floor area would be dedicated to warehousing uses, while the remaining 27% (or +/- 134,500 square feet) would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road, located south of the existing Devlin Road/Airport Boulevard intersection, and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements, including road construction at Devlin Road and road widening at Airport Boulevard are also proposed. Parking for 740 vehicles is to be provided on-site, along with six loading docks. Approximately 3 acres of existing wetlands will be preserved and enhanced, partially as a component of proposed stormwater improvements. The project would connect to the City of American Canyon municipal water

system and sewer service would be provided by the Napa Sanitation District, subsequent to annexation into the District. In addition, the following approvals are requested:

- Lot Line Adjustment to transfer 1.10 acres from the subject property (currently APN 057-210-056) to the property directly to the west (currently APN 057-210-055) to relocate the shared property line to the centerline of the extension of Devlin Road.
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- Use Permit Variation to Airport Industrial Area Specific Plan standards to allow: 1.) driveway access onto Airport Boulevard where such access is generally not allowed and 2.) a substandard parking ratio at proposed parcel F (88 required, 78 proposed).

9. Environmental Setting and Surrounding Land Uses:

The 33.9 acre subject parcel is located in southern Napa County, roughly equidistant from the southern boundary of the City of Napa and the northern boundary of the City of American Canyon, in a portion of the unincorporated County which is given over primarily to industrial or transportation uses or undeveloped properties which are intended for such development in the short- to mid-range future. The property is within the boundaries of the Napa Airport Industrial Park and is additionally subject to the County's 1986 Airport Industrial Area Specific Plan and the 1991 Airport Land Use Compatibility Plan. The Napa County Airport, a three runway facility with an FAA-manned air traffic control tower, is located slightly more than ½ mile to the west. While the Airport is primarily a general aviation facility serving corporate and recreational users, it is also a significant flight training hub. According to the Airport Land Use Compatibility Plan, nearly 50% of all airport operations are generated by the large JAL pilot training center which has been located at the Airport since 1971. The project site is located within Airport Land Use Compatibility Zone D, inside the Common Traffic Pattern. This is an area of frequent aircraft overflight at low elevations.

Rail freight transportation to the area is provided by the Southern Pacific Railroad. At Napa Junction, a major rail switching point connects three existing lines. A main line serving Napa County and the Napa Valley Wine Train connects with the Airport and then runs parallel with State Route 29 (CA-29) north to St. Helena. Sidings connect this line with existing industrial development within both the Napa County and City of Napa industrial parks and with the Napa Pipe and Syar Materials properties on the east bank of the Napa River just north of the CA-29 "Southern Crossing." A second line crosses the Specific Plan area just south of the Airport and runs west into Sonoma County, where it connects with the Northwestern Pacific Railroad and the planned SMART (Sonoma Marin Area Rail Transit) passenger rail system. A third line runs east into Solano County. The nearest rail line to the project site is located approximately ½ mile to the west, at the eastern boundary of the Napa County Airport.

Regional roadway access to the property is provided by CA-29, which is the main north-south arterial in Napa County. State Route 29 abuts the project site along its eastern side. East-west access, connecting to U.S. Route 101 to the west and Interstates 80 and 680 to the east, is provided by State Route 12 (CA-12). CA-12 is coterminous with CA-29 to the north of the project site, but makes a 90 degree turn to the east and separates from the generally north-south running CA-29 at the subject parcel's northeastern corner. The CA-12/ CA-29 intersection is currently at-grade and stoplight controlled, with uncontrolled right turn merge lanes at all corners save the right-hand turn from northbound CA-29 onto eastbound S.R. 12 (Jameson Canyon Road). Significant roadway improvements at the 12/29 intersection are envisioned in the County's Airport Industrial Area Specific Plan and are currently being designed by the California Department of Transportation. While design details are not available at this time, it is presumed that in the medium term the intersection will be replaced with a grade-separated interchange; most likely of a "tight diamond" design.

Local roadway access to and from the site is provided by Airport Boulevard, which is currently a four-lane arterial parkway with a raised landscaped median with openings and left-turn pockets at public road intersections, connecting the 12/29 intersection with the Napa County Airport to the west. According to the Airport Industrial Area Specific Plan;

No direct access to local properties should be permitted from Airport Road (sic, Boulevard). These properties should be accessed from new collector streets which intersect with Airport Road (sic, again Boulevard).

Additional local roadway access, and primary site access, is to be provided by Devlin Road. Devlin Road is a partially-constructed north-south road, designated as a "collector" in the Specific Plan. Devlin is in place and four lanes wide to the north of Airport Boulevard and will be extended to the south as far as the subject property's southern boundary as part of this project and/or the approved but as-of-yet unbuilt Greenwood Commerce Center project, to the west.

Historically, the subject property was part of the 437 acre Gunn/Greenwood Ranch. The 1880 vintage Italianate Gunn/Greenwood residence is located just northwest of the project site, having been relocated from its original position (to the east, on what is now the Doctors Company property) in 1990. The subject property itself would have been used as pasture or grazing land during the tenure of the Greenwoods and their heirs. Archival research indicates that a large structure, in all likelihood a barn, was constructed on the property sometime between 1927 and 1949. That building was destroyed or otherwise removed by the mid 1980's and the structural development currently existing on the site is limited to a large roadside sign advertising the Napa County Airport, which is located near CA-29. Remnants of Aviation Way, the main Airport access road prior to the construction of Airport Boulevard, remain at the southern edge of the parcel and are proposed to be removed as part of this project.

The subject property is relatively flat, with a slight gradient running primarily east to west as the land at the lower reaches of the Vaca Mountains, to the east, rolls down to the expansive baylands at the mouth of the Napa River, to the west and southwest. Elevations on the parcel range from approximately 80 feet above mean sea level down to approximately 48 feet. An unnamed seasonal drainage runs east to west across the center of the property and ultimately drains into Sheehy Creek approximately 1 mile to the northwest of the project site. A formal wetland delineation has been undertaken on the property, and 3.19 acres of the site, including the drainage and scattered locations elsewhere on the site, have been determined to be jurisdictional wetlands by the United States Army Corps of Engineers (USACE). It has been argued, though County staff has seen no conclusive evidence one way or the other, that the seasonal drainage is at least partly the result of a leaking City of American Canyon 14" water main located at the parcel's eastern property line.

Based on Napa County environmental resource mapping (*Soil Type* layer), the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), and the *Flatland Deposits of the San Francisco Bay Region, California- Their Geology and Engineering Properties and Their Importance to Comprehensive Planning* (E. Helley, K. Lajoie, W. Spangle, and M. Blair, U.S. Geological Survey) the subject parcel includes soil classified as Haire Loam (2 to 9 percent slopes) and Fagan Clay Loam (5 to 15 percent slopes). The geology of the site is late Pleistocene alluvium, with overlaying younger fluvial and basin deposits. Late Pleistocene alluvium is weakly consolidated, slightly weathered, poorly sorted, irregularly inbedded clay, silt, sand, and gravel. There is often a clay pan present in Haire soils of the type located on the site, which can support vernal pool development. Haire soils of the type located on the subject property are often used for grazing land; runoff is slow to medium and the chance of erosion is slight. Fagan soils are likewise generally used for range and pasture; runoff is medium and the threat of erosion is moderate.

Setting the existing Airport sign and abandoned Aviation Way to the side, the project area is currently undeveloped. According to the submitted biological survey *Biological Resources Assessment for the +/- 34 acre Napa*

Commerce Center Study Area (North Fork Associates), the study area is primarily open ruderal grassland dominated by introduced grasses and forbs. Very few native species occur in the study area, and many of those that do are adapted to disturbance and often considered weedy. A mature linear stand of Coast live oak exists along the southern property boundary, primarily running parallel to the abandoned right-of-way. There is also a cluster of mature Blue Gum Eucalyptus trees located at the property's southwest corner

There are a variety of land uses surrounding the project site. In general, the vicinity is a developing urban area focused on industrial development. To date, most of the surrounding industrial development has been related to and generally in service of the wine industry. Specifically, to the northwest of the site are existing office/light industrial buildings and the historic Gunn/Greenwood residence. North of the site is the Gateway hotel and retail complex, including a completed hotel and a number of other, yet to be constructed, facilities including a gasoline station. West of the project site is the approved, but as of yet unbuilt, Greenwood Commerce Center industrial park. Highway 29 and the 12/29 interchange are located to the east of the project area, with vacant land and the Doctors Company headquarters located on the far side of the highway. The large Franzia bottling plant is located southwest of the project area and to the south are a number of wetlands created as mitigation for wetland fill which has occurred elsewhere in the Airport Industrial Area.

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

Discretionary approvals required of Napa County consist of a use permit, a tentative parcel map, and use permit variations to Airport Industrial Area Specific Plan development standards. Reduction of an existing utility easement from 60 feet in width to 15 feet is also requested. The project as analyzed herein also includes ministerial County approvals including, but not necessarily limited to, building, encroachment, and grading permits and a lot line adjustment. Permits to connect to water and sewer utilities are required from the City of American Canyon and the Napa Sanitation District. A Storm Water Pollution Prevention Plan (SWPPP) is required to meet San Francisco Bay Regional Water Quality Control Board standards and Napa County post-construction standards, both which are administered by the Napa County Department of Public Works. A permit from the U.S. Army Corps of Engineers and written notification to the California Department of Fish and Game will also be required to fill and/or alter on-site wetlands.

Responsible and Trustee Agencies:

San Francisco Bay Regional Water Quality Control Board
City of American Canyon
Napa Sanitation District
Department Fish and Game
CalTrans
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
Napa County Airport Land Use Commission

Other Agencies Contacted:


City of Napa
Napa County Sheriff
Calif. Highway Patrol

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions developed in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the Napa County Baseline Data Report, specific documents referenced herein, other sources of information included or referenced in the record file, comments received, conversations with knowledgeable individuals, the preparer's personal knowledge of the area, and visits to the site and surrounding areas. For further information, please see the permanent record file on this project, available for review at the offices of the Napa County Department of Conservation, Development, and Planning, 1195 Third Street, Napa, Calif.

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.



BY: Christopher M. Cahill
Planner

Napa County Conservation, Development, & Planning

June 18, 2010

Date

Environmental Checklist Form

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The project is not prominently located within or near any known scenic vista. Views to the site are primarily from adjacent state highways and local roadways, though distant views also exist from ridgetop and other up-slope locations along the lower run of the Vaca Mountains and along much of the Mayacamas ridgeline. Because the proposed development is consistent with the long-planned industrial development surrounding the Napa County Airport, and with other existing industrial development in the vicinity, it would not have a substantial adverse impact on any known scenic vista.
- b. The project proposes the removal of 46 mature Coast live oak trees and 4 mature Blue Gum Eucalyptus; there are no rock outcroppings and no historic buildings (in fact, there are no buildings of any description) located on-site. The site is not in or near any scenic highway and as a result, there will be no impacts associated with scenic highways.
- c. The project is located within a developing portion of the Napa Airport Industrial Area, a zone of mixed industrial development controlled by the County's Airport Industrial Area Specific Plan (AIASP). The proposed development includes eight buildings. The northernmost five buildings will be a mix of one and two story office structures fronting on Airport Boulevard and an extended Devlin Road. To the south, three warehouse buildings are proposed. The warehouses would be oriented towards the center of the site with upgraded elevations facing CA-29 and the Devlin Road extension. According to submitted materials, all buildings would primarily be constructed of site cast tilt-up concrete panels. The most publically visible or otherwise prominent portions of the buildings would incorporate design elements intended to create architectural diversity and interest; these include: stone veneer, metal siding, aluminum accent panels, tinted glass in aluminum frames, architectural light shelves, painted steel architectural elements, and exposed stain-grade architectural glu-lam beams supporting standing seam metal roofs. Perceived building heights (as measured from finished grade to the top of proposed parapet walls) would range from approximately 20 to 38 feet, and building footprints would range from approximately 8,000 to approximately 160,000 square feet. This proposed mix of heights and sizes will substantially differentiate building massing across the site and break up the monotonous development pattern which might otherwise be created by a development of this scale.

Required building setback and reserved landscape areas along street frontage generally meet or exceed the requirements of the AIASP; 35' minimum landscape setbacks are proposed along the Devlin Road extension and adjacent to Airport Boulevard. At the request of Planning staff, the applicant has proposed additional landscape and/or wetland open space areas along the CA-29 frontage. Landscape and/or wetland area generally extend 60 or more feet from the property line adjacent to Highway 29, significantly exceeding the required 45 foot minimum.

Submitted plans initially depicted a 32 foot tall metal and plastic wine glass along with wall signage at the property's northeast corner and a 10 foot tall stack of faux wine barrels at the property's northwest corner. Planning staff has indicated to the applicant that these proposed representational elements likely constitute signage in conflict with AIASP language restricting signage height and design. In response, the applicants have agreed to label the signage as simply illustrative of potential future signage or public art installations, which will be subject to County review at a later date. As this change was incorporated into the project prior to the completion of this document, any issues related to the impact of this signage on site aesthetics or visual character is now moot until such time as a final design is presented for County review and approval.

When seen as a whole, the project's site planning and architectural design can be comfortably labeled equivalent to (or in some cases better than) other industrial projects approved and constructed within the Airport Industrial Area. Impacts related to the visual character or quality of the site and its surroundings are expected to be less than significant.

- d. Given the expanse of new buildings, parking, and outdoor utility areas proposed in this application, the project will of necessity result in increased nighttime light and/or glare. The project area is routinely overflowed by low flying aircraft, necessitating stringent controls on nighttime uplighting. However, standard conditions of approval designed to limit light and glare in the vicinity of the Napa County Airport will ensure that any impacts related to nighttime lighting are less than significant. In accordance with County standards, all exterior lighting must be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and must include shielding to deflect light downwards. Standard conditions of approval require that highly reflective surfaces be minimized or avoided altogether and no light will be allowed to shine skyward. As designed, and as required by standard conditions of approval, the project will not have a significant impacts associated with light or glare.

Mitigation Measures: None are required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II.	AGRICULTURE RESOURCES. Would the project:				
	a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-c. Based on a review of Napa County environmental resource mapping (*Department of Conservation Farmlands 2006*), no portion of the subject property is located on mapped farmland of state or local importance. The project site is not subject to a Williamson Act contract, nor is it known to have ever been subject to the same or similar. The property is located within a developing industrial park and has been zoned and general plan designated for industrial development for more than 20 years. To the extent that the provision of adequate industrial space occurs within non-prime non-agriculturally designated areas such as the subject property, pressure to develop the County's valuable existing agricultural resources is reduced. No impact on prime farmland, unique farmland, farmland of statewide importance, or any other conversion of existing farmland to non-agricultural use would directly result from this project and none is foreseeable.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.-b. The proposed project has the potential to violate construction-phase air quality standards and plans as adopted by the Bay Area Air Quality Management District. ~~would not conflict with or obstruct the implementation of any applicable air quality plan.~~ The project site lies at the southern end of the Napa Valley, which forms one of the

climatologically distinct sub regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. In the short term, potential air quality impacts are most likely to result from construction activities. Construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. As modeled by atmospheric scientist James Clark, Ph.D., construction-phase emissions of ROG and NOx from this project would be 507.3 lbs/day and 91 lbs/day, respectively. These volumes are in excess of both the 1999 and 2010 Bay Area Air Quality Management District (BAAQMD) thresholds of significance, which are 80 lbs/day and 54 lbs/day, respectively². The BAAQMD recommends incorporating feasible control measures as a means of addressing those impacts in their current CEQA Guidelines (CEQA Guidelines – Assessing the Air Quality Impacts of Projects and Plans, BAAQMD, December 1999). If the proposed project adheres to these measures, then BAAQMD recommends concluding that construction-related impacts will be less than significant. Relevant best practices are set forth at Table 2 of the 1999 Guidelines and at Table 8-2 of the final draft May 2010 BAAQMD CEQA Guidelines³ and have been incorporated below as mitigation measures.

An additional mitigation measure, recommended by Dr. Clark and agreed to by the applicant, requires the use of alternative fuel construction equipment. "According to the California Air Resources Board (CARB), alternative fuels can reduce particulate matter emissions by up to 50% and nitrogen oxides (NOx) by up to 15%." (Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California, James Clark, PhD and Matt Hagemann, June 2, 2010)

Modeling conducted by the author and by Dr. Clark (see attached URBEMIS results) concludes that Napa 34 Commerce Center's pollutant emissions during the operational –phase, which is to say, once the proposed buildings are completed and operating, will be below both the BAAQMD's 1999 and 2010 thresholds of significance (for reference, please see Criteria Pollutants at "c.", below.) As a result, operational air emissions will have a less than significant effect with regard to air quality plans or quality standards.

As mitigated through a combination of BAAQMD recommended best practices and an additional mitigation measure requiring the use of alternative fuel construction equipment incorporated into the project, construction-related impacts will likewise be less than significant.

b. ~~Please see "a.", above, and "c." below. There are no projected or existing air quality violations in the area to which this proposal would contribute. The project would not result in any violations of applicable air quality standards.~~

c. ~~Please see "a.", above regarding particulate and other construction related emissions. Standard conditions of approval for all construction projects require the following standard dust control measures;~~

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 during windy periods.

Please see "a.-b.", above regarding particulate and other construction-related emissions; and construction emissions are discussed in some detail at those sections and mitigation measures addressing construction-related impacts are incorporated thereby.

² Because the initial project mitigated negative declaration was drafted prior to the June 2, 2010 adoption of the updated 2010 BAAQMD CEQA Guidelines, project impacts have been considered against both the 1999 standards operative at original circulation and the new 2010 BAAQMD standards throughout the Air Quality section.

³ Final 2010 Guidelines had not been published as of the date of this document.

Greenhouse Gasses and Criteria Pollutants are addressed separately below. The proposed project will not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. It will likewise not result in an individually significant or cumulatively considerable emission of climate-changing greenhouse gasses.

Criteria Pollutants

Thresholds of significance for the emission of criteria pollutants, including reactive organic gas (ROG), nitrogen oxide (NO_x), and ten-micron particulate matter (PM₁₀), are incorporated into both the BAAQMD's 1999 CEQA Guidelines and the recently adopted 2010 BAAQMD CEQA Guidelines. For ongoing operations, encompassing a combination of fixed-sources (such as material off-gassing and structural climate control systems) and mobile-sources (primarily consisting of vehicle trips to and from the site), relevant thresholds of significance for criteria pollutants are established at Table 3 of the 1999 *Guidelines*. If project emissions do not exceed the established thresholds, they are deemed not to significantly impact air quality either individually or cumulatively and require no further study. The operational emissions associated with this project were modeled using URBEMIS air quality management software (*Napa 34 Commerce Center Project*, March 3, 2010, URBEMIS 2007 Version 9.2.4) and are compared to relevant air quality thresholds of significance below. Additional URBEMIS modeling was completed by Dr. James Clark as a component of his April 2010 analysis (*Comments on the Proposed Napa 34 Holdings Project, Napa County, California*, James Clark, PhD and Matt Hagemann, April 20, 2010). Complete URBEMIS modeling results from both staff's analysis and Dr. Clark's analysis are attached.

ROG

Threshold of significance (1999 BAAQMD Standards): 82 pounds per day (lbs/d)

Threshold of significance (2010 BAAQMD Standards): 54 lbs/d

Modeled project emissions (NCDCDP Staff analysis): 15.33 lbs/d

Modeled project emissions (Clark): 26.05 lbs/d

NO_x

Threshold of significance: 82 lbs/d

Threshold of significance (2010 BAAQMD Standards): 54 lbs/d

Modeled project emissions (NCDCDP Staff analysis): 16.98 lbs/d

Modeled project emissions (Clark): 24.39 lbs/d

PM₁₀

Threshold of significance (1999 BAAQMD Standards): 82 lbs/d

Threshold of significance (2010 BAAQMD Standards): 82 lbs/d

Modeled project emissions (NCDCDP Staff analysis): 19.71 lbs/d

Modeled project emissions (Clark): 39.06 lbs/d

As analyzed above, the proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.

Greenhouse Gasses

The construction and operation of the office and warehousing industrial park proposed here will necessarily contribute to overall increases in green house gas emissions. Emissions would be generated by employee vehicle trips to and from the new and additional jobs located at the facility; from the additional employment and economic activity generated off-site as a result of those on-site jobs; from new and additional vehicle trips to and from the site undertaken by the customers of and visitors to the facility; by the commercial vehicle traffic generated by the proposed warehousing uses; by the production of building materials, their transportation to the

site, and the construction process; by the heating, cooling, and lighting of the completed buildings; by the machinery and products utilized in the course of business by eventual tenants of the park; and by the machines, fertilizers, and vehicles used in the ongoing maintenance of the facility.

The project would also result in the permanent removal of more than 27 acres of ruderal grasslands and roughly ½ acre of existing wetlands, releasing a volume of greenhouse gases which is currently sequestered on-site. However, the significant landscaping and tree planting (for reference, please see **BIOLOGICAL RESOURCES**, below) proposed in this project would more than counterbalance the grassland, wetland, and woodland conversions incorporated into the project; resulting in no significant increase in greenhouse gas emissions through biotic conversion.

Moving on to operational characteristics, our URBEMIS air quality analysis for the project (please see Attachment A) indicates that the facility, once complete, would result in area source emissions of 128.6 metric tons per year of carbon dioxide equivalents (MT/Y CO₂e) and operational (vehicle) emissions of 1,767.7 MT/Y CO₂e. According to the URBEMIS analysis, the project's total ongoing carbon dioxide emissions (area source plus operational emissions) are predicted to total 1,896.3 MT/Y CO₂e. The 1,896.3 MT/Y CO₂e figure does not include construction-period emissions which are likely to range between 422.3 and 1,093 MT/Y CO₂e.

Neither the State nor Napa County has adopted explicit thresholds of significance for GHG emissions, although State CEQA Guidelines suggest that agencies may consider the extent to which a project complies with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

Effective June 2, 2010, the Bay Area Air Quality Management District (BAAQMD) is in the process of adopting adopted qualitative and quantitative thresholds that are instructive in this regard (see California Environmental Quality Act Guideline Update - Proposed Thresholds of Significance, BAAQMD, December 7, 2009). Specifically, the BAAQMD is suggesting suggests that development projects which will emit less than 1,100 MT/Y CO₂e may be considered to have a less than significant impact relative to GHG emissions (both individually and cumulatively). Alternately, the BAAQMD proposes an efficiency-based threshold of 4.6 MT/Y CO₂e per person ("persons" is arrived at by adding project employment to project residential development). However, the draft 2010 Guidelines caution;

In applying the efficiency-based threshold of 4.6 MT/Y CO₂e (per person), the lead agency might also wish to consider the project's total emissions. Where a project meets the efficiency threshold but would still have very large greenhouse gas emissions, the lead agency may wish to consider whether the project's contributions to climate change might still be cumulatively considerable...

At a modeled operational emissions rate of 1,896.3 MT/Y CO₂e, the subject project exceeds the BAAQMD's 1,100 MT/Y CO₂e threshold of significance. However, the BAAQMD's alternative efficiency-based threshold would allow the site emissions of up to 2,870.4 MT/Y CO₂e (based on a proposed 624 person employment level). The first draft of this mitigated negative declaration (March 2010) concluded that at 1,896.3 MT/Y CO₂e, the proposed project met the 2,870.4 MT/Y CO₂e efficiency threshold and that that higher threshold could and should be used to find project impacts associated with GHG emissions less than significant both individually and cumulatively. The April 2010 comments of Dr. Clark, however, find a significant cumulative impact associated with the exceedance of the lower 1,100 MT/Y CO₂e threshold absent mitigation that reduces impacts to a less than significant level (Comments on the Proposed Napa 34 Holdings Project, Napa County, California, James Clark, PhD and Matt Hagemann, April 20, 2010). At 1,896.3 MT/Y CO₂e, the proposed project does meet the 2,870.4 MT/Y CO₂e efficiency threshold, meaning it can be assumed to be less than significant on an individual level.

Cumulative increases in greenhouse gas 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. Despite the adoption of mitigation measures that incorporated specific policies and action items into the General Plan, cumulative impacts from greenhouse gas emissions were found to be significant and unavoidable. Industrial development of the scale and scope proposed in this application has been programmed for the subject parcel since the County adopted the Airport Industrial Area Specific Plan (AIASP) in 1986. The development levels envisioned in the AIASP further informed the 2008 General Plan revision and provided a basis for the land use, air quality, traffic, and other analyses included in the General Plan EIR. Consistent with State CEQA standards (please see *CEQA Guidelines* §15183), because the project is consistent with an adopted General Plan for which an EIR was prepared, it appropriately focuses on impacts which are “peculiar to the project,” rather than those cumulative impacts which were previously assessed by the General Plan EIR. The cumulative impacts of this project are, therefore, less than considerable.

The BAAQMD has additionally suggested that development projects, plans, and plan amendments which are compliant with a qualified climate action plan, can be assumed to have less than significant impacts with regard to greenhouse gasses. Napa County is currently developing an emission reduction plan (or “qualified climate action plan” to use BAAQMD terminology), based on an initial emissions inventory and Climate Action Framework prepared by the Napa County Transportation and Planning Agency (NCTPA) in 2009. While the emission reduction plan for unincorporated Napa County is in preparation, the County requires project applicants to consider methods to reduce GHG emissions and incorporate permanent and verifiable emission offsets, consistent with Napa County General Plan Policy CON-65(e).

The current project incorporates greenhouse gas reduction methods and offsets including bicycle and pedestrian-friendly facilities and improvements, permanent preservation of extensive natural wetlands, high efficiency irrigation, recycled water use, low VOC materials, the planting of more than 300 new trees (of which nearly 100 will be native oaks), designs that take advantage of passive natural cooling and heating, and buildings which are designed to support the structural loads associated with roof-mounted solar arrays.

However, as the project will exceed the BAAQMD’s 1,100 MT/Y CO₂e threshold of significance, applying the most conservative GHG emission threshold, Dr. Clark has proposed, and the applicant has accepted, a series of mitigation measures designed to reduce impacts to a less than significant level. They include a requirement that project buildings be fully solar-ready and that more than 8,000 metric tons of carbon credits be purchased on the Chicago Climate Exchange⁴ and retired by the permittee over the course of the next decade. As mitigated, the project’s annual net GHG emissions will be 1,096.3 MT/Y CO₂e (1,896.3 MT/Y CO₂e – the 800 MT/Y credit retirement), which is below the BAAQMD’s 1,100 MT/Y CO₂e threshold of significance.

⁴ Started in 2003, the Chicago Climate Exchange (CCX) is the world’s first and North America’s only legally binding rules-based greenhouse gas emissions allowance trading system. Members of the CCX make a voluntary but legally binding commitment to meet reduction targets for greenhouse gas emissions. International efforts to stop climate change, including the CCX, are focused on reducing emissions and reducing atmospheric levels of six greenhouse gases: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆). The CCX recognized not only that greenhouse gas emissions should be reduced, but that a market-based trading system (similar to the national program for trading sulfur dioxide emissions) offers the least cost for managing such a reduction. In this cap-and-trade system, members of the CCX agree to reduce their emissions to a certain target each year. Members that reduce emissions below their target receive allowances that can be sold to other members or banked, while those that do not meet their targets can purchase credits at the market price. By establishing a market for carbon reductions, entities have flexibility in how emissions are reduced and also receive incentives for the development and use of lowcost technologies and approaches that reduce emissions. The CCX uses the Carbon Financial Instrument (CFI) contract, defined as 100 metric tons of CO₂ equivalent, as the unit for all reporting and trading of greenhouse gas emission reductions. In 2007, the CCX traded 22.9 million tons of CO₂ equivalent for a value of \$72.4 million. (NIACS Briefing, the Chicago Climate Exchange, US Forest Service, Northern Research Station, May 21, 2008).

With regard to the ten-year term of the proposed carbon credit retirement mitigation, James Clark, Ph.D. and Matt Hagemann conclude that ten year termed-mitigation is adequate to reduce GHG emissions impacts to less than significant level in their letter of June 2, 2010. Quoting that analysis in full:

California's major initiatives for reducing climate change or greenhouse gas (GHG) emissions are outlined in Assembly Bill 32 (signed into law 2006), a 2005 Executive Order and a 2004 ARB regulation to reduce passenger car GHG emissions. These efforts will reduce GHG emissions to 1990 levels by 2020 – a reduction of approximately 30 percent, and then an 80 percent reduction below 1990 levels by 2050. Thus, by 2020, AB 32 and other state-wide requirements will have reduced cumulative GHG emissions by 30%.

BAAQMD's threshold of 1,100 metric tons per year for GHG CEQA significance (sic, threshold) applies only to cumulative GHG impacts, not project-specific impacts. The BAAQMD CEQA Guidance states, "If annual emissions of operational GHG's exceed these levels, the proposed project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change." (BAAQMD CEQA Guidelines, p. 2-4, May 2010.)

Since AB 32 will address cumulative GHG emissions by 30% by 2020 and 80% by 2050, the 10-year period from 2010 to 2020 is the most critical period for the County to impose measures to mitigate cumulative GHG impacts. As discussed above, the mitigation measures imposed reduce the Napa 34 Project's cumulative GHG impacts to below the level of significance to at least 2020. After that date, AB 32 will adequately mitigate cumulative GHG impacts on a statewide basis. As such, with the imposition of the supplemental GHG measures, the Napa 34 Project will have no significant GHG impacts. (Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California, James Clark, PhD and Matt Hagemann, June 2, 2010)

As mitigated, project impacts related to GHG emissions and global warming will be less than significant, both individually and cumulatively.

In light of these efforts, and of projected emissions which do not exceed the 4.6 MT/Y CO₂e per person efficiency threshold suggested by BAAQMD, the project would have a less than significant impact associated with greenhouse gas emissions.

- d. Emissions and dust associated with site preparation and project construction would be both minor and temporary and would have a less than significant impact on nearby receptors. Standard conditions of approval and mitigation measures adopted pursuant to our analysis at "a.," above, regarding dust suppression serve to limit any potential for impacts to a less than significant level.
- e. Earthmoving and construction activities required for project construction may cause a temporary degradation in air quality from dust and heavy equipment air emissions during the construction phase. While 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 standard condition of approval relating to dust;

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 during windy periods.

The area surrounding the subject property is largely given over to industrial and transportation uses, with no residences located within 1,000 feet of the proposed development.

The Napa Sanitation District operates a wastewater treatment plant approximately 1.4 miles to the northwest of the Napa 34 Commerce Center project site. The facility, which is located at 1515 Soscol Ferry Road, is a 15 million gallon per day treatment plant that includes preliminary treatment, primary treatment, biological secondary

treatment, secondary clarification or sedimentation, sand filtration, chlorination, sludge digestion, and solids dewatering (Comments on the Proposed Napa 34 Holdings Project, Napa County, California, James Clark, PhD and Matt Hagemann, April 20, 2010). According to the 1999 BAAQMD CEQA Guidelines, the screening level standard for potential impacts associated with "frequently exposing members of the public to objectionable odors" associated with a wastewater treatment plant is two miles. The 2010 BAAQMD standards reduce that screening level distance to one mile. While portions of the subject parcel will, indeed, be located within one mile of the wastewater treatment plant, the Napa Airport area is characterized by a strong and predictable wind pattern (that is chiefly why the airport was located there in the first place) with winds blowing from the west and south-southwest; that wind pattern predictably moves odors from the Napa Sanitation treatment plant away from the Napa 34 site. Additionally, the second step in the 2010 BAAQMD odor screening process involves determining whether or not any confirmed odor complaints exist for each of the past three years. No confirmed odor complaints exist for the project area (see Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California, James Clark, PhD and Matt Hagemann, June 2, 2010). As a result, no significant impact related to odors and the Napa Sanitation Wastewater Treatment facility would result.

The project will not create objectionable odors affecting a substantial number of people.

Mitigation Measures:

1. ~~All construction phases of the subject project~~ The permittee shall incorporate the following BAAQMD construction-related emissions management practices into all construction-phases of the subject project:
 - a. Water all active construction areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - f. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - g. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
 - h. Limit traffic speeds on unpaved roads to 15 mph.
 - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j. Replant vegetation in disturbed areas as quickly as possible.
 - k. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - l. Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas.
 - m. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
 - n. Limit the area subject to excavation, grading and other construction activity at any one time.
 - o. Idling times shall be minimized, either by shutting off equipment when not in use or by reducing the maximum idling time to 5 minutes (as required by California airborne toxics control measure Title 12, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - p. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- g. Post a publicly visible sign with the telephone number and person to contact at the Planning Department regarding dust complaints. The person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Method of Mitigation Monitoring: Prior to the issuance of a building or grading permits, the applicant's contractor shall submit a construction-related emissions best management practices program, incorporating (without limitation) all of the above requirements for the review and approval of the Planning Division. Site inspections undertaken by the Planning Division, the Building Division, and the Department of Public Works will ensure compliance with the approved best management practices program.

2. The permittee shall require in its construction contracts that all construction equipment used as a component of the project be powered by one of the following alternative fuels: biodiesel, biodiesel blend, electricity, or natural gas. Exception to the foregoing may be made only where construction equipment capable of utilizing such alternative fuels is verifiably not available to the relevant contractor through the exercise of reasonable diligence.

Method of Mitigation Monitoring: Prior to the issuance of a building or grading permits, the permittee shall submit copies of contractor and sub-contractor contracts (as relevant) requiring compliance with the above mitigation for the review and approval of the Planning Director. Site inspections undertaken by the Planning Division, the Building Division, and the Department of Public Works may further ensure compliance with the requirement.

3. The permittee, or their successors in interest, shall purchase and retire 800 metric tons of carbon dioxide offset credits per year for ten years (total of 8,000 metric tons) from the Chicago Climate Exchange, beginning in or before the year in which the project receives its first Certificate of Occupancy from the Napa County Building Official.

Method of Mitigation Monitoring: Prior to the issuance of a certificate of occupancy, the permittee shall submit evidence of credit purchase and retirement for the review and approval of the Planning Director. Evidence of additional required purchase and retirement shall be provided annually thereafter for a period of ten years. Failure to purchase and retire said credits shall subject the permittee to use permit revocation, civil penalties, or other enforcement actions as then deemed necessary by the County.

4. In conjunction with the construction of project buildings, the permittee shall design all structures to accommodate solar arrays to the greatest extent possible- including building structural design, roofing materials, building wiring and the like. Final solar compatibility plans shall be submitted for the review and approval of the Planning Director prior to any relevant building permit approval.

Method of Mitigation Monitoring: This mitigation measure requires submittal of required plans and/or specifications prior to the issuance of a building permit. If the mitigation measures are not complied with, no building permit will be issued.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-c. The project site is located within a developing industrial park and is bordered on two sides by existing or approved industrial development. Industrial development, as envisioned by the adopted AIASP, has been steadily replacing wetlands and former grazing lands of the type now seen on this site with office parks, industrial buildings, commercial uses, and vast expanses of pavement since the late 1980's. However, industrial uses in and near the Napa County Airport go as far back as World War II. Some disturbance of the subject property occurred when Airport Boulevard was constructed across the property's northern boundary to provide improved access to the Napa County Airport. The previous roadway to the airport was constructed across the property's southern boundary and has since been abandoned; a significant number of Coast live oak trees exist along the edges of this now-abandoned roadway.

The project area is primarily open ruderal grassland dominated by introduced grasses and forbs. Very few native species occur in the study area, and many of those that do are adapted to disturbance and considered weedy. A mature linear stand of 46 Coast live oak exists along the southern property boundary, running parallel to the abandoned right-of-way. There is also a cluster of four mature Blue Gum Eucalyptus trees located at the property's southwest corner. Both stands of trees provide potential suitable nesting habitat for birdlife, and in particular for protected birds of prey, however, as a result of its urbanized characteristics the site generally does not meet DFG's criteria as suitable foraging habitat. A seasonal drainage swale flows east to west across the site and there are at least two additional dispersed wetland sites located on the eastern half of the property. A November 2008 Army Corps of Engineers wetlands delineation identified 3.19 total acres of jurisdictional wetlands on the parcel. The Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Game (DFG) will likely also exercise jurisdiction over the on-site wetlands.

The applicant has submitted a Biological Resources Assessment report, drafted by North Fork Associates and dated June 1, 2009 and a series of species-specific analyses addressing California Red-Legged Frog (*California Red-Legged Frog Site Assessment – Napa Commerce Center Project Site, Napa County, California, Sarah Lynch for Monk & Associates, May 29, 2009*) and Vernal Pool Crustaceans (*Vernal Pool Crustacean Surveys – Napa Commerce Center Project Site, Napa County, California, Monk & Associates, June 15, 2009 and Special Status Shrimp Surveys at the proposed Napa Commerce Center Project, Napa County, CA, D. Christopher Rogers for EcoAnalysts, June 17, 2009*).

The North Fork report identifies biological communities on the site and discusses whether or not the site is likely to contain state or federally listed rare, threatened, or endangered plant or animal species. In addition, North Fork Associates was asked to address potential impacts to protected species (if any) and to recommend mitigation measures as needed. According to the report, nonnative grassland and ruderal habitats such as those found on the site provide limited wildlife habitat. The site is not expected to support a diversity of wildlife due to its lack of important habitat features including nesting sites, escape routes, thermal cover, and a variety of food sources. The drainage swale provides a seasonal source of water for wildlife, but does not support riparian habitat. The cluster of trees on the site is identified as an area that may provide nesting and roosting sites for birds and shelter for mammals.

Numerous listed wildlife and plant species are known to occur in the region surrounding the project site, including White-tailed kite, Burrowing Owl, Swainson's hawk, Vernal Pool fairy shrimp, Conservancy fairy shrimp, California red-legged frog (CRLF), Showy Indian clover, Sebastopol meadowfoam, Hayfield tarweed, Dwarf downingia, Contra Costa goldfields, Pappose tarplant, and Big-scale balsom-root. The project biological report indicates that none of the plant species which would potentially be present on the site were identified in 2008-2009 spring site surveys. Site assessments undertaken by Monk & Associates in 2009 determined that the on-site wetlands may provide suitable habitat for Vernal Pool and Conservancy fairy shrimp, however, a site assessment undertaken at the same time found that the study area has no breeding or dispersal habitat for the red-legged frog. Finally, the submitted report indicates that the subject parcel may provide suitable nesting habitat for raptors and other migratory birds, but is unlikely to provide habitat for Burrowing owls due to vegetation which is both tall and dense and a results in lack of suitable nesting habitat.

California Red-Legged Frog

The submitted Monk & Associates CRLF assessment concludes that there is no suitable Red-Legged Frog habitat on the site and that any future development on the property would have "no effect" on CRLF or potential CRLF habitat. More specifically, the assessment reasons:

During M&A's March, September, November, and December site surveys no adult, subadult, recent metamorphs, larval CRLF, or egg masses were observed in the swale on the project site or in the other seasonal wetland features. All features onsite were dry during all surveys, with the exception of one seasonal wetland that held one inch of

eutrophic water in March, 2008. The swale onsite is too flashy, with high winter flows in the peak winter months, quickly drying down shortly after storm events cease, and does not support standing water for long enough duration to support amphibians. Also, the swale is narrow and shallow, with no deep plunge pools, no overhanging banks, or areas that would offer CRLF protection or escape opportunities from predators. This highly ephemeral swale does not emanate from any watershed supporting CRLF, and thus does not constitute a potential movement corridor for the CRLF. M&A concludes that the project site, and indeed all habitats known within 1.25 miles of the project site do not constitute CRLF habitat. The mitigation pond on the property directly south of the project site was constructed in an upland area to depths of 25 feet. This pond was monitored for a period of five years and the biologists conducting the monitoring never reported any CRLF sightings to the CNDDB; hence, it is unlikely CRLF were ever observed during the five years of monitoring. Regardless, even if CRLF were present in this pond, there is no expectation that they would migrate onto the project site since the project site does not provide any habitat amenities suitable for this species.

Additionally, with regard to known CRLF populations proximate to the project site, the Monk & Associates CRLF assessment reports that:

The two closest CRLF records are not mapped within the same watershed as the project site, and have no hydrologic connection with the project site or even project area. In fact, the record locations are not only 3 miles south of the project site, but are also on the opposite side of a major highway (Highway 29), a considerable geographic barrier to movement from the record locations to the project site.

A letter submitted by the Living Rivers Council on May 17 (Re: Napa 34 Holdings Commerce Center, Chris Malan and John Stephens, May 17, 2010) identifies concerns with CRLF and other aquatic mammals attempting to cross Highway 29 travelling to and from the project site. As analyzed in the Monk & Associates CRLF assessment, it is highly unlikely that any CRLF would attempt to travel to or from the site using Highway 29, as no CRLF exist on the property and the nearest known occurrence is in a discontinuous watershed some three miles to the south.

As discussed elsewhere in this document, and in particular at **Hydrology and Water Quality**, below, this project proposes wetland restoration and augmentation which may have the effect of creating new habitat suitable for CRLF (or other terrestrial wetland animals) on the subject parcel. The creation of that additional improved wetland area is, in fact, one of the most important environmental improvements incorporated into this project.

There exists, under Highway 29, a six-foot diameter box culvert connecting the subject parcel to the property to the east. There is currently, and will be at project completion, a fairly significant grade differential between the project site and Highway 29, with the travel lanes of Highway 29 generally being six to 10 feet above the grade of adjoining portions of the subject property. These significant existing and proposed grade differentials will in all probability direct wetland animals into and through the large existing box culvert should they attempt to travel between the subject property and parcels on the east side of the highway. Given the more than five foot height difference between the highway and the subject parcel, no additional fencing is necessary, and fencing would, in fact tend to corral animal movement through what should be a generally open system. Mitigations requiring wetland buffers, native plants within the augmented wetland areas, and limiting chemical spraying therein are required at **Hydrology and Water Quality**, below.

Vernal Pool Crustaceans

The submitted Monk & Associates Vernal Pool Crustacean survey and its associated EcoAnalysts dry season survey and laboratory sampling report conclude that no special status shrimp are located on the project site, specifically including *Lepidurus packardii*, *Branchinecta lynchi*, and *Linderiella occidentalis*. The Monk & Associates report concludes:

No federally listed fairy shrimp or vernal pool tadpole shrimp were identified on the project site during the course of wet season surveys conducted in the winter of 2008-2009. No common species of fairy shrimp were identified either. Only common invertebrate species such as Ostracods (abundant), Notonectids (rare), and Dytiscids (rare) were observed. Also, eggs and larvae of the Pacific tree frog were identified in one of the pools and in the main swale onsite. No other amphibians were observed.

The EcoAnalysts survey and laboratory report, which, unlike the Monk wet season report, was based on dry season observation, sampling, and laboratory analysis, concludes:

No special status shrimp eggs or indeed any fairy shrimp eggs at all were found in any of the samples collected from the Napa Commerce Center proposed project site.

The wetland habitats indentified on the maps were not suitable shrimp habitat because they are receiving water (at least sporadically) throughout the year. The three habitats along the swale that cuts through the site from the east to the west receive sporadic flows from the irrigation activities from the golf course to the east and the seasonal surface runoff from Highway 29. These irrigated wetland areas on the project site are dominated in salt grass, bristly ox tongue, umbrella sedge, deer weed, brass buttons, with patches of cattail, spike rush, and rushes. Furthermore portions of this swale have evidence of scour; fairy shrimp cannot survive in high flows.

The one potential habitat that was separate from the swale system, likely receives subsurface water from a large pond, uphill to the south, off the project site. The seasonal wetland feature onsite is dominated by curly dock, penny royal, and semaphore grass, none of which are vernal pool plant species nor tolerant of the seasonal hydrological conditions required by listed shrimp species.

Swainson's hawk

The project biological resources assessment (Biological Resources Assessment for the +/- 34 Acre Napa Commerce Center Study Area, Napa County, California, North Fork Associates, June 1, 2009) concludes that the coast live oak trees on the subject parcel are, "unlikely to support nesting Swainson's hawks because of nearby human activities." The report goes on to state, however, that:

...portions of the study area may provide foraging habitat. A nest is known to occur within 1.25 miles of the study area, and CDFG considers all suitable areas within a 10-mile radius of a nest to be foraging habitat. The applicant should consult with CDFG to determine what, if any, mitigation might be required.

During the comment period for the first iteration of this mitigated negative declaration, the Department of Fish and Game responded with additional mitigation measure language addressing Swainson's hawk foraging habitat. The previously proposed mitigation measure requiring Swainson's hawk habitat analysis has been replaced with Fish and Game's language at Mitigation Measure № 7, below.

The mitigation measures, below, will reduce impacts to any special-status wildlife species, including migratory birds protected under the Migratory Bird Treaty Act to a less than significant level. The Special-status plant survey found no occurrence of the plant species listed above and no other special-status plant species were observed during the field surveys.

As previously noted, the Army Corps of Engineers has determined that there are 3.19 acres of jurisdictional wetland on the project site, mostly contained within the seasonal drainage swale which bisects the property. The subject project proposes to fill two wetland areas, totaling approximately 0.48 acres, located to the north and south of the central seasonal drainage. For those wetland areas that cannot be avoided, appropriate permits will have to be acquired from the Army Corps, RWQCB, and DFG. The mitigation measures enumerated below will reduce potential impacts to wetlands to less than significant levels.

- d. There are no known wildlife corridors, native wildlife nursery sites, or sensitive plants identified on the property. Because there is no fencing or other obstructive barriers proposed, the project would not have a significant impact on the movement of native resident and migratory fish and wildlife species. The seasonal drainage swale does not provide suitable habitat for any fish species known to occur in the area. Surveys will be conducted immediately prior to construction to ensure that raptors or other special status nesting birds or migratory birds, if present, are not disturbed.
- e. As noted above, the subject project proposes the removal of 50 trees, of which 46 are Coast live oak and 4 are Blue gum eucalyptus. While the County does not have a tree protection ordinance, the 2008 General Plan and the AIASP speak to the preservation "oak woodlands" and of "existing vegetative stands" (respectively). In particular, the AIASP states that;

Preservation of existing stands of mature native and naturalized vegetation is a primary goal of the plan. Preservation of existing mature trees and shrubs should be a prime consideration in the design of all development plans. This applies particularly to stands of eucalyptus and native oaks that are scattered throughout the planning area. (Airport Industrial Area Specific Plan, Land Use Element. P. 71).

The submitted biological survey concludes that the linear stand of oak trees at the southern end of the property does not constitute an oak woodland because it is so closely associated with the abandoned roadway, so the 2:1 oak woodland replacement requirements found in General Plan policy CON-24 are not applicable in this case. However, we are left with AIASP language that speaks directly to the conservation of the very "scattered" stands of oaks and eucalyptus that are proposed to be removed here. AIASP language guides us that, where existing trees are to be removed, the County should specify "suitable *specimen* replacement trees" (emphasis added). Submitted application materials propose replacement of existing mature oak trees in like kind and at a 2 to 1 basis, but all replacement plantings are proposed to be at the 15 gallon size, which is not "specimen sized" as required in the AIASP (specimen sized meaning anything larger than a 24" box). A mitigation measure is incorporated below which requires replacement of the 50 trees to be removed in like kind, at a 2:1 ratio, and in at least a 24" box size. Alternately, the mitigation measure would allow tree replacement in like kind at a ratio of 3:1 and in at least a 15 gallon size. As mitigated herein, impacts on native and naturalized trees will be less than significant.

- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. There are no plans applicable to the subject parcel.

Mitigation Measures:

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

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation, Development, and Planning Department (Planning

Department). In the event that nesting sites are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game shall be mapped, and no work shall be undertaken in buffer until the nest has been vacated.

36. To avoid potential losses to the Western Burrowing owl, a nesting survey shall be conducted by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, ~~the a nest~~ location and a buffer area shall be designated by the biologist in consultation with the California Department of Fish and Game, shall be avoided until the nest has been vacated. Buffers shall be maintained around any active nests and burrows at all times of the year. A site specific proposal for surveys shall be submitted for the review and approval of the Department of Fish and Game prior to implementation. Surveys shall additionally comply with requirements 1-7 at pages 2 and 3 of the Department of Fish and Game's comment letter of April 15, 2010. If no nests are found on the project site construction activities could proceed without further surveys.

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

47. In order to mitigate for the loss of Swainson's hawk foraging habitat, prior to the issuance of a building or grading permit, the project proponents shall either provide 0.75 acres of land for each acre of urban development authorized by this project as permanent protected Swainson's hawk foraging habitat (lands shall be protected in perpetuity and should provide for the long-term management of the lands by funding a management endowment) or other mitigation as deemed acceptable by the final protocol level survey reports for vernal pool crustaceans and California red legged frog shall be submitted for the review and approval of the Napa County Planning Department, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service. A final Swainson's hawk nesting and foraging analysis shall likewise be provided for the review and approval of the Planning Department and the California Department of Fish and Game proposing, as necessary, specific mitigations consistent with Department of Fish and Game standards.

Method of Mitigation Monitoring: Mitigation Measure No 4-7 requires ~~submission of final protocol level survey results and Swainson's hawk habitat analysis consistent compliance with DFG mitigation requirements policies~~ prior to the issuance of a building or grading permit. If the mitigation measures are not complied with, no development permit will be issued.

58. Prior to issuance of a building or grading permit the project proponent shall provide documentation from the Army Corps of Engineers indicating that one or more of the following measures will, or has, occurred and is, or will, be considered mitigation to address proposed conversion of jurisdictional wetlands.
- Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, on the project site by enhancing existing wetlands or creating new wetlands to provide for no net loss of wetlands function. The applicant's biologist indicates on site mitigation using proposed drainage facilities such as a detention basin or vegetated swales is a viable option for restoring wetlands function although the acceptability of such to the Corps and/or RWQCB cannot be guaranteed; or,
 - Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by off-site creation or enhancement of wetlands in Napa County consistent with state and federal policies providing for no net loss of wetland function; or

- c. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by purchase of wetlands creation or preservation credits in an existing or future wetlands bank that "services" Napa County, consistent with state and federal policies providing for no net loss of wetland function; or
- d. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by financial participation in an existing wetlands enhancement or creation project in Napa County sponsored by a state, federal or County agency such as the Napa County Resource Conservation District (RCD) consistent with state and federal policies providing for no net loss of wetland function. Or,
- e. a combination of the above measures, which in aggregate meets the prescribed ratio dictated by the Corps and/or RWQCB.

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

- 9. Prior to issuance of a building or grading permit, the project proponent shall provide documentation from the California Department of Fish and Game that a 1602 permit has been issued or that said department does not deem such permitting necessary. The terms and conditions of that permitting are subject to Fish and Game concurrence and may be modified as deemed necessary by that department.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of evidence of project compliance with DFG 1602 permit requirements prior to the issuance of a building or grading permit. If such evidence is not submitted, no development permit will be issued.

- 10. Prior to issuance of a building or grading permit, the project proponent shall submit final revised landscape plans which include in-like-kind replacement of all trees to be removed as a result of the project for the review and approval of the Planning Director. Tree replacement shall occur at a ratio of 3:1 if replacement trees are smaller than 24" box in size or at a ratio of 2:1 if replacement trees are sized at 24" box or greater. The final determination as to whether or not proposed replacement plantings are "in-like-kind" shall be made by, and solely at the discretion of, the Planning Director or her designee.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of final revised landscape plans incorporating replacement tree details prior to the issuance of a building or grading permit. If such plans are not submitted, no development permit will be issued.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.-c. The project site is vacant and does not contain any structures. Research into past uses has identified no historic resources likely to be present on the site. A previous archaeological survey, entitled *A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area* (Archaeological Resource Service, September 1983) was conducted in the airport industrial park area (including the project site). An additional study of the remainder of the Gunn-Greenwood Ranch area was conducted by Archaeological Resource Service (ARS) in 1988. Neither study indicated the presence of historical, archaeological, or paleontological resources of any significance on the subject property. A follow-up to the two previous studies was conducted by ARS in mid 2009 with an eye to the specific development proposed in this project (*A Cultural Resources Evaluation of APN 057-210-056 Located Southwest of the Intersection at Highway 29 and Airport Boulevard, Napa County, California*, Sally Evans, Archaeological Resource Service, June 9, 2009). The recent study found no new prehistoric sites or artifacts, confirming the findings of the previous analyses. Foundational remnants of two agricultural structures, likely dating to the period between 1920 and 1950, were discovered on the property; however, the report concludes that the foundations, "are not potentially significant historic resources and do not qualify for listing on the National register of Historic Places." The report concluded that the proposed project will not adversely affect any previously-recorded or newly-identified archaeological sites. As a result, it is not anticipated that any cultural resources are present on the site and the potential for impact is deemed to be less-than-significant. However, if resources are found during grading of the project, construction is required to cease and a qualified archaeologist will be retained to investigate the site in accordance with standard Napa County conditions of approval.
- d. To our knowledge, no human remains have been encountered on the property during past grading activities (such as when nearby public improvements were constructed) and no information has been encountered that would indicate that this project would encounter human remains. The 2009 ARS study concludes that the site is unlikely to harbor human remains. However, if remains are found during grading of the project, construction is required to cease, the County Coroner must be notified, and a qualified archaeologist will be retained to investigate the site in accordance with standard conditions of approval.

Mitigation Measures: None are required.

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

Discussion:

- ai. There are no known faults on the project site as shown on the most recent Alquist-Priolo earthquake fault map. As such, the proposed facility will have a less than significant impact with regard to fault rupture.
- aii. All areas of the Bay Area are subject to strong seismic ground shaking. The proposed structures must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which will function to reduce any potential impacts to a less than significant level.
- aiii. No subsurface conditions have been identified on the project site that would indicate a high susceptibility to seismic-related ground failure or liquefaction. Napa County Environmental Resource Mapping (*liquefaction* layer) indicates that the project area is generally subject to a very low tendency to liquefy. The proposed structures must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which would reduce any potential impacts related to liquefaction to a less than significant level.
- aiv. Napa County Environmental Resource Maps (*landslide line*, *landslide polygon*, and *landslide geology* layers) do not indicate the presence of landslides or slope instability on this gently sloping bayland property.

- b. Based on Napa County environmental resource mapping (*Soil Type* layer), the *Soil Survey of Napa County, California* (G. Lambert and J. Kashiwagi, Soil Conservation Service), and the *Flatland Deposits of the San Francisco Bay Region, California- Their Geology and Engineering Properties and Their Importance to Comprehensive Planning* (E. Helley, K. Lajoie, W. Spangle, and M. Blair, U.S. Geological Survey) the subject parcel includes soil classified as Haire Loam (2 to 9 percent slopes) and Fagan Clay Loam (5 to 15 percent slopes). The geology of the site is late Pleistocene alluvium, with overlaying younger fluvial and basin deposits. Late Pleistocene alluvium is weakly consolidated, slightly weathered, poorly sorted, irregularly inbedded clay, silt, sand, and gravel. There is often a clay pan present in Haire soils of the type located on the site, which can support vernal pool development. Haire soils of the type located on the subject property are often used for grazing land; runoff is slow to medium and the chance of erosion is slight. Fagan soils are likewise generally used for range and pasture; runoff is medium and the threat of erosion is moderate. Development on the site will be subject to the Napa County Stormwater Ordinance related to erosion control measures which would reduce any potential impacts to a less than significant level.
- c.-d. According to the Napa County Environmental Resource Mapping (*surficial deposits* layer) bedrock underlays the surficial soils on the project site. Based on the Napa County Environmental Sensitivity Maps (*liquefaction* layer) the project site has very low liquefaction predilection. Construction of the facility must comply with all the latest building standards and codes at the time of construction, including the California Building Code, which will function to reduce any potential impacts to a less than significant level. In addition, a soils report, prepared by a qualified Engineer will be required as part of the building permit submittal. The report will address the soil stability, potential for liquefaction and will be used to design specific foundation systems and grading methods.
- e. The project will connect to the Napa Sanitation District sewer system. A "will serve" letter has been submitted by Napa Sanitation District, indicating that they have sufficient capacity to accommodate the wastewater demand of the project.

Mitigation Measures: None are required.

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

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

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in construction of the facility. At this time, specific tenants are not known. It is anticipated that tenants will be a mix of warehousing, distribution, and office uses with many or most related to the wine industry. This mix of uses, primarily with a focus on support services necessary to the local and regional wine industry, is typical of the already-developed portions of the Airport Industrial Area Specific Plan zone. A Business Plan will be filed with the Department of Environmental Health should the amount of any hazardous materials reach reportable levels. However, in the event that a future use involves the use, storage, or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit modification and subsequent environmental assessment would be required prior to the establishment of that use in accordance with the Napa County Zoning Ordinance. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and durations in question, they will result in a less-than-significant impact.
- b. The project would not result in the release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile of the proposed project site.
- d. According to Napa County environmental resource mapping (*hazardous facilities* layer), the project is not located on or adjacent to a known hazardous facility. The project area is not on any known list of hazardous materials sites.

- e. The project site is located within two miles of the Napa County Airport, and is therefore subject to the requirements of the County's Airport Compatibility Combination zoning district and the requirements of the Napa County Airport Land Use Commission's Compatibility Plan (ALUCP). The project is located within Zone D of the compatibility plan, which is an area of common overflight and moderate risk. The proposed warehousing and office uses are highly compatible with Zone D and are consistent with the requirements of the ALUCP. The buildings have been designed to comply with specific requirements regarding light and glare in order to ensure airport land use compatibility. No up-lighting will be allowed. County development regulations have been certified as meeting ALUCP compatibility requirements, and consequently the project is not subject to separate Airport Land Use Commission review as its compliance with ALUCP requirements ensures compatibility with the Napa Airport.
- f. The project site is not located within the vicinity of any private airport.
- g. The proposed driveways that serve the project will be improved to comply with County standards, and access throughout the site is designed to accommodate fire apparatus and large trucks. The project is located within the Napa County Fire local response area. The Asst. Fire Marshall did not identify any design issues as regards turning radii, though she has requested some alterations to proposed hydrant locations (please see **PUBLIC SERVICES** for further discussion of this issue). The project will not negatively impact or hinder emergency vehicle access.
- h. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires because the project is located within an urbanized area.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project will not violate any known water quality standards or waste discharge requirements. The project incorporates an integrated approach to stormwater management and wetland preservation in which on-site stormwater flows are pretreated and then allowed to drain into the preserved on-site wetland in a manner which mimics natural hydrologic flows. The proposed system, which is detailed in the applicant's March 2010 *Stormwater Management Plan* and in their *Preliminary Drainage Report* of the same date, has been vetted by both the Department of Public Works and the San Francisco Bay Regional Water Quality Control Board and both agencies have voiced initial support for the proposed system's somewhat novel (at least for Napa County) combined approach to stormwater management and wetland enhancement. The project will ultimately discharge stormwater into an approved storm drainage system designed to accommodate the drainage from this site. Given that the permittee will be required to obtain a stormwater permit from the Regional Water Quality Control Board, via a program which is in-part administered by the County Department of Public Works, ample opportunity is provided for both agencies to fine tune the details of the conceptual system as it progresses into a built reality. As a clarifying point, although the project initially requested a waiver from the County's stormwater requirements, pursuant to a January 19, 2010 letter from Jeannette Doss of the Napa County Department of Public Works to Brad Shirhall of the applicant team, Napa County will not be issuing a stormwater waiver for this project. Stormwater flows will, as a result of the integrated system proposed here, meet all of the County's stormwater requirements. Impacts related to water quality and the risk that the project will violate waste discharge requirements are less than significant.
- b. The project will connect to municipal water provided by the City of American Canyon. No groundwater wells are associated with this property.

- c.-e. The proposed project will not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off site. As analyzed at "a.," above, the stormwater management and drainage improvements proposed as part of this project have been carefully designed to preserve and/or mimic existing drainage patterns and rates via a combination of stormwater pretreatment, detention, and wetland preservation and enhancement. The project will incorporate erosion control measures to manage onsite surface drainage and erosion of onsite soils during winter periods (October to April). As noted above, the project is required to comply with County Public Works requirements, which are themselves consistent with Regional Water Quality Control Board standards. These established Best Management Practices have been successfully implemented on numerous other projects within the Airport Industrial Area. The project *will* result in an increase in the overall impervious surface resulting from the new buildings, pavement and sidewalks. However, given both the size of the larger drainage basin and the extensive wetland preservation and enhancement area which has been proposed by the applicant, the project will not significantly alter existing groundwater filtration or infiltration rates nor will surface runoff from the site be significantly affected. Project impacts related to drainage patterns and off-site flows are expected to be less than significant.
- f. The function of this project's integrated stormwater pollution prevention, drainage, and wetland preservation systems will depend heavily on the care and attention that go into the ongoing maintenance of the Parcel "J," "K," and "L" wetland and detention basins and the buffer areas which surround them. ~~A~~ Mitigation measures requiring a final third-party stormwater pollution prevention plan, ongoing wetland preservation, and ongoing wetland maintenance ~~is~~ are incorporated below. As mitigated, ~~we are unaware of any other project-related factors which would otherwise degrade project impacts on water quality~~ will be less than significant.
- g.-i. According to Napa County environmental resource mapping (*floodplain and dam levee inundation* layers), the project site is not located within a flood hazard area. The project would not impede or redirect flood flows or expose structures or people to flooding. The project is not located within a dam or levee failure inundation zone.
- j. In coming years, higher global temperatures are expected to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The Intergovernmental Panel on Climate Change (IPCC) estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). Elevations on the property range from approximately 80 feet above mean sea level down to approximately 48 feet and there is no known history of mud flow in the vicinity. The project will not subject people or structures to a significant risk of inundation from tsunamis, seiche, or mudflow.

Mitigation Measures:

11. Prior to the issuance of a building permit, a grading permit, or the recordation of a final parcel map, the permittee shall submit a binding drainage system/wetland maintenance plan for the review and approval of the Departments of Public Works and Planning. The submitted plan shall stipulate an ongoing maintenance regime (including, without limitation, financing details and implementation/enforcement measures such as CC&Rs and/or third party conservations easements) for the integrated project area wetland and drainage system. The wetland shall be restored and revegetated to improve habitat for animals associated with the wetland ecosystem. Permanent restricted-access buffer zones shall be established around the protected wetland as shown in submitted plans or otherwise as consistent with the site-specific requirements of the Regional Water Quality Control Board; incidental human traffic through or interference in these zones shall be restricted through fencing or other barriers acceptable to the Planning Director and the Regional Water Quality Control Board. Revegetation within the wetland and wetland buffer areas shall consist of appropriate native plants. No chemical spraying shall be allowed in the wetland or wetland buffer areas. The submitted maintenance plan shall be consistent with the *Napa County Post Construction Runoff Management Requirements*

manual adopted by the Board of Supervisors on June 3, 2008, and in particular with Chapter 5 at p. 14, Implementation and Maintenance of Requirement.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of an acceptable maintenance plan prior to the issuance of a building or grading permit or the recordation of a final parcel map. If such plans are not submitted or are not approvable, no parcel map may be recorded and no development permit will be issued.

12. Prior to the issuance of a building permit or a grading permit the permittee shall retain a qualified third-party consultant to develop a stormwater pollution prevention plan (SWPP) in conformance with all applicable requirements of the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000-14598) and the Federal Clean Water Act (13 U.S.C. 1251 et seq) for the review and approval of the Director of Public Works.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of an acceptable maintenance SWPP prior to the issuance of a building or grading permit. If the SWPP is not submitted or is inadequate, no development permit will be issued.

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

Discussion:

- a-c. The proposed project would not occur within an established community, nor would it result in the division of any proximate established community. The proposed project complies with the Napa County General Plan, the Napa County Code, and all other applicable regulations. As mitigated herein, and assuming County approval of the variations proposed by project proponents, the project would comply with the Airport Industrial Area Specific Plan. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 or near the project site. The nearest known resource is the Syar quarry, located several miles to the north. The AIASP does not indicate the presence of valuable or locally important mineral resources in the project area. Neither this project, nor any directly foreseeable resulting project, will result in a loss of a known mineral resource.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a.-b. The proposed project will result in a temporary increase in noise levels during the construction of buildings, parking areas, and associated improvements. Construction activities will be limited to daylight hours using properly-muffled vehicles. Noise generated during this period is not anticipated to be significant. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays- normal waking hours. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant permanent construction noise or operational noise impacts.
- c.-d. The anticipated level of ongoing operational noise associated with the proposed facility would be typical of and fully in keeping with warehousing/office uses in an existing industrial setting. The project is located within an industrial park and is not in an area where noise increases resulting from additional industrial development will impact sensitive receptors. The design of the proposed project, together with adherence to the County Noise Ordinance, will ensure the proposed project will not result in adverse noise impacts.
- e. The proposed project site is located within compatibility Zone D of the Napa County Airport, an area of common aircraft overflight. As such, persons on the project site will be exposed to the noise associated with regular overhead aircraft operation. The warehousing and office uses proposed here are not considered sensitive to noise levels from aircraft of the type foreseeable on this property, and as analyzed at some length in the AIASP and the ALUCP, the development and uses proposed here are considered compatible with aircraft operations within the D zone.
- f. The project is not within the vicinity of a private airstrip.

Mitigation Measures: None are required.

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

Discussion:

- a. Submitted application materials indicate that this project would result in the creation or relocation of approximately 600 full time equivalent jobs. Of those, 560 are predicted to be office employees and 60 are to be warehouse employees. While a number of these jobs may already exist in Napa County (and would simply relocate to the project site from existing industrial or commercial developments) the project will almost certainly add to the local job base and contribute to the 23% population increased projected for Napa County by the year 2030 (*Projections 2003*, Association of Bay Area Governments). However, the County's *Baseline Data Report* (Napa County *Baseline Data Report*, November 30, 2005) indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. As a result of the county's projected low to moderate growth rate and overall adequate programmed housing supply, the population growth resulting from this project will not create a cumulatively considerable increase in the demand for housing units within Napa County and the general vicinity.

With regard to project-specific impacts, the County has adopted a Housing Element (currently under review by the State Housing and Community Development Agency) which identifies locations for new housing, and has adopted a development impact fee to provide funding for affordable housing projects. The affordable housing impact fee is paid at the time building permits are issued for any new non-residential development and is based on the gross square footage of non-residential space multiplied by the fee established at N.C.C. Chapter 15.60.100, Table 1. The combination of countywide Housing Element programmed housing and required housing impact mitigation fees is deemed to reduce the project specific growth inducing impacts of a project of this type to a less than significant level.

- b.-c. The project site is currently vacant and almost entirely undeveloped. The subject project will displace neither housing nor persons and will not necessitate the construction of replacement housing.

Mitigation Measures: None are required.

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

Discussion:

- a. Public services are currently provided to the Airport Industrial Area, and as the subject parcel has been slated for intensive industrial development in all relevant County land use plans for more than two decades, the additional demand placed on existing services will be both marginal and entirely foreseen. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. As discussed and (as relevant) mitigated below, the proposed project will have a less than significant impact on public services.

Fire Protection

The Fire Marshall has advised that submitted plans do not include adequate fire hydrant details and a mitigation measure is incorporated below to address that shortcoming. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and impacts to emergency response times should be less than significant with the adoption of standard conditions of approval.

Police Protection & Other Public Facilities

The Public Works and Sheriff's Departments have reviewed the application and have not identified any substantial adverse physical impacts associated with public facilities.

School Facilities

School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal.

Park Facilities

The proposed project will have little to no impact on public parks.

Mitigation Measures:

12.13. Prior to the issuance of a building or grading permit, the permittee shall submit final fire hydrant plans for the review and approval of the Fire Marshal.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of acceptable hydrant plans prior to the issuance of a building or grading permit. If such plans are not submitted or are not approvable, no development permit will be issued.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.-b. The proposed project includes new industrial development in the midst of a developing and long-planned industrial park. The project would not significantly increase the use of existing recreational facilities nor does it include recreational facilities that would have a significant adverse effect on the environment.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/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 (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

Since 1990, the County has imposed and collected traffic mitigation fees on all development projects within the Airport Industrial Area. A developer's "fair share" fee goes toward funding roadway improvements within the specific plan area including improvements designed to relieve traffic on State Highways. The traffic mitigation fee is further described in Board of Supervisor's Resolution 08-20. For this project, a traffic mitigation fee based on PM peak hour vehicle trips will be imposed and collected prior to issuance of each building permit as determined by the Director of Public Works and is included as a mitigation measure below. The Department of Public Works is in the process of completing an update of the Airport Industrial Area traffic mitigation fee program. That program specifically addresses, and the associated fees will mitigate, cumulative impacts at the 2008 General Plan Revision sunset date of 2030. Cumulative traffic impacts at the 2030 horizon will be addressed by that larger document and are therefore not a specific subject of this review.

The County has established that a significant traffic impact would occur if increases in traffic from a project would cause intersections or two-lane highway capacity to deteriorate to worse than Level of Service (LOS) E, or at intersections or two-lane highway where base case (without project) is LOS F, a significant impact is considered to occur if a project increases the base volumes by more than one percent. The 1% threshold has been utilized consistently throughout all recent EIRs and other CEQA documents addressing projects within the Airport Industrial Area.

The project includes construction of an industrial park totaling 490,503 square feet divided amongst eight new buildings, including two 41,706 square foot two-story office buildings, two 7,563 square foot single-story office buildings with ancillary warehouse space, one 8,850 square foot single-story office building with ancillary

warehouse space, and 152,644 square foot, 148,840 square foot, and 81,631 square foot single-story warehouse/distribution buildings with ancillary office space. Approximately 73% percent (or 3456,048 square feet) of the total development floor area would be dedicated to warehousing uses, while the remaining 27% (or 134,455 square feet) would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road, located south of the existing Devlin Road/Airport Boulevard intersection, and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements, including road construction at Devlin Road and road widening at Airport Boulevard are also proposed.

The applicant has submitted a traffic study (*Napa Commerce Center Light-Industrial Project Traffic Impact Analysis - Final Report*, OmniMeans Engineering and Planning, February 2010) which analyzes existing and proposed traffic conditions and provides the basis for this analysis. The project is anticipated to generate 412 AM peak trips (338 inbound and 74 outbound), and 422 PM peak trips (89 inbound and 333 outbound) based on "Industrial Park" (land use code 130) trip rates as compiled at *Trip Generation, 8th Edition* (Institute of Transportation Engineers, 2008). According to the submitted study;

It is noted that the proposed project would have a greater portion of "office" uses in the northern half of its development area and a greater proportion of "warehouse" uses in the southern half of its development area. As such, calculated light industrial park trip generation for the proposed project was "weighted" to account for slightly more office use in the northern development area and more warehouse use in the southern portion of the site. This was accomplished by comparing "industrial park" and "general office" trip generation rates and the amount of overall project square footage in the northern and southern development areas of the site. This analysis provided a more accurate representation of total vehicle trips accessing proposed project driveways.

At the specific request of the County's principal transportation engineer, project conditions were modeled to include buildout of Greenwood Commerce Center, an approved project located directly to the west of the subject parcel. The Greenwood project would include 378,891 square feet of Industrial Park uses. Greenwood would locate access driveways directly across from the subject project's driveways on the southerly extension of Devlin Road as well as adding vehicle trips to all project study intersections on Airport Boulevard, Devlin Road, CA-29, and CA-12. Based on the Greenwood traffic study (*Traffic Analysis for the Proposed Greenwood Business Park Project in the Napa Airport Industrial Area of Napa County*, George W. Nickelson P.E., July 8, 2008), that project is expected to generate 318 AM peak hour trips and 326 PM peak hour trips. Those vehicles were added to existing traffic volumes to arrive at overall project driveway operation on Devlin Road and study intersection operation throughout the Airport Industrial Area.

According to the OmniMeans study;

The proposed Napa Commerce Center project would add proportionately to overall project traffic volumes on Devlin Road, Airport Boulevard, Soscol Ferry Road, S.R.-29, and S.R.-12. With existing-plus- proposed project traffic volumes, all project study intersections would generally operate at acceptable levels (LOS D or better) during the AM and PM peak hour. The Soscol Ferry/S.R.-29 (intersection) would continue to operate at LOS E and F during the AM and PM peak hours, respectively.

According to project traffic engineer George Nickelson, due to the combined size of the Napa 34 Commerce Center and Greenwood Commerce Center developments, "the traffic generated by these combined developments would represent a very conservative estimate of traffic growth over the next 2-3 years." (Responses to Comments by Tom Brohard and Associates Related to the Napa Commerce Center Traffic Impact Analysis, George W. Nickelson, May 21, 2010.) Mr. Nickelson concludes that the short term analysis incorporated into the July 8, 2008 traffic analysis is "conservative and valid." This is a conclusion which is confirmed by Tom Brohard (a commenter on the initial draft project initial study) in his letters of May 17, 2010 and May 22, 2010. Despite the fact that Mr. Brohard

initially raised issues about the project-specific impact analysis in his original comment letter (Review of the Mitigated Negative Declaration, Initial Study Checklist, Use Permit, and Final Traffic Impact Analysis for the Napa 34 Holdings Commerce Center in the County of Napa – Traffic Issues, Tom Brohard, April 19, 2010), he finds in his subsequent letters of May 17 and May 22 that the baseline analysis scenario adopted by the original Nickelson traffic study, as clarified by Mr. Nickelson in his letter of May 21, is adequate and appropriate.

Quoting Mr. Brohard's May 22, 2010 as it regards the adequacy of the project Traffic Impact Analysis scenario and project-specific traffic impacts:

I have reviewed the May 21, 2010 letter from George Nickelson, Branch Manager at Omni-Means, providing further information in response to my prior comments. Mr. Nickelson indicates traffic volumes have remained the same or decreased slightly over the last three years on SR12 and SR29 adjacent to the project, and I have verified this on the Caltrans website. Further, I found that the County of Napa does not require factoring of traffic counts to represent conditions on Thursday in August as does the City of Napa. After considering these items, I agree with the analysis in the Traffic Study that SR12/SR29/Airport Boulevard will operate at LOS "D" with project traffic added.

A secondary issue discussed in the various (above-cited) memos of Mr. Brohard and Mr. Nickelson is the potential for impacts related to on-site queuing at project driveways. The project traffic impact analysis provided level of service and operational characteristic calculations for the three project driveways located on Devlin Boulevard and the one proposed on Airport Boulevard. Table 5 at page 13 of the project traffic analysis (Traffic Analysis for the Proposed Greenwood Business Park Project in the Napa Airport Industrial Area of Napa County, George W. Nickelson P.E., July 8, 2008) shows that all driveway outbound traffic would operate at an acceptable LOS of "C" or better. Queuing was analyzed at Table 6 of the project traffic impact analysis (Ibid). According to Mr. Nickelson:

...at three of the project driveways, the calculated 95th percentile queue for vehicles exiting the project would not back up beyond the nearest internal parking aisle. Even at the project's Devlin Road center driveway, the calculated queue would be approximately equal to the available distance between the travel lane and the internal parking aisle. There is no evidence that the driveway queuing would significantly impact internal circulation. Similarly, based on the traffic circulation analysis, there is no reason to conclude that the driveways' operation would impact traffic flows on adjacent streets. (Responses to Comments by Tom Brohard and Associates Related to the Napa Commerce Center Traffic Impact Analysis, George W. Nickelson, May 21, 2010.)

In his letter of May 22, 2010, Tom Brohard concedes that his initial comments of April 19, 2010 were not based on valid measurements, and he concludes that the above-quoted response from George Nickelson fully addresses the queuing issue and correctly finds less-than-significant impacts. To wit:

In regard to on-site queuing, I had previously indicated the 95th percentile queues in the Traffic Study appeared to exceed the available distances that I had scaled from the reduced site plan. Mr. Nickelson has measured the distances from a scaled drawing of the site, and I agree that the distances provided are adequate.

The OmniMeans project traffic impact study goes on to recommend additional mitigation measures designed to reduce traffic-related impacts to a less than significant level. Those additional mitigations are related to internal circulation and associated awkward parking locations, the Airport Boulevard/Devlin Road intersection, the Soscol Ferry Rd./ Devlin Road intersection, Airport Boulevard, and driveway access. In addition, the California Department of Transportation commented in their letter of March 3 (Lisa Carboni, Letter to Chris Cahill, Napa County Conservation, Development, and Planning Department, March 3, 2010) that;

The project must include extending the existing northbound (NB) left turn lane at the state route (SR) 29/Airport Boulevard intersection in order to accommodate the Plus Project queue. Please be reminded that a left turn lane requires both storage and deceleration length.

As analyzed in George Nickelson's May 21, 2010 Responses to Comments, the project mitigation measures do not themselves cause any significant environmental impacts. Quoting said letter:

The TIA for the Napa Commerce Center project concluded that traffic impacts at the Airport Boulevard/Devlin Road intersection would require mitigation. The TIA identifies specific mitigation measures to address the impacts resulting from the proposed project (and the cumulative baseline traffic generated by the Greenwood Business Park). These measures include the widening of Airport Boulevard and Devlin Road to accommodate dual westbound left turn lanes. These measures would address queuing impacts that would be reduced to "less than significant" levels.

The TIA also identifies queuing problems at SR29/ Soscol Ferry and SR29/ Airport-SR12 that would be exacerbated by the proposed Napa Commerce Center project. However, as noted in the TIA, these problems currently exist and are related to the overall operation of the intersections. The Napa County cumulative analysis conducted as a part of the Update of Airport Industrial Area Traffic Mitigation Fee Program applies to the Napa Commerce Center project and addresses the future improvements on these regional facilities. The proposed Napa Commerce Center project would participate in the implementation of these cumulative mitigation measures through the adopted fee program.

Please see, Cumulative Impacts and the Napa Pipe Project, below, for additional discussion of some of the issues addressed by Mr. Nickelson. It is worth noting, however, that this project will be subject to the traffic impact fee structure in-effect when construction actually takes place. It is highly likely that the revised, and in all likelihood increased, impact fees driven by the Update of Airport Industrial Area Traffic Mitigation Fee Program will be in place at that time. Those fees will provide increased funding for local and regional roadway and traffic improvements in the South County area.

Following further review and consideration of the clarifying material provided by George Nickelson, Tom Brohard ultimately finds the project traffic impact analysis sound, that all project-specific impacts are less than significant as mitigated, and that the project traffic mitigation measures are adequate. In sum, he states, "my prior comments have been adequately addressed by Mr. Nickelson, the Traffic Study is appropriate, the mitigation measures in the MND are adequate and the traffic has no unmitigated significant traffic impacts." (Review of Response to Prior Comments Regarding Traffic Issues for the Napa 34 Holdings Commerce Center in the County of Napa, Tom Brohard, May 22, 2010).

Additional mitigation measures as recommended by OmniMeans and the Department of Transportation are incorporated below. As mitigated hereby, project-specific impacts related to traffic will be less than significant.

Cumulative Impacts and the Napa Pipe Project

As noted at Environmental Setting, above, the subject parcel is located in the midst of a developing industrial park, adjacent to the Napa Airport, which has been planned for industrial development through the adoption and implementation of an Airport Industrial Area Specific Plan for several decades. The traffic generated by the project will combine with other constructed, approved (but yet-to-be constructed) and currently proposed projects to create cumulative traffic impacts at both the local and the regional scale. The following table lists approved and proposed developments proximate to the Napa 34 Commerce Center site which will combine to create a foreseeable future cumulative traffic condition in the project vicinity.

AIRPORT INDUSTRIAL AREA & SURROUNDING ENVIRONS – As of May 2010

RECENT PROJECTS – APPROVED / UNDER CONSTRUCTION

<u>Project#</u>	<u>Project Name</u>	<u>APN/Location/ Lot Size</u>	<u>Applicant</u>	<u>Project Description</u>	<u>Status</u>
<u>98-177</u>	<u>Montalcino at Napa Resort Hotel</u>	<u>57-020-006, 017, 018, & 020; 57-210-002 Devlin Rd. 72 acres</u>	<u>Marsha Ramsey HCV Napa Assoc 222 Kearny St. Suite 310 S.F., Ca 94108</u>	<u>408,184 sq. ft. of floor area 379 rooms & suites 1045 parking spaces 494 employees</u>	<u>Approved 4/6/04 Used - Unbuilt</u>
<u>P05-0220</u>	<u>Montalcino at Napa Golf Course</u>	<u>57-010-037 Devlin Road 233 acres</u>	<u>Same as above</u>	<u>18-hole golf course Driving range 12 employees</u>	<u>Approved 1/24/2006 Unbuilt</u>
<u>P05-0434/ 09-00100 P09-00101</u>	<u>Suscol Creek Winery</u>	<u>57-170-018 Soscol Ferry Rd, west of Hwy 29 10.32 acres</u>	<u>Mike Fennel P.O. Box 3274 Napa, Ca 94558</u>	<u>Modify previous approval to increase production from 200,000 gal/yr to 600,00 gal/yr; Increase floor area from 61,281 sq. ft. to 66,338 sq. ft.; Construct 7,500 sq. ft. of new floor area; Increase employees from 21 to 35; 55 parking spaces; 25 visitors/day; and Tentative Parcel Map to create airspace condominium units</u>	<u>Approved 6/17/2009 Used - Unbuilt</u>
<u>P05-0191 P07-00432</u>	<u>Napa Gateway Plaza Phase 2</u>	<u>57-200-004, 005, 014 Gateway Rd East/Devlin/Airport Blvd 9.8 acres</u>	<u>William Maston Architect & Assc 384 Castro Street Mtn View, Ca 94041</u>	<u>66,473 sq. ft. hotel with 100 rooms, conference /meeting rooms, and other amenities; 107,578 square feet of retail, office and restaurant floor area, including 56,048 sq. ft. of retail, 10,348 sq. ft. of restaurant, and 41,182 sq. ft. of office floor area; 460 on-site parking spaces (Phases I & II); Approx 222 full-time employees</u>	<u>Approved 7/19/06 Hotel completed</u>
<u>95643</u>	<u>Napa Gateway Plaza Phase 1</u>	<u>057-200-015 & 016 3.12 acres</u>	<u>Same as above</u>	<u>16,216 sq. ft. bank/office building 4,664 sq. ft. gasoline station/convenience mart/fast food restaurant</u>	<u>Approved 8/5/98 Only bank /office building has been built</u>
<u>P06-01386</u>	<u>Rinker Batch Plant</u>	<u>57-110-037 Devlin Rd 2.9 acre portion of a</u>	<u>Rick McClish 5510 Skyline Blvd Suite 201</u>	<u>Small concrete batch plant 250 sq. ft. office 18 parking spaces</u>	<u>Approved 2/28/07.</u>

<u>Project#</u>	<u>Project Name</u>	<u>APN/Location/ Lot Size</u>	<u>Applicant</u>	<u>Project Description</u>	<u>Status</u>
		<u>12.6 acre site (the balance of site is developed)</u>	<u>Santa Rosa, Ca 95403</u>	<u>2 office employees 15 mixer trucks</u>	
<u>P05-0382</u>	<u>Teixeira Warehouses</u>	<u>57-152-006 152-154 Camino Oruga 2.55 acres</u>	<u>Pedro Teixeira CDCS Corp 167 Camino Dorado Napa, Ca 94558</u>	<u>36,475 sq. ft. of new warehouse buildings (addition to existing 1608 sq. ft. bldg and construct 2 new buildings) 54 parking spaces</u>	<u>Approved 10/4/06 Construction complete, occupancy not approved</u>
<u>P05-0252 P06-0081</u>	<u>Napa Bottling Center</u>	<u>57-240-012 655 Airpark Rd 15.69 acres</u>	<u>James Lunt Foster's/Beringer Blass Wine Estate 655 Airpark Rd Napa, Ca 94558</u>	<u>Convert existing 150,000 sq. ft. warehouse into a bottling bldg.; 12,190 sq. ft. office & bottling addition. 21,197 sq. ft. processing & warehousing addition. 57,635 sq. ft warehouse addition. 131 full-time employees (3 shifts) 99 parking spaces (with a provision for another 226 if needed)</u>	<u>Approved 10/19/05 Under construction</u>
<u>P05-0069</u>	<u>Napa Valley Crossroads</u>	<u>57-190-022 21 Executive Way 15.6 acres</u>	<u>Napa Valley Crossroads PG, LLC 8413 Jackson Rd, #C Sacramento CA 95826</u>	<u>Construct two warehouse/distribution bldgs. (146,113 & 163,537 sq. ft.) Approx. 50 full & 10 part-time employees (3 shifts) Approx. 100 visitors busiest/day, 350 avg/week 320 parking spaces</u>	<u>146,112 sq. ft. bldg constructed 163,537 sq. ft. – construction complete, occupancy not approved.</u>
<u>99-151</u>	<u>Ziedman</u>	<u>58-060-008 & 010 2400 Green Island Rd 9.3 acres</u>	<u>Phil Ziedman Matterhorn P.O. Box 5754 Santa Rosa, CA 95402</u>	<u>Establish concrete block mfg facility 5,300 sq. ft. 6 full-time employees 7 parking spaces</u>	<u>Approved- Used In for building permits</u>
<u>P06-0038</u>	<u>Lake Street Ventures</u>	<u>57-210-062 & 063 NW/c Technology Wy & Gateway Rd 3.09 acres</u>	<u>M & M Gateway LLC 7995 Manasota Key Rd Englewood FL 34223</u>	<u>Construct two new spec industrial buildings with 20,640 sq. ft. each. Parcel Map to split into 14 industrial condo units. 141 parking spaces</u>	<u>Under construction.</u>

<u>P06-01532</u>	<u>Gateway Winery</u>	<u>57-250-029</u> <u>NW/c Technology</u> <u>Wy & Morris Ct</u> <u>11.1 acres</u>	<u>Gateway Winery LLC</u> <u>c/o Kevin Teague</u> <u>DP&F</u> <u>809 Coombs St</u> <u>Napa, CA 94559</u>	<u>Construct 261,000 sq. ft. (3</u> <u>bldgs) for a 600,000 gal/yr</u> <u>winery/distillery</u> <u>Approx 65 employees (2 -3</u> <u>shifts)</u> <u>227 parking spaces</u> <u>30 visitors/day</u> <u>200 visitors/wk</u> <u>3 marketing events/month for</u> <u>250 people max.</u>	<u>Approved</u> <u>3/5/2008.</u>
<u>P06-01131</u>	<u>Zapolski Rudd</u> <u>Winery</u>	<u>57-250-028</u> <u>NW/c Devlin Rd &</u> <u>Sheehy Ct</u> <u>2.5 acres</u>	<u>Zapolski/Rudd, LLC</u> <u>c/o John Bowman</u> <u>P.O. Box 670</u> <u>Napa, Ca 94559</u>	<u>Construct 34,510 sq. ft. for a</u> <u>120,000 gal/yr winery</u> <u>3 full/6 part-time employees</u> <u>28 parking spaces</u> <u>1-2 visitors/wk</u>	<u>Approved</u> <u>2/20/2008.</u>
<u>P07-00113</u>	<u>Napa Airport</u> <u>Corporate Center</u>	<u>57-090-076</u> <u>S. Kelly Rd/Devlin</u> <u>Rd/ Highway 29</u> <u>34.4 (portion)</u>	<u>Panattoni</u> <u>Justin Bennett</u> <u>8775 Folsom Blvd.,</u> <u>Suite #200</u> <u>Sacramento, Ca 95826</u>	<u>Construct 170,949 sq. ft. of</u> <u>light industrial floor area (4</u> <u>bldgs)</u> <u>Employees unknown</u> <u>271 parking spaces</u>	<u>Approved</u> <u>4/4/2008 -</u> <u>In for building</u> <u>permits</u>
<u>P08-00101</u>	<u>Rombauer</u> <u>Vineyards</u>	<u>57-240-015</u> <u>601 Airpark Road</u> <u>5.95 acres</u>	<u>Rombauer Vineyards,</u> <u>Inc.</u> <u>c/o Charles Meibeyer</u> <u>1236 Spring St.</u> <u>St. Helena, CA 94574</u>	<u>Construct a 25,200 sq. ft.</u> <u>addition to an existing 85,921</u> <u>wine storage facility to allow</u> <u>crush activities</u> <u>No tours/tasting or marketing</u> <u>activities proposed.</u>	<u>Approved</u> <u>5/27/2008.</u> <u>Under</u> <u>construction</u>
<u>P08-00329</u>	<u>Fosters Warehouse</u> <u>Expansion</u>	<u>57-240-013</u> <u>621 Airpark Rd</u> <u>6.85 acres</u>	<u>Ron Profili</u> <u>33 Old Coach Rd</u> <u>Napa, CA 94558</u>	<u>Construct a 19,120 sq. ft.</u> <u>addition to an existing 71,426</u> <u>sq. ft. building.</u> <u>73 new parking spaces</u>	<u>Approved</u> <u>8/11/2008 - In</u> <u>for building</u> <u>permits</u>
<u>P08-00221</u> <u>P08-00222</u>	<u>Busby Industrial</u> <u>Condo's</u>	<u>57-250-037</u> <u>SW/c Devlin Rd &</u> <u>Sheehy Ct</u> <u>2.4 acres</u>	<u>Busby Enterprises</u> <u>455 Technology Wy</u> <u>Napa, Ca 94558</u>	<u>Construct a 27,677 sq. ft. spec</u> <u>industrial building. Parcel</u> <u>Map to split into 10 industrial</u> <u>condo units.</u> <u>20 full-time employees</u> <u>62 parking spaces</u>	<u>Approved</u> <u>10/1/2008.</u>
<u>P08-00312</u> <u>P08-00313/</u> <u>P09-00123</u>	<u>Greenwood</u> <u>Commerce Center</u>	<u>57-210-055 & 056</u> <u>SW/c Airport</u> <u>Blvd/Devlin Rd</u> <u>20.7 acres</u>	<u>Napa Gateway</u> <u>Partners</u> <u>2841 Sunrise Blvd.,</u> <u>Suite200</u> <u>Gold River, CA 95670</u>	<u>Modify previous approval to</u> <u>construct 371,467 sq. ft. of</u> <u>office/light industrial floor area</u> <u>(3 buildings)</u> <u>60 full-time employees</u> <u>278 parking spaces.</u> <u>Parcel Map to create 4 lots.</u>	<u>Approved</u> <u>10/15/2008 -</u> <u>MOD</u> <u>P09-00123</u> <u>approved</u> <u>5/2009</u>

<u>Project #/ Planner</u>	<u>Project Name</u>	<u>APN/Location/ Lot Size</u>	<u>Applicant</u>	<u>Project Description</u>	<u>Status</u>
<u>P06-01535</u>	<u>Noorzay/Osman Auto Wrecking Yard</u>	<u>58-060-004</u> <u>2600 Green Island Rd</u> <u>3.0 acres</u>	<u>Fahim Noorzay</u> <u>Ishaq Osman</u> <u>1578 Green Island Rd</u> <u>American Canyon, Ca</u> <u>94503</u>	<u>Establish an auto wrecking</u> <u>yard w/1140 sq. ft.</u> <u>office/storage bldg.</u> <u>4 employees</u>	<u>Approved</u> <u>12/17/2008</u> <u>In for building</u> <u>permits</u>
<u>P07-00412</u> <u>P08-00131</u>	<u>Headwaters 218</u>	<u>57-090-069</u> <u>Devlin Rd</u> <u>(Extension not</u> <u>constructed)</u> <u>218.6 acres</u> <u>(portion)</u>	<u>Headwaters</u> <u>Construction, Inc.</u> <u>c/o Douglas Pope</u> <u>50 Fullerton Ct #203</u> <u>Sacramento, Ca 95825</u>	<u>Construct a 645,000 sq. ft. Spec.</u> <u>warehouse/distribution bldg.</u> <u>Approx 300 full-time</u> <u>employees (3 shifts)</u> <u>370 parking spaces</u> <u>Parcel Map to create a 39.6 acre</u> <u>lot for the proposed</u> <u>warehouse.</u>	<u>Approved</u> <u>1/7/2009</u> <u>Used - Unbuilt</u>
<u>P08-00531</u>	<u>Napa Valley Gateway</u>	<u>57-200-027 & 028</u> <u>Southwest corner of</u> <u>Gateway Rd West &</u> <u>Devlin Rd</u> <u>6.87 acres</u>	<u>NVGL I, L.P.1</u> <u>Charles Slutzkin</u> <u>499 Devlin Rd</u> <u>Napa, CA 94558</u>	<u>Convert four existing</u> <u>buildings to airspace</u> <u>condominium units. No</u> <u>changes to the site plan,</u> <u>buildings, or permitted uses.</u>	<u>Approved</u> <u>1/21/2009</u> <u>Unbuilt</u>
<u>P08-00557</u>	<u>Turnkey Technologies</u>	<u>57-250-032</u> <u>North side of</u> <u>Gateway Rd West</u> <u>opposite Technology</u> <u>Wy</u> <u>2.41 acres</u>	<u>Satish & Surekha</u> <u>Chohan</u> <u>4650-A East 2nd St</u> <u>Benicia, CA 94510</u>	<u>Construct a 40,000 sq. ft. light</u> <u>industrial/office building.</u> <u>Approx 25 employees</u> <u>71 parking spaces</u>	<u>Approved</u> <u>3/4/2009</u> <u>In for building</u> <u>permits</u>
<u>P08-00517</u>	<u>Tower Road Winery Co-Op Expansion</u>	<u>57-110-028</u> <u>241 Tower Road</u> <u>9.66 acres</u>	<u>Refrigerated Facility</u> <u>Design Build, Inc.</u> <u>6630 Hwy 9, Ste 204</u> <u>Felton, CA 95018</u>	<u>Construct a 12,500 sq. ft</u> <u>building addition connecting</u> <u>two wine warehousing</u> <u>/storage buildings.</u> <u>No new employees or visitors.</u> <u>No other changes.</u>	<u>Approved</u> <u>4/1/2009</u> <u>Unbuilt</u>
<u>P08-00435</u>	<u>Bin to Bottle</u>	<u>57-152-013</u> <u>South side of</u> <u>Camino Dorado,</u> <u>West of S. Kelly Rd</u> <u>1.05 acres</u>	<u>Michael McLoughlin</u> <u>110 Camino Oruga</u> <u>Napa, CA 94558</u>	<u>Construct a 24,400 sq. ft. wine</u> <u>barrel & bottled case goods</u> <u>storage building (in</u> <u>conjunction with an existing</u> <u>winery on adjoining property</u> <u>on Camino Oruga.</u>	<u>Approved</u> <u>2/4/2009</u> <u>Construction</u> <u>completed -</u> <u>occupancy not</u> <u>approved</u>
<u>P08-00654</u>	<u>Busby Winery</u>	<u>57-250-023</u> <u>West side of</u> <u>Technology Way,</u> <u>south of Morris Ct.</u> <u>1.28 acres</u>	<u>David Busby</u> <u>455 Technology Way</u> <u>Napa, CA 94558</u>	<u>Construct a 18,162 sq. ft.</u> <u>building for a 50,000 gal/yr</u> <u>winery</u> <u>3 to 11 full/part time</u> <u>employees</u> <u>26 parking spaces</u> <u>No tours/tasting or marketing</u> <u>activities proposed</u>	<u>Approved</u> <u>7/1/2009</u> <u>Unbuilt</u>

RECENT PROJECTS – PENDING

<u>Project#/ Planner</u>	<u>Project Name</u>	<u>APN/Location/ Lot Size</u>	<u>Applicant</u>	<u>Project Description</u>	<u>Status</u>
<u>P07-00864</u>	<u>Rombauer Vineyards</u>	<u>57-250-030 NE/c Morris Ct & Technology Wy 13.2 acres</u>	<u>Rombauer Trust Inv, LLC, et. al c/o Meibeyer Law Group 1236 Spring St. St. Helena, CA 94574</u>	<u>Construct a 130,000 sq. ft. facility for a 1,000,000 gal/yr winery 28 parking spaces (55 spaces could be added if needed) 25 employees No tours/tasting or marketing activities proposed</u>	<u>Incomplete/ Pending</u>
<u>P08-00328</u>	<u>Napa Airport Corporate Center Phase 2</u>	<u>57-090-075 SW of terminus of Devlin Rd/S Kelly Rd intersection 17.24 acres</u>	<u>Panattoni Mike Kelley 8775 Folsom Blvd., Suite #200 Sacramento, Ca 95826</u>	<u>Construct a 279,385 sq. ft warehouse/distribution building. Employees unknown 213 parking spaces.</u>	<u>Pending</u>
<u>P08-00555</u>	<u>Napa Executive Management (Saks Office Building)</u>	<u>57-200-001 & 009 North end of Gateway Rd East cul-de-sac, east of Hwy 29 4.33 acres</u>	<u>William Saks 1010 Main Street St. Helena, CA 94574</u>	<u>Construct a 67,839 sq. ft. 3-story office building. Approx. 187 employees 204 parking spaces</u>	<u>Incomplete/ Pending</u>
<u>P09-00153</u>	<u>Walkenhorst warehouse/Office Building</u>	<u>57-210-022 SW/c Technology Way/Technology Ct 3.5 acres</u>	<u>Stewart Walkenhorst 1774 Industrial Wy Napa, CA 94558</u>	<u>Construct a 30,158 sq. ft. warehouse/office building 132 parking spaces 60 employees</u>	<u>Pending</u>
<u>P07-00230</u>	<u>Napa Pipe</u>	<u>46-400-030 & 46-412-005 NW of the SR 121/29 junction 154 acres</u>	<u>Napa Redevelopment Partners, LLC 5 Third St, Ste 1014 San Francisco, Ca 94103</u>	<u>Establish a new neighborhood with: 2,580 dwelling units; 150-unit continuing care retirement center; 40,000 sq. ft. of neighborhood serving retail/restaurant uses; 190,000 sq. ft. of business park; 150-room condominium hotel with supporting services; 34 acres of publicly accessible parks & open space with connections to Kennedy Park; privately-maintained roads, infrastructure & community facilities.</u>	<u>Pending/Draft EIR prepared comment period ends 1/21/2010</u>

<u>Project#/ Planner</u>	<u>Project Name</u>	<u>APN/Location/ Lot Size</u>	<u>Applicant</u>	<u>Project Description</u>	<u>Status</u>
P08-00337- SMP	<u>Syar Napa Quarry Expansion</u>	045-360-005, 046- 370-012, -013, -015, -022, 025, 046-390- 002, -003, and 046- 450-057 2301 Napa Vallejo Hwy +290 acres	<u>Syar Industries Inc.</u> 2301 Napa Vallejo Hwy. P.O. Box 2540 Napa CA 94558	<u>Approximate 290 acre expansion of existing quarry operation</u>	<u>Pending</u> <u>12/14/09</u> <u>Admin DEIR</u> <u>being prepared</u> <u>– circulation</u> <u>anticipated</u> <u>Fall 2010</u>
P09-00176- ECPA	<u>Suscol Mountain Vineyards</u>	045-360-006, 045- 360-007, 057-020- 069, and 057-030- 004 <u>Approximately 1 mile east of</u> <u>Highway 221,</u> <u>approximately 1 mile north of</u> <u>Highway 12</u>	<u>SPP Napa Vineyards LLC</u> 855 Bordeaux Way #100 Napa CA 94558	<u>568-acre vineyard conversion</u>	<u>Pending</u> <u>12/14/09</u> <u>NOP circulation</u> <u>completed</u> <u>11/24/09 –</u> <u>Admin draft EIR</u> <u>being prepared</u> <u>– circulation</u> <u>anticipated Fall</u> <u>2010.</u>
P08-00590- ECPA	<u>Hill Family Vineyards</u>	057-080-028 East side of Kirkland Ranch Road, <u>approximately 0.15</u> <u>miles north of its</u> <u>intersection with</u> <u>State Highway 12</u> 31.8 acres	<u>Hill Family Vineyards</u> 1181 Regatz Lane Napa CA 94558	<u>31.8 acre vineyard conversion</u>	<u>Pending</u> <u>12/14/09</u> <u>Draft Initial</u> <u>Study and</u> <u>proposed</u> <u>NMD to</u> <u>circulate asap</u>

The scope of the Nickelson/OmniMeans project traffic impact analysis was established in consultation with Rick Marshall, Napa County's lead transportation engineer and Deputy Director of the Department of Public Works. Consistent with guidance provided by Rick Marshall in his capacity as chief traffic engineer, the project traffic impact analysis relied on the cumulative buildout traffic findings included in the County's ongoing *Update of Airport Industrial Area Traffic Mitigation Fee Program*. The Airport Industrial Area, in which the Napa 34 Commerce Center project is located, is currently subject to an adopted and County-mandated cumulative traffic impact mitigation fee program which is designed to provide funding for the planning and construction of local and regional transportation improvements within and adjacent to the Napa County Airport Industrial Area in anticipation of the development of, amongst others, the projects mentioned above. The current fee is \$3,551 per PM peak hour trip. The County is, however, in the process of updating the fee and is engaging in a thoroughgoing analysis of short, mid, and long-term cumulative traffic modeling as a component of that study. The *Update of Airport Industrial Area Traffic Mitigation Fee Program* considers and incorporates all of the above-noted approved and pending projects, specifically including Napa Pipe, in its cumulative impact scenarios. Not stopping there, the *Update* actually goes so far as to analyze complete buildout of the Airport Industrial Area, cumulative development outside of the Airport Industrial Area, and long term predicted regional traffic growth on nearby state highways.

As noted above, the Napa Pipe project has been included in the cumulative impact scenarios driving the *Update of Airport Industrial Area Traffic Mitigation Fee Program*. Despite the fact that Tom Brohard initially raised concerns

about a lack of consistency between Napa 34 Commerce Center's cumulative impact mitigations and those of the Napa Pipe project Draft Environmental Impact Report (DEIR) (available for review in the offices of the Napa County Department of Conservation, Development, and Planning), in his subsequent letter of May 17, 2010 Mr. Brohard finds that:

The (project) Traffic Study indicates the County of Napa did not require an analysis of cumulative conditions as an area-wide traffic study to accomplish this task and to update the County of Napa Traffic Impact Fee Program is nearly complete. In my telephone discussion on May 12, 2010, George Nickelson indicated an administrative draft of cumulative traffic conditions and the corresponding update of the Traffic Impact Fee Program was now being reviewed by County staff. From his experience in the area, Mr. Nickelson indicated the current fee of \$3,551 per PM peak hour trip will likely increase when the update is adopted. ... Assuming that the County of Napa continues all of the various components of their overall Traffic Impact Fee Program as they have historically done, it appears that the Napa 34 Holdings Commerce Center Project will be required to pay their "fair share" of the regional roadway improvements needed to mitigate the cumulative impacts of all projects in the area.

In addition, in his letter of May 22, 2010, Mr. Brohard confirms his (correct) understanding that "the study of cumulative traffic conditions, including Napa Pipe, was nearing completion, together with updating of the current traffic impact fee." Speaking directly to Napa Pipe and the conformity of the Napa 34 Commerce Center project, the Update of Airport Industrial Area Traffic Mitigation Fee Program, and Napa Pipe, George Nickelson's May 21, 2010 memo finds that, "there will ultimately be a consistent set of mitigation measures that address impacts associated with the Airport Industrial Area" and Napa Pipe.

With a combination of the project-specific mitigations identified below and a mitigation measure (also incorporated below) requiring payment of the project's "fair share" of traffic improvements as necessitated by the cumulative traffic impact analysis incorporated into the final adopted Update of Airport Industrial Area Traffic Mitigation Fee Program, there will be no residual individually or cumulatively significant traffic impacts associated with this project as regards traffic congestion and levels of service. All traffic impacts will be mitigated to a less than significant level.

- c. The project is fully compliant with the Napa Airport Compatibility Plan (please see HAZARDS AND HAZARDOUS MATERIALS, above) and will not have any impact on air traffic patterns.
- d.-e. The project includes construction of new driveways on Airport Boulevard and Devlin Road. The new driveways have been designed to comply with all County standards and the recommendations of the OmniMeans final project traffic study. In addition, the Department of Public Works stated the following in a memo addressing driveway access to the property dated February 16, 2010;

As indicated in the project TIA project description, the parcel is divided into two development areas by an existing natural drainage way. The northern portion of the Napa Commerce Center Project (Project) is adjacent to Airport Boulevard and has approximately 450 feet of frontage on Devlin Road as it extends south from Airport Blvd. The access driveway for the northern portion is located immediately across from the access drive of the Greenwood Commerce center creating a driveway type intersection which supports left turn movements from Devlin Road. This is the only ingress/egress to the northern portion of the Project which provides approximately 380 parking spaces serving five buildings with office type uses. Inclusion of an access driveway from Airport Blvd. improves the overall access to the project area including emergency related responses to the project site.

The TIA also implies that inclusion of the access driveway on Airport Blvd. improves the function of the Devlin Road/Airport Blvd. intersection during PM peak hours and provides queuing on site. The location of the proposed driveway access on Airport Blvd is approximately 900 feet west of Highway 29/12/Airport

Blvd. intersection, which is beyond the projected queuing length of 569-feet for PM peak hour traffic and provides enough distance to allow traffic to access the existing left, through and right turn lanes. Additionally, the location of the driveway is sufficient distance from Airport Blvd. to be virtually unaffected by the future improvements to Highway 29/12/Airport Blvd. intersection planned by Caltrans.

Additionally, consideration was given to addressing project circulation needs by incorporating an internal connection between the northern and southern portions of the site, such as with a bridge over the natural drainage way. The analysis showed that if such a connection were provided, it would actually encourage more of the site's traffic to use the northerly site entrance on Devlin than would be the case without it. This would actually exacerbate the adverse effect on the Devlin/Airport Blvd. intersection.

Because of these unique circumstances associated with this project, inferior alternatives and the apparent improved operation of the Devlin Road/Airport Blvd intersection, Public Works supports the inclusion of a right turn only limited access driveway on Airport Blvd.

In addition to the above Department of Public Works review, the Napa County Fire Marshal has reviewed this application and identified no significant impacts. Impacts related to safety and the proposed Airport Boulevard project driveway are expected to be less than significant. However, a potentially significant impact related to traffic safety at the Airport Boulevard and Devlin Road intersection was identified by Carpenters Local 751 in their lengthy response to the initial draft project mitigated negative declaration. In his memo of April 19, 2010 (Review of the Mitigated Negative Declaration, Initial Study Checklist, Use Permit, and Final Traffic Impact Analysis for the Napa 34 Holdings Commerce Center in the County of Napa – Traffic Issues, Tom Brohard, April 19, 2010), which was attached to the Local 751 comment letter, Tom Brohard identifies the following:

In addition to providing the northbound right turn green arrow overlap which will run concurrently with the westbound dual left turns, it will also be necessary to prohibit westbound to eastbound U-turns at this intersection to eliminate protected conflicting turn movements.

County traffic engineer Rick Marshall has reviewed the proposed signalization improvements at the Airport Boulevard / Devlin Road intersection and confirms that Mr. Brohard's analysis is correct. As a result, a mitigation measure prohibiting westbound to eastbound U-turns has been incorporated below. As analyzed in the project traffic study, and in the Department of Public Works opinion incorporated above, and as mitigated consistent with Mr. Brohard's comment regarding U-turn restrictions, project impacts related to traffic hazards and emergency will be less than significant.

- f. The project includes 740 automotive parking spaces, plus a further 80 bicycle parking spaces (of which 32 will be covered and in all likelihood comprised of bike lockers) The Airport Industrial Area Specific Plan would require 750 parking spaces, meaning that a waiver from parking requirements is technically required for this project. A shortfall of ten parking spaces, especially in a project of this scale, is not deemed a potentially significant impact. On-site parking should be more than adequate.
- g. The proposed project includes significant new bike lane and bike parking facilities and does not conflict with any policies or plans supporting alternative transportation.

Mitigation Measures:

13.14. Prior to County authorization of a building permit, the permittee shall submit payment of Napa County's traffic mitigation fee in accordance with the Board Resolution then-operative, fees may be based on the number of vehicle trips generated by the project in the PM peak traffic period as established via the project traffic study or via any other measure duly adopted as part of the pending Update of Airport Industrial Area

Traffic Mitigation Fee Program. The permittee acknowledges that the finding of less than significant cumulative traffic impacts in this mitigated negative declaration rests on the cumulative analyses undertaken as a component of the Update of Airport Industrial Area Traffic Mitigation Fee Program and agrees to pay the updated fee as then-required should it be adopted and operative prior to the issuance of a building permit for any project structure.

Method of Mitigation Monitoring: This Mitigation Measure requires deposit of required traffic impact mitigation fees prior to the issuance of a building permit. If required fees are not submitted, no building permit will be issued.

- 14.15. As discussed in the project traffic study, the following parking spaces, situated on the curves of internal drive aisles around project buildings F and H, could create internal circulation problems and shall be reserved for "employees only," thereby limiting in/out maneuvers adjacent to impacted drive aisle curves:
- five parking spaces at the northeast corner of Building F on the entrance curve;
 - two parking spaces at the southeast corner of Building F on the exit curve;
 - five parking spaces at the northwest corner of Building H on the entrance curve; and
 - three parking spaces at the southeast corner on Building H on the inside curve.

Method of Mitigation Monitoring: No certificate of occupancy will be issued for the project unless the requirements of this mitigation measure have been complied with.

- 15.16. The project shall incorporate the turn lane construction, road widening, and other improvements at and adjacent to the Airport Boulevard/Devlin Road intersection outlined under "Airport Boulevard/Devlin Road Intersection" at page 21 of the final project traffic study, with the exception that westbound to eastbound U-turns at the Airport Boulevard/Devlin Road intersection shall be restricted to eliminate protected conflicting turn movements.

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review and approval of the Departments of Planning and Public Works, along with other relevant agencies. No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

- 16.17. As discussed in the project traffic study, this project may have significant impacts at the Soscol Ferry/Devlin Road intersection. Whether through the payment of impact fees or through some other fair-share method duly adopted at the time of any such construction, the permittee and his/her successors in interest shall contribute to the cost of signalization at the Soscol Ferry/Devlin Road intersection should the County deem it necessary to install traffic signals at that intersection at some point in the future.

Method of Mitigation Monitoring: Monitoring and implementation of this mitigation measure will have to be built in to any program, adopted at some later date, to require contributions to signalization projects then-undertaken. In the interim, traffic mitigation fees are required and if required fees are not submitted, no building permit will be issued.

- 17.18. The project shall incorporate improvements to signals at the Airport Boulevard/Devlin Road to create a "northbound right-turn overlap phase" as outlined under "Airport Boulevard" at page 22 of the final project traffic study.

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review

and approval of the Departments of Planning and Public Works (along with other relevant agencies). No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

18.19. The project shall incorporate the turn lane construction, road widening, and other improvements at and/or adjacent to the Airport Boulevard/CA-29 intersection as required by the Department of Transportation in their letter of March 3, 2010. To wit, "the project must include extending the existing northbound left turn lane at the state route 29/Airport Boulevard intersection in order to accommodate the Plus Project queue;" and, "please be reminded that a left turn lane requires both storage and deceleration length."

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review and approval of the Departments of Planning and Public Works and the California Department of Transportation. No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

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

Discussion:

- a. The project will occur within an urbanized area and connect to a publicly maintained wastewater treatment system. The wastewater provider, Napa Sanitation District, has provided a "will serve" letter incorporating a number of significant conditions including formal annexation in to the district. As conditioned, Napa Sanitation District has found the project to be in compliance with their master plans. The District's wastewater treatment plant complies with all water quality discharge requirements; the project will comply with regional water quality control standards.
- b. The project will not require construction of any new water or wastewater treatment facilities that will result in a significant impact to the environment. The project site is located in an area planned for industrial development and existing water and wastewater treatment facilities have been sized to accommodate the proposed project. The proposed project would require new pipelines at the site to connect to existing supply pipelines that ultimately tie back into the City of American Canyon's water treatment plan. Additionally, an existing 14" water main, which runs on and adjacent to the eastern end of the subject property adjacent to CA-29 is proposed to be abandoned in favor of a new alignment running underneath the Devlin Road extension and back up to S.R.29 under Airport Boulevard. The project would also install purple irrigation pipe so that reclaimed water supplied by the Napa Sanitation District could ultimately be used for landscape irrigation demand. Use of reclaimed water for irrigation will ultimately reduce the use of treated water provided by the City of American Canyon. The City's tandem water treatment plants have a maximum capacity of 5.5 million gallons per day (mgd). In addition, American Canyon has a potable water connection to the City of Vallejo water system that provides up to 1.3 mgd for a total current production capacity of 6.8 mgd.

Quoting from the *Napa Commerce Center Water Supply Report* (Michael Throne, City of American Canyon Department of Public Works, October 2009);

Additional treatment capacity is needed to achieve the General Plan EIR peak day demand estimate of 10.0 mgd. The membrane plant was designed to accommodate an additional 3.0 mgd expansion within the existing structure. This is included in the capital fee program. Expansion (of) the North Bay Aqueduct... would be needed to meet the peak day flow requirements for this additional treatment. Under this approach, the total treatment plant capacity would be 8.5 mgd. The remaining 1.5 mgd of peak treated water capacity could come from the City of Vallejo through the (existing) water supply contract... The Vallejo contract currently provides up to 1.3 mgd of peak day capacity during a peak month, which would be more than adequate to meet the treatment gap. If all of the remaining options were executed, the Vallejo contract would provide up to 3.1 mgd of peak day capacity during a peak month. An additional metering system would be needed to deliver this water to the City of American Canyon distribution system; this metering station is included in the capacity fee capital program.

The City of American Canyon also enjoys a physical connection to the City of Napa's treated water supply. Currently, the City of Napa treated water is provided on an informal basis in the absence of an agreement. On June 17, 2008, the City Council approved a one-year agreement with the City of Napa to treat and wheel water on behalf of the City of American Canyon. The City of American Canyon and the City of Napa have recently agreed to extend the agreement for another year. The agreement provides up to 1 mgd of treatment capacity in normal circumstances and up to 2.25 mgd when the North Bay Aqueduct is out of service.

As analyzed above and in the attached City of American Canyon water study, foreseeable water treatment system improvements potentially required by the cumulative results of this project would be limited to a 3.0 mgd capacity increase within one of the two existing City of American Canyon water treatment facilities. That capacity

increase was designed into the facility when it was first constructed and will not necessitate the physical expansion of the treatment plant or cause any potentially significant environmental impacts. As the City of Napa and the City of Vallejo have contracted to provide excess treated water to the City of American Canyon from their existing over-ample systems, no water treatment expansions would foreseeably or cumulatively result from this project in those networks. Impacts related to water treatment will be less than significant.

- c. The project incorporates an integrated approach to stormwater management and drainage in which on-site stormwater flows are pretreated and then allowed to drain into the preserved on-site wetland in a way that mimics natural flows. The proposed system, which is detailed in the applicant's March 2010 *Stormwater Management Plan* and in their *Preliminary Drainage Report* of the same date, has been vetted by both the Department of Public Works and the San Francisco Bay Regional Water Quality Control Board and both agencies have voiced initial support for the proposed system's somewhat novel (at least for Napa County) combined approach to stormwater management and wetland enhancement. The project will ultimately discharge stormwater into an approved storm drainage system designed to accommodate the drainage from this site. Given that the permittee will be required to obtain a stormwater permit from the Regional Water Quality Control Board, via a program which is in-part administered by the County Department of Public Works, ample opportunity is provided for both agencies to fine tune the details of the conceptual system as it progress into a built reality. The Department of Public Works will incorporate conditions of approval requiring that the drainage system be designed to avoid diversion or concentration of storm water runoff onto adjacent properties. Environmental impacts related to the construction of new drainage facilities will be less than significant.
- d. The subject parcel is within the City of American Canyon water service area and will receive treated water from the City of American Canyon water system, managed by that City's Department of Public Works. According to the City's project *Water Supply Report*, the American Canyon *Urban Water Management Plan* estimated a water demand of 25 acre-feet per year (afy) for the subject property. As this project is estimated to use 12 afy, the project is well within the City's programmed water demand. According to the submitted *Water Supply Report*, adequate water supplies are, or can be made, available to meet this projected demand.

A summary of information contained in the City of American Canyon's *Water Supply Report* prepared for this project is included below. This report greatly assisted the County in completing this initial study and complying with *Vineyard Area Citizens for Responsible Growth* requirements, which establish guidelines for evaluating the water supply of a project under the California Environmental Quality Act. *Vineyard* requires that water supplies not be illusory or intangible, that water supply over the entire length of the project be evaluated, and that environmental impacts of likely future water sources, as well as alternate sources, be summarized.

The City completed an Urban Water Management Plan in January 2006. The Urban Water Management Plan incorporated the project site as an industrial use. Potable water allocated to this site in the Urban Water Management Plan as an industrial use was 10,800 gallons per day. As summarized in the American Canyon Urban Water Management Plan (2006), the City's water supply is from the following sources:

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

The State Water Project (SWP) delivers the City's raw water supply in the North Bay Aqueduct (NBA). The City's entitlement of 4,700 afy in 2005 will increase annually by 50 to 100 afy, to 5,200 afy in 2015. SWP water is not proposed to increase after 2015. The City of American Canyon Water Treatment Plant treats the SWP water or it is delivered as raw water to the customers who use it for irrigation. The Urban Water Management Plan finds that,

as of 2005, the City of American Canyon would experience a shortfall in water supplies in multiple dry years of up to 427 acre-feet and single-dry-years of up to 897 acre-feet. By the year 2015, the City of American Canyon would experience a shortfall in multiple dry years of up to 1,037 acre-feet and in single dry years of up to 1,557 acre-feet.

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

As noted elsewhere, a project specific *Water Supply Report* was prepared in October 2009 by the City's Public Works Department to address a range of topics, including:

- The subject project's water service request;
- Consistency with the Urban Water Management Plan;
- Water footprint/zero water footprint;
- Project contribution to water capacity fee and improvements;
- Capital improvement program status for water supply and water treatment;
- *Vineyard* analysis;
- Recommended mitigations; and
- Opportunities to reduce the project's water footprint.

The subject project's average daily water demand, including domestic/potable and industrial water, is estimated to be 10,800 gallons per day. Total irrigation demand is proposed to be met using reclaimed water provided by Napa Sanitation District. As a result, the total annual demand based on an average of 10,800 gallons per day would be 12 afy. The total maximum daily water demand will be 16,200 gallons per day. According to the *Water Supply Report*, these estimates are considered reasonable.

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

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

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

The Urban Water Management Plan finds that, as of 2005, the City of American Canyon would experience a shortfall in water supplies in multiple-dry-years of up to 427 acre-feet and in single-dry-years of up to 897 acre-feet. Due to increased demand, the shortfall would worsen even as additional supplies are obtained. By the year 2015, the City of American Canyon would experience a shortfall in multiple-dry-years of up to 1,037 acre-feet and in single-dry-years of up to 1,557 acre-feet. By contributing to this shortfall, the project would function to reduce the reliability of American Canyon water service.

A complete *Vineyard* analysis is included in the attached *Water Supply Report* at pages 14-16, and is incorporated herein by reference. Mitigation measures as included in the project *Water Supply Report*, which will mitigate impacts on water supplies to a less than significant level, are enumerated below. Additional mitigation measures, based on those identified by Matt Hagemann, P.G. in his letter of May 11, 2010 (Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California), which are designed to further mitigate impacts related to water services reliability, are also incorporated below.

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

Mitigation Measures:

- 1620. The permittee shall pay all updated water capacity and impact fees to provide funding for the City of American Canyon to acquire additional long-term water resources and improve and develop its treatment and distribution system. The fees will allow for the City to exercise additional options for potable water capacity from the City of Vallejo and/or other sources, and will also provide for implementation of the recycled water system, helping to reduce the impact of additional water demand to a less than significant level.

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

- 1721. The project shall contribute to City of American Canyon Short-term Water Supply Mitigation, as set forth in the City's *Water Supply Report*, pages 16 and 17, Table 2, as non-refundable payments to the water operations fund to allow the City to acquire dry year water if necessary. If the long-term mitigations are not in place prior to the 2011-2012 water year, the project shall continue to make annual non-refundable payments until the short-term impacts are mitigated by completion of long-term improvements.

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

- 22. The permittee shall ensure that landscaping for the project employs native, drought-tolerant plant species to the greatest extent practicable, provided that such landscaping shall not conflict with those mitigations and project specifications addressing existing and proposed on-site wetlands.

Method of Mitigation Monitoring: Final landscape plans are required to be submitted for the review and approval of the planning director prior to building permit approval.

- 23. The permittee shall install water-conserving plumbing fixtures that maximize efficiency and water conservation in project buildings. These shall include, without limitation, dual-flush toilets, and ultra low-flush or waterless urinals.

Method of Mitigation Monitoring: Final plumbing details are required to be submitted for the review and approval of the planning director and building official prior to building permit approval.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

- a. The **BIOLOGICAL RESOURCES** section indicates that there is a possibility of state or federally protected species occurring in the vicinity of the site. Mitigation Measures are proposed to protect those species and no further effects are expected if all mitigation measures are implemented. No historic or prehistoric resources are anticipated to be affected by the proposed project. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. As mitigated herein, the subject project does not have impacts that are individually limited but cumulatively considerable. Potential impacts related to traffic and utilities are discussed in their respective sections above. The project would also increase the demands for public services to a limited extent, increase housing demand, and increase traffic and air pollution, all of which contribute to cumulative effects when future development along Highway 29 is considered. Cumulative impacts of these issues are discussed and mitigated, as necessary, in the relevant sections of this initial study (for example: **AIR QUALITY, POPULATION & HOUSING, TRANSPORTATION/TRAFFIC, and UTILITIES & SERVICE SYSTEMS**).
- c. Having thoroughly reviewed the project and completed the above initial study, as mitigated herein, we find no environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Enclosures:

The following documents are enclosed herein.

Project Revision Statement and Mitigation Monitoring and Reporting Program

Site Location Map (USGS Base Map)

Site Plan

Attachments:

The following documents are attached as relevant.

Attachment A - URBEMIS Annual Emissions Modeling Report (Cahill run, 3.3.2010)

Attachment B - URBEMIS Full Modeling Report (Clark run, 4.19.2010)

Attachment C - North Fork Associates, *Biological Resources Assessment*, June 1, 2009 (sans appendices)

Attachment D - OmniMeans Engineering and Planning, *Napa Commerce Center Light-Industrial Project Traffic Impact Analysis - Final Report*, February 2010 (sans appendices)

Attachment E - Michael Throne, City of American Canyon Department of Public Works, *Napa Commerce Center Water Supply Report*, October 2009 (sans appendices)

Attachment F – Richard Drury, *RE: Mitigated Negative Declaration for Napa 34 Commerce Center Use Permit and Variation to Development Standards Application No. P09-00329-UP and TPM and LLA Application No. P09-00330-TPM; SCH Number 2010032066*, May 23, 2010 (including Brohard {Traffic}, Nickelson {Traffic}, and Hagemann {Air Quality, Hydrology} appendices.)

Attachment G – Richard Drury, *RE: Mitigated Negative Declaration for Napa 34 Commerce Center Use Permit and Variation to Development Standards Application No. P09-00329-UP and TPM and LLA Application No. P09-00330-TPM; SCH Number 2010032066*, June 2, 2010 (including Clark and Hagemann {Air Quality, Hydrology} appendix.)

Project Revision Statement & Mitigation Monitoring and Reporting Program
(Environmental Review)

Napa 34 Holdings Commerce Center

Use Permit and Variation to Development Standards Application № P09-00329-UP and
Tentative Parcel Map and Lot Line Adjustment Application № P09-00330-TPM
Assessor's Parcel №: 057-210-056
No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558

I hereby revise my request to include the mitigation measures specified below:

AIR QUALITY

1. The permittee shall incorporate the following BAAQMD construction-related emissions management practices into all construction-phases of the subject project:
 - a. Water all active construction areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - f. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - g. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
 - h. Limit traffic speeds on unpaved roads to 15 mph.
 - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j. Replant vegetation in disturbed areas as quickly as possible.
 - k. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - l. Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas.
 - m. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
 - n. Limit the area subject to excavation, grading and other construction activity at any one time.
 - o. Idling times shall be minimized, either by shutting off equipment when not in use or by reducing the maximum idling time to 5 minutes (as required by California airborne toxics control measure Title 12, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - p. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - q. Post a publicly visible sign with the telephone number and person to contact at the Planning Department regarding dust complaints. The person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Method of Mitigation Monitoring: Prior to the issuance of a building or grading permits, the applicant's contractor shall submit a construction-related emissions best management practices program, incorporating (without limitation) all of the above requirements for the review and approval of the Planning Division. Site inspections

undertaken by the Planning Division, the Building Division, and the Department of Public Works will ensure compliance with the approved best management practices program.

2. The permittee shall require in its construction contracts that all construction equipment used as a component of the project be powered by one of the following alternative fuels: biodiesel, biodiesel blend, electricity, or natural gas. Exception to the foregoing may be made only where construction equipment capable of utilizing such alternative fuels is verifiably not available to the relevant contractor through the exercise of reasonable diligence.

Method of Mitigation Monitoring: Prior to the issuance of a building or grading permits, the permittee shall submit copies of contractor and sub-contractor contracts (as relevant) requiring compliance with the above mitigation for the review and approval of the Planning Director. Site inspections undertaken by the Planning Division, the Building Division, and the Department of Public Works may further ensure compliance with the requirement.

3. The permittee, or their successors in interest, shall purchase and retire 800 metric tons of carbon dioxide offset credits per year for ten years (total of 8,000 metric tons) from the Chicago Climate Exchange, beginning in or before the year in which the project receives its first Certificate of Occupancy from the Napa County Building Official.

Method of Mitigation Monitoring: Prior to the issuance of a certificate of occupancy, the permittee shall submit evidence of credit purchase and retirement for the review and approval of the Planning Director. Evidence of additional required purchase and retirement shall be provided annually thereafter for a period of ten years. Failure to purchase and retire said credits shall subject the permittee to use permit revocation, civil penalties, or other enforcement actions as then deemed necessary by the County.

4. In conjunction with the construction of project buildings, the permittee shall design all structures to accommodate solar arrays to the greatest extent possible- including building structural design, roofing materials, building wiring and the like, Final solar compatibility plans shall be submitted for the review and approval of the Planning Director prior to any relevant building permit approval.

Method of Mitigation Monitoring: This mitigation measure requires submittal of required plans and/or specifications prior to the issuance of a building permit. If the mitigation measures are not complied with, no building permit will be issued.

BIOLOGICAL RESOURCES

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

Method of Mitigation Monitoring: The permittee shall have a nesting bird survey completed prior to any construction activities scheduled to occur on the site from the beginning of March through August. The survey results shall be provided to the Napa County Conservation, Development, and Planning Department (Planning Department). In the event that nesting sites are found, the nest location and a buffer area designated by the biologist in consultation with the California Department of Fish and Game shall be mapped, and no work shall be undertaken in buffer until the nest has been vacated.

6. To avoid potential losses to the Western Burrowing owl, a nesting survey shall be conducted by a qualified Biologist no more than 30 days prior to commencing construction activities. If active nests are found, a nest location and a buffer area shall be designated by the biologist in consultation with the California Department of Fish and Game.. Buffers shall be maintained around any active nests and burrows at all times of the year. A site

specific proposal for surveys shall be submitted for the review and approval of the Department of Fish and Game prior to implementation. Surveys shall additionally comply with requirements 1-7 at pages 2 and 3 of the Department of Fish and Game's comment letter of April 15, 2010. If no nests are found on the project site construction activities could proceed without further survey.

Method of Mitigation Monitoring: The permittee shall have a nesting western Burrowing owl survey completed prior to any construction activities. The survey results shall be provided to the Napa County Conservation Development and Planning Department. In the event western burrowing owls are found to occur on-site, buffers shall be established and maintained consistent with Department of Fish and Game policies and protocols.

7. In order to mitigate for the loss of Swainson's hawk foraging habitat, prior to the issuance of a building or grading permit, the project proponents shall either provide 0.75 acres of land for each acre of urban development authorized by this project as permanent protected Swainson's hawk foraging habitat (lands shall be protected in perpetuity and should provide for the long-term management of the lands by funding a management endowment) or other mitigation as deemed acceptable by the California Department of Fish and Game.

Method of Mitigation Monitoring: Mitigation Measure No 7 requires compliance with DFG mitigation requirements prior to the issuance of a building or grading permit. If the mitigation measures are not complied with, no development permit will be issued.

8. Prior to issuance of a building or grading permit the project proponent shall provide documentation from the Army Corps of Engineers indicating that one or more of the following measures will, or has, occurred and is, or will, be considered mitigation to address proposed conversion of jurisdictional wetlands.
 - a. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, on the project site by enhancing existing wetlands or creating new wetlands to provide for no net loss of wetlands function. The applicant's biologist indicates on site mitigation using proposed drainage facilities such as a detention basin or vegetated swales is a viable option for restoring wetlands function although the acceptability of such to the Corps and/or RWQCB cannot be guaranteed; or,
 - b. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by off-site creation or enhancement of wetlands in Napa County consistent with state and federal policies providing for no net loss of wetland function; or
 - c. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by purchase of wetlands creation or preservation credits in an existing or future wetlands bank that "services" Napa County, consistent with state and federal policies providing for no net loss of wetland function; or
 - d. Mitigate for wetlands fill, in a ratio acceptable to the Corps and/or RWQCB, by financial participation in an existing wetlands enhancement or creation project in Napa County sponsored by a state, federal or County agency such as the Napa County Resource Conservation District (RCD) consistent with state and federal policies providing for no net loss of wetland function. Or,
 - e. a combination of the above measures, which in aggregate meets the prescribed ratio dictated by the Corps and/or RWQCB.

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

9. Prior to issuance of a building or grading permit, the project proponent shall provide documentation from the California Department of Fish and Game that a 1602 permit has been issued or that said department does not deem such permitting necessary. The terms and conditions of that permitting are subject to Fish and Game concurrence and may be modified as deemed necessary by that department.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of evidence of project compliance with DFG 1602 permit requirements prior to the issuance of a building or grading permit. If such evidence is not submitted, no development permit will be issued.

10. Prior to issuance of a building or grading permit, the project proponent shall submit final revised landscape plans which include in-like-kind replacement of all trees to be removed as a result of the project for the review and approval of the Planning Director. Tree replacement shall occur at a ratio of 3:1 if replacement trees are smaller than 24" box in size or at a ratio of 2:1 if replacement trees are sized at 24" box or greater. The final determination as to whether or not proposed replacement plantings are "in-like-kind" shall be made by, and solely at the discretion of, the Planning Director or her designee.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of final revised landscape plans incorporating replacement tree details prior to the issuance of a building or grading permit. If such plans are not submitted, no development permit will be issued.

HYDROLOGY AND WATER QUALITY

11. Prior to the issuance of a building permit, a grading permit, or the recordation of a final parcel map, the permittee shall submit a binding drainage system/wetland maintenance plan for the review and approval of the Departments of Public Works and Planning. The submitted plan shall stipulate an ongoing maintenance regime (including, without limitation, financing details and implementation/enforcement measures such as CC&Rs and/or third party conservations easements) for the integrated project area wetland and drainage system. The wetland shall be restored and revegetated to improve habitat for animals associated with the wetland ecosystem. Permanent restricted-access buffer zones shall be established around the protected wetland as shown in submitted plans or otherwise as consistent with the site-specific requirements of the Regional Water Quality Control Board; incidental human traffic through or interference in these zones shall be restricted through fencing or other barriers acceptable to the Planning Director and the Regional Water Quality Control Board. Revegetation within the wetland and wetland buffer areas shall consist of appropriate native plants. No chemical spraying shall be allowed in the wetland or wetland buffer areas. The submitted maintenance plan shall be consistent with the *Napa County Post Construction Runoff Management Requirements* manual adopted by the Board of Supervisors on June 3, 2008, and in particular with Chapter 5 at p. 14, Implementation and Maintenance of Requirement.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of an acceptable maintenance plan prior to the issuance of a building or grading permit or the recordation of a final parcel map. If such plans are not submitted or are not approvable, no parcel map may be recorded and no development permit will be issued.

12. Prior to the issuance of a building permit or a grading permit the permittee shall retain a qualified third-party consultant to develop a stormwater pollution prevention plan (SWPP) in conformance with all applicable requirements of the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000-14598) and the Federal Clean Water Act (13 U.S.C. 1251 et seq) for the review and approval of the Director of Public Works.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of an acceptable maintenance SWPP prior to the issuance of a building or grading permit. If the SWPP is not submitted or is inadequate, no development permit will be issued.

PUBLIC SERVICES

13. Prior to the issuance of a building or grading permit, the permittee shall submit final fire hydrant plans for the review and approval of the Fire Marshal.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of acceptable hydrant plans prior to the issuance of a building or grading permit. If such plans are not submitted or are not approvable, no development permit will be issued.

TRANSPORTATION/TRAFFIC

14. Prior to County authorization of a building permit, the permittee shall submit payment of Napa County's traffic mitigation fee in accordance with the Board Resolution then-operative, fees may be based on the number of vehicle trips generated by the project in the PM peak traffic period as established via the project traffic study or via any other measure duly adopted as part of the pending *Update of Airport Industrial Area Traffic Mitigation Fee Program*. The permittee acknowledges that the finding of less than significant cumulative traffic impacts in this mitigated negative declaration rests on the cumulative analyses undertaken as a component of the *Update of Airport Industrial Area Traffic Mitigation Fee Program* and agrees to pay the updated fee as then-required should it be adopted and operative prior to the issuance of a building permit for any project structure.

Method of Mitigation Monitoring: This Mitigation Measure requires deposit of required traffic impact mitigation fees prior to the issuance of a building permit. If required fees are not submitted, no building permit will be issued.

15. As discussed in the project traffic study, the following parking spaces, situated on the curves of internal drive aisles around project buildings F and H, could create internal circulation problems and shall be reserved for "employees only," thereby limiting in/out maneuvers adjacent to impacted drive aisle curves:
 - a. five parking spaces at the northeast corner of Building F on the entrance curve;
 - b. two parking spaces at the southeast corner of Building F on the exit curve;
 - c. five parking spaces at the northwest corner of Building H on the entrance curve; and
 - d. three parking spaces at the southeast corner on Building H on the inside curve.

Method of Mitigation Monitoring: No certificate of occupancy will be issued for the project unless the requirements of this mitigation measure have been complied with.

16. The project shall incorporate the turn lane construction, road widening, and other improvements at and adjacent to the Airport Boulevard/Devlin Road intersection outlined under "*Airport Boulevard/Devlin Road Intersection*" at page 21 of the final project traffic study, with the exception that westbound to eastbound U-turns at the Airport Boulevard/Devlin Road intersection shall be restricted to eliminate protected conflicting turn movements.

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review and approval of the Departments of Planning and Public Works, along with other relevant agencies. No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

17. As discussed in the project traffic study, this project may have significant impacts at the Soscol Ferry/Devlin Road intersection. Whether through the payment of impact fees or through some other fair-share method duly adopted at the time of any such construction, the permittee and his/her successors in interest shall contribute to the cost of signalization at the Soscol Ferry/Devlin Road intersection should the County deem it necessary to install traffic signals at that intersection at some point in the future.

Method of Mitigation Monitoring: Monitoring and implementation of this mitigation measure will have to be built in to any program, adopted at some later date, to require contributions to signalization projects then-undertaken.

In the interim, traffic mitigation fees are required and if required fees are not submitted, no building permit will be issued.

18. The project shall incorporate improvements to signals at the Airport Boulevard/Devlin Road to create a "northbound right-turn overlap phase" as outlined under "Airport Boulevard" at page 22 of the final project traffic study.

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review and approval of the Departments of Planning and Public Works (along with other relevant agencies). No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

19. The project shall incorporate the turn lane construction, road widening, and other improvements at and/or adjacent to the Airport Boulevard/Ca-29 intersection as required by the Department of Transportation in their letter of March 3, 2010. To wit, "the project must include extending the existing northbound left turn lane at the state route 29/Airport Boulevard intersection in order to accommodate the Plus Project queue;" and, "please be reminded that a left turn lane requires both storage and deceleration length."

Method of Mitigation Monitoring: No building or grading permit shall be issued for this project until a final improvement plan implementing the requirements of this mitigation measure has been submitted for the review and approval of the Departments of Planning and Public Works and the California Department of Transportation. No certificate of occupancy will be issued for the project until the physical requirements of this mitigation measure have been complied with.

UTILITIES and SERVICE SYSTEMS

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

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

21. The project shall contribute to City of American Canyon Short-term Water Supply Mitigation, as set forth in the City's *Water Supply Report*, pages 16 and 17, Table 2, as non-refundable payments to the water operations fund to allow the City to acquire dry year water if necessary. If the long-term mitigations are not in place prior to the 2011-2012 water year, the project shall continue to make annual non-refundable payments until the short-term impacts are mitigated by completion of long-term improvements.

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

22. The permittee shall ensure that landscaping for the project employs native, drought-tolerant plant species to the greatest extent practicable, provided that such landscaping shall not conflict with those mitigations and project specifications addressing existing and proposed on-site wetlands.

Method of Mitigation Monitoring: Final landscape plans are required to be submitted for the review and approval of the planning director prior to building permit approval.

23. The permittee shall install water-conserving plumbing fixtures that maximize efficiency and water conservation in project buildings. These shall include, without limitation, dual-flush toilets, and ultra low-flush or waterless urinals.

Method of Mitigation Monitoring: Final plumbing details are required to be submitted for the review and approval of the planning director and building official prior to building permit approval.

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

Signature of Owner

Print Name

Interest

Attachment A -

URBEMIS Annual Emissions Modeling Report

(Cahill run, 3.3.2010)

3/3/2010 2:11:29 PM

Urbemis 2007 Version 9.2.4

Summary Report for Annual Emissions (Tons/Year)

File Name: C:\Documents and Settings\CCA\HILL\Desktop\Napa 34.urb924

Project Name: Napa 34 Commerce Center

Project Location: California State-wide

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

CO2

2010 TOTALS (tons/year unmitigated)

464.10

2010 TOTALS (tons/year mitigated)

464.10

Percent Reduction

0.00

$$\boxed{464.10} \rightarrow X \cdot 91 = \underline{422.3 \text{ MT/Y CO}_2\text{e}}$$

2011 TOTALS (tons/year unmitigated)

1,201.42

2011 TOTALS (tons/year mitigated)

1,201.42

Percent Reduction

0.00

$$\boxed{1,201.42} \rightarrow X \cdot 91 = \underline{1,093 \text{ MT/Y CO}_2\text{e}}$$

AREA SOURCE EMISSION ESTIMATES

CO2

TOTALS (tons/year, unmitigated)

176.63

TOTALS (tons/year, mitigated)

141.35

Percent Reduction

19.97

$$\boxed{141.35} \rightarrow X \cdot 91 = \underline{128.6 \text{ MT/Y CO}_2\text{e}}$$

3/3/2010 6:11:15 PM

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

TOTALS (tons/year, unmitigated)

CO2
4,103.78

TOTALS (tons/year, mitigated)

1,942.49

Percent Reduction

52.67

$$\rightarrow \times .91 = \underline{1,767.7 \text{ MT/Y CO}_2\text{e}}$$

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

TOTALS (tons/year, unmitigated)

CO2
4,280.41

TOTALS (tons/year, mitigated)

2,083.84

Percent Reduction

51.32

$$\rightarrow \times .91 = \underline{1,896.3 \text{ MT/Y CO}_2\text{e}}$$

BAAQMD 12.7.09
DRAFT THRESHOLDS

1,100 MT/Y CO2e

-or-

4.6 MT/Y CO2e/person*

(* "PERSON" = EMPLOYEES + RESIDENTS)

PROJECT PROPOSES 624 EMPLOYEES,
OR 2 THRESHOLD OF...

$$624 \times 4.6 = \underline{2,870.4 \text{ MT/Y CO}_2\text{e}} \rightarrow \underline{1,896.3 \text{ MT/Y CO}_2\text{e.}}$$

3/3/2010 6:07:28 PM

Urbanis 2007 Version 9.2.4

Summary Report for Annual Emissions (Tons/Year)

File Name: C:\Documents and Settings\CCA\HILL\Desktop\napa 34.urb924

Project Name: Napa 34 Commerce Center

Project Location: California State-wide

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2010 TOTALS (tons/year unmitigated)	0.40	2.94	2.92	0.00	5.44	0.15	5.59	1.14	0.14	1.28	464.10
2010 TOTALS (tons/year mitigated)	0.40	2.82	2.92	0.00	1.24	0.11	1.35	0.26	0.10	0.36	464.10
Percent Reduction	0.00	3.82	0.00	0.00	77.14	27.71	75.82	77.02	27.81	71.72	0.00
2011 TOTALS (tons/year unmitigated)	5.97	5.17	7.23	0.01	0.04	0.25	0.29	0.02	0.23	0.24	1,201.42
2011 TOTALS (tons/year mitigated)	5.44	4.90	7.23	0.01	0.04	0.15	0.20	0.02	0.14	0.15	1,201.42
Percent Reduction	8.81	5.11	0.00	0.00	0.00	38.78	32.93	0.00	39.07	36.59	0.00

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	0.54	0.15	0.26	0.00	0.00	0.00	176.63
TOTALS (tons/year, mitigated)	0.54	0.12	0.24	0.00	0.00	0.00	141.35
Percent Reduction	0.00	20.00	7.69	Nan	Nan	Nan	19.97

1 Short Ton/Year =

5.476 Pounds/day

3/3/2010 6:07:28 PM

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

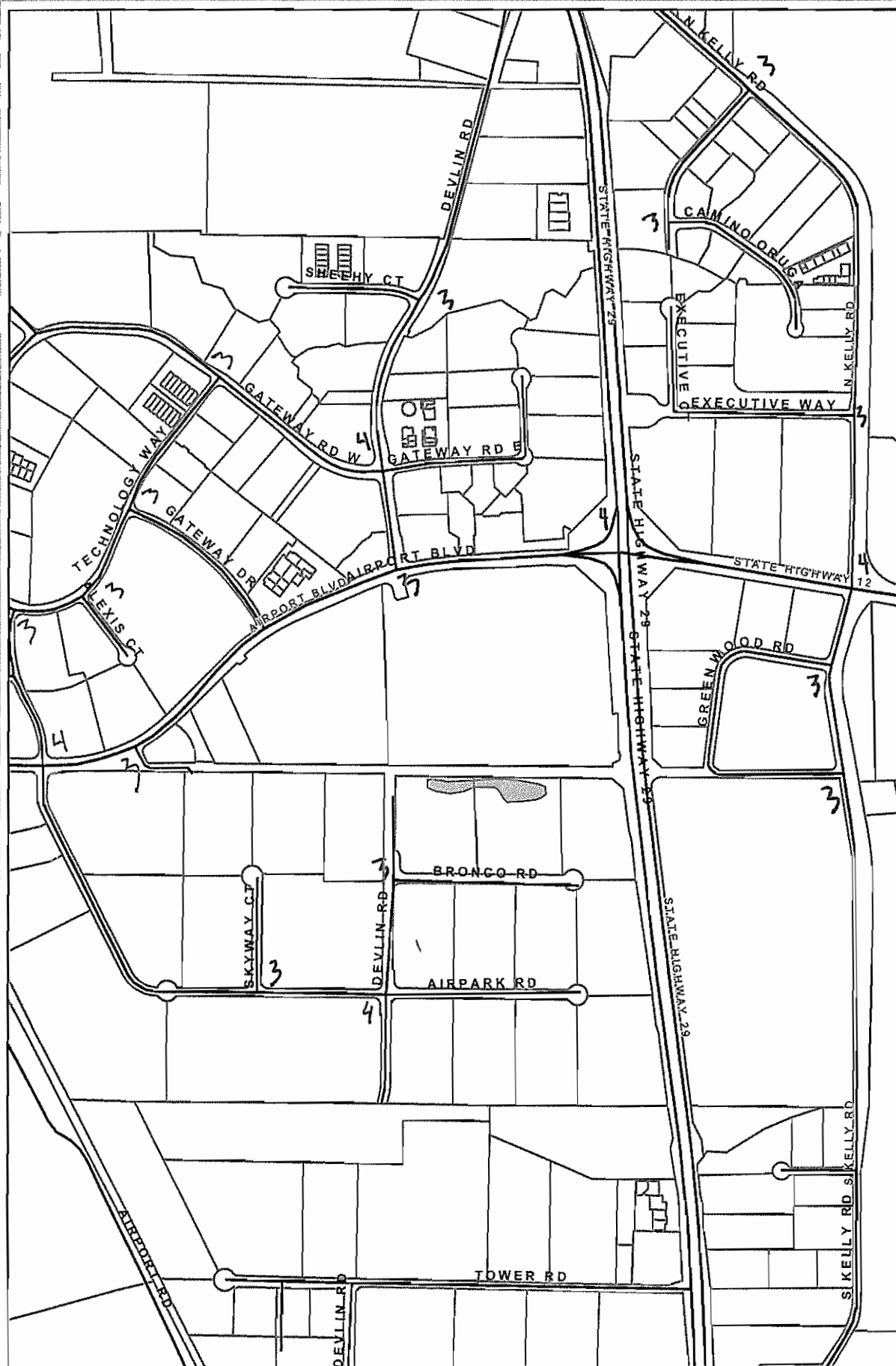
	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	4.38	6.25	47.39	0.04	7.55	1.47	4,103.78
TOTALS (tons/year, mitigated)	2.32	2.96	22.43	0.02	3.57	0.70	1,942.49
Percent Reduction	47.03	52.64	52.67	50.00	52.72	52.38	52.67

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	4.92	6.40	47.65	0.04	7.55	1.47	4,280.41
TOTALS (tons/year, mitigated)	2.86	3.08	22.67	0.02	3.57	0.70	2,083.84
Percent Reduction	41.87	51.88	52.42	50.00	52.72	52.38	51.32



A Tradition of Stewardship
A Commitment to Service



Legend

- Roads
- Major Roads
- Parcels
- Water Bodies
- American Canyon
- Calistoga
- County
- Napa
- St Helena
- Yountville
- County Boundary

County of Napa



Conservation, Development
& Planning

Planning General

Horizontal Datum: NAD 83,
CA State Plane Coordinates,
Zone II, feet

Disclaimer: This map was prepared for
informational purpose only. No liability
is assumed for the accuracy of the
data delineated hereon.

0 410 820 1,640 2,460 3,280 Feet

Created Date: 12/2002

Revised Date: 10/01/2009

Attachment B

URBEMIS Full Modeling Report

(Clark run, 4.19.2010)

Page: 1

4/19/2010 11:54:48 AM

Urbemis 2007 Version 9.2.4

Combined Summer Emissions Reports (Pounds/Day)

File Name: C:\Documents and Settings\James Clark\Application Data\Urbemis\Version9a\Projects\Napa34.urb924

Project Name: Napa 34 Commerical Center

Project Location: Napa County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2010 TOTALS (lbs/day unmitigated)	8.39	52.97	31.37	0.01	112.64	3.24	115.87	23.53	2.98	26.50	5,080.69
2010 TOTALS (lbs/day mitigated)	8.39	52.97	31.37	0.01	112.64	3.24	115.87	23.53	2.98	26.50	5,080.69
2011 TOTALS (lbs/day unmitigated)	507.30	91.97	106.18	0.09	113.01	5.16	118.20	23.66	4.75	28.41	15,703.19
2011 TOTALS (lbs/day mitigated)	507.30	91.97	106.18	0.09	113.01	5.16	118.20	23.66	4.75	28.41	15,703.19

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	3.24	1.74	4.52	0.00	0.01	0.01	2,048.06
TOTALS (lbs/day, mitigated)	3.24	1.74	4.52	0.00	0.01	0.01	2,048.06
Percent Reduction	0.00	0.00	0.00	NaN	0.00	0.00	0.00

Page: 2

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OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	26.05	24.39	264.31	0.21	39.06	7.48	22,146.21
TOTALS (lbs/day, mitigated)	26.05	24.39	264.31	0.21	39.06	7.48	22,146.21
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	29.29	26.13	268.83	0.21	39.07	7.49	24,194.27
TOTALS (lbs/day, mitigated)	29.29	26.13	268.83	0.21	39.07	7.49	24,194.27
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
Time Slice 11/30/2010-12/27/2010 Active Days: 20	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading 11/30/2010- 01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09

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Time Slice 12/28/2010-12/31/2010 Active Days: 4	<u>8.39</u>	<u>52.97</u>	<u>31.37</u>	<u>0.01</u>	<u>112.64</u>	<u>3.24</u>	<u>115.97</u>	<u>23.53</u>	<u>2.99</u>	<u>26.50</u>	<u>5,080.69</u>
Asphalt 12/29/2010-01/11/2011	4.17	19.21	12.24	0.01	0.03	1.44	1.47	0.01	1.32	1.33	1,946.12
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.48	14.87	8.27	0.00	0.00	1.28	1.28	0.00	1.18	1.18	1,131.92
Paving On Road Diesel	0.26	4.19	1.33	0.01	0.02	0.15	0.17	0.01	0.14	0.15	610.86
Paving Worker Trips	0.09	0.15	2.64	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.35
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09
Time Slice 1/3/2011-1/10/2011 Active Days: 6	7.96	49.72	30.17	0.01	112.64	3.06	115.70	23.53	2.82	26.34	5,080.89
Asphalt 12/29/2010-01/11/2011	4.00	18.03	11.92	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,948.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.86
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Fine Grading 11/30/2010-01/11/2011	3.96	31.59	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17

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Time Slice 1/11/2011-1/11/2011 Active Days: 1	14.68	<u>91.97</u>	<u>106.18</u>	<u>0.09</u>	<u>113.01</u>	<u>5.18</u>	<u>118.20</u>	<u>23.66</u>	<u>4.75</u>	<u>28.41</u>	<u>15,703.19</u>
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,948.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.86
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.88	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Fine Grading 11/30/2010- 01/11/2011	3.96	31.69	19.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17
Time Slice 1/12/2011-8/5/2011 Active Days: 148	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93

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Time Slice 8/8/2011-8/22/2011	<u>507.30</u>	42.64	83.14	0.09	0.41	2.14	2.54	0.14	1.95	2.09	11,216.35
Active Days: 11											
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.08	0.05	0.18	0.88	1.06	0.06	0.60	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Coaling 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coaling	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coaling Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Time Slice 8/23/2011-9/5/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Active Days: 10											
Coaling 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coaling	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coaling Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05

Phase Assumptions

Phase: Fine Grading 11/30/2010 - 1/11/2011 - Default Fine Site Grading Description

Total Acres Disturbed: 22.53

Maximum Daily Acreage Disturbed: 5.63

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 0

Off-Road Equipment:

1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

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Phase: Paving 12/28/2010 - 1/11/2011 - Default Paving Description

Acres to be Peved: 5.63

Off-Road Equipment:

- 4 Cement and Mortar Mixers (10 hp) operating at a 0.56 load factor for 6 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 2 Paving Equipment (104 hp) operating at a 0.53 load factor for 6 hours par day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day

Phase: Building Construction 1/11/2011 - 8/22/2011 - Default Building Construction Description

Off-Road Equipment:

- 1 Cranes (399 hp) operating at a 0.43 load factor for 6 hours per day
- 2 Forklifts (145 hp) operating at a 0.3 load factor for 6 hours par day
- 1 Generator Sets (49 hp) operating at a 0.74 load factor for 8 hours par day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day
- 3 Welders (45 hp) operating at a 0.45 load factor for 8 hours par day

Phase: Architectural Coating 8/8/2011 - 9/5/2011 - Default Architeclural Coating Dascription

Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Residential Exterior Coatings begins 1/1/2005 ands 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonrasidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
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Time Slice 11/30/2010-12/27/2010	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Active Days: 20											
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09
Time Slice 12/28/2010-12/31/2010	<u>8.39</u>	<u>52.97</u>	<u>31.37</u>	<u>0.01</u>	<u>112.64</u>	<u>3.24</u>	<u>115.87</u>	<u>23.53</u>	<u>2.99</u>	<u>26.50</u>	<u>5,080.69</u>
Active Days: 4											
Asphalt 12/28/2010-01/11/2011	4.17	19.21	12.24	0.01	0.03	1.44	1.47	0.01	1.32	1.33	1,946.12
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.48	14.87	6.27	0.00	0.00	1.28	1.28	0.00	1.18	1.18	1,131.92
Paving On Road Diesel	0.26	4.19	1.33	0.01	0.02	0.15	0.17	0.01	0.14	0.15	610.86
Paving Worker Trips	0.09	0.15	2.64	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.35
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09

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Time Slice 1/3/2011-1/10/2011	7.96	49.72	30.17	0.01	112.54	3.06	115.70	23.53	2.82	26.34	5,060.69
Active Days: 6											
Asphalt 12/28/2010-01/11/2011	4.00	16.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.86
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Fine Grading 11/30/2010-01/11/2011	3.96	31.69	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17

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Time Slice 1/11/2011-1/11/2011 Active Days: 1	14.68	<u>91.97</u>	<u>106.18</u>	<u>9.09</u>	<u>113.01</u>	<u>5.18</u>	<u>118.20</u>	<u>23.66</u>	<u>4.75</u>	<u>28.41</u>	<u>16,703.19</u>
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.82
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.86
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Building 01/11/2011-08/22/2011	8.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.08	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Fine Grading 11/30/2010- 01/11/2011	3.96	31.69	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	18.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17
Time Slice 1/12/2011-8/5/2011 Active Days: 148	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93

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Time Slice 8/8/2011-8/22/2011 Active Days: 11	507.30	42.64	83.14	0.09	0.41	2.14	2.54	0.14	1.95	2.09	11,216.35
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.08	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Coaling 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coaling	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coaling Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Time Slice 8/23/2011-9/5/2011 Active Days: 10	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Coaling 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coaling	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coaling Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05

Construction Related Mitigation Measures

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.12	1.70	1.43	0.00	0.00	0.00	2,042.44
Hearth							
Landscape	0.25	0.04	3.09	0.00	0.01	0.01	5.62
Consumer Products	0.00						
Architectural Coatings	2.87						
TOTALS (lbs/day, unmitigated)	3.24	1.74	4.52	0.00	0.01	0.01	2,048.06

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.12	1.70	1.43	0.00	0.00	0.00	2,042.44
Hearth							
Landscape	0.25	0.04	3.09	0.00	0.01	0.01	5.62
Consumer Products	0.00						
Architectural Coatings	2.87						
TOTALS (lbs/day, mitigated)	3.24	1.74	4.52	0.00	0.01	0.01	2,048.06

Area Source Mitigation Measures Selected

Mitigation Description	Percent Reduction
------------------------	-------------------

Area Source Changes to Defaults

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Office park	11.59	11.62	129.01	0.10	18.56	3.56	10,586.92
Warehouse	14.46	12.77	135.30	0.11	20.50	3.92	11,559.29
TOTALS (lbs/day, unmitigated)	26.05	24.39	264.31	0.21	39.06	7.48	22,146.21

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Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Office park	11.59	11.62	129.01	0.10	18.56	3.56	10,586.92
Warehouse	14.46	12.77	135.30	0.11	20.50	3.92	11,559.29
TOTALS (lbs/day, mitigated)	26.05	24.39	264.31	0.21	39.06	7.48	22,146.21

Operational Mitigation Options Selected

Residential Mitigation Measures

Nonresidential Mitigation Measures

Non-Residential Local-Serving Retail Mitigation:

Percent Reduction in Trips Is 0%

Inputs Selected:

The Presence of Local-Serving Retail checkbox was NOT selected.

Operational Settings:

Includes correction for passby trips

Includes the following double counting adjustment for Internal trips:

Residential Trip % Reduction: 0.00 Nonresidential Trip % Reduction: 0.00

Analysis Year: 2012 Temperature (F): 85 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Office park		11.42	1000 sq ft	134.50	1,535.99	10,788.97
Warehouse		4.96	1000 sq ft	356.00	1,765.76	11,918.54
					3,301.75	22,707.51

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	45.7	0.9	98.7	0.4
Light Truck < 3750 lbs	17.8	2.3	92.6	5.1
Light Truck 3751-5750 lbs	19.9	1.0	98.5	0.5
Med Truck 5751-8500 lbs	7.8	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	1.6	0.0	68.8	31.2
Lite-Heavy Truck 10,001-14,000 lbs	0.9	0.0	55.6	44.4
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.3	0.0	0.0	100.0
Other Bus	0.1	0.0	100.0	0.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	3.9	59.0	41.0	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.1	0.0	90.9	9.1

Attachment B: Winter Emission Estimates

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Urbemis 2007 Version 9.2.4

Combined Winter Emissions Reports (Pounds/Day)

File Name: C:\Documents and Settings\James Clark\Application Data\Urbemis\Version9a\Projects\napa34.urb924

Project Name: Napa 34 Commerical Center

Project Location: Napa County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2010 TOTALS (lbs/day unmilgated)	6.39	52.97	31.37	0.01	112.64	3.24	115.97	23.53	2.98	26.50	5,080.69
2010 TOTALS (lbs/day milgated)	6.39	52.97	31.37	0.01	112.64	3.24	115.97	23.53	2.98	26.50	5,080.69
2011 TOTALS (lbs/day unmilgated)	507.30	91.97	106.18	0.09	113.01	5.18	118.20	23.66	4.75	28.41	15,703.19
2011 TOTALS (lbs/day milgated)	507.30	91.97	106.18	0.09	113.01	5.18	118.20	23.66	4.75	28.41	15,703.19

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmilgated)	2.99	1.70	1.43	0.00	0.00	0.00	2,042.44
TOTALS (lbs/day, milgated)	2.99	1.70	1.43	0.00	0.00	0.00	2,042.44
Percent Reduction	0.00	0.00	0.00	NaN	NaN	NaN	0.00

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OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	26.18	36.88	290.25	0.19	39.06	7.48	19,242.34
TOTALS (lbs/day, mitigated)	26.18	36.88	290.25	0.19	39.06	7.48	19,242.34
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	29.17	38.58	291.68	0.19	39.06	7.48	21,284.78
TOTALS (lbs/day, mitigated)	29.17	38.58	291.68	0.19	39.06	7.48	21,284.78
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
Time Slice 11/30/2010-12/27/2010	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Active Days: 20											
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09

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Time Slice 12/28/2010-12/31/2010 Active Days: 4	<u>0.39</u>	<u>52.97</u>	<u>31.37</u>	<u>0.01</u>	<u>112.64</u>	<u>3.24</u>	<u>115.87</u>	<u>23.53</u>	<u>2.98</u>	<u>25.50</u>	<u>5,080.69</u>
Asphalt 12/28/2010-01/11/2011	4.17	19.21	12.24	0.01	0.03	1.44	1.47	0.01	1.32	1.33	1,946.12
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.48	14.87	8.27	0.00	0.00	1.28	1.28	0.00	1.18	1.18	1,131.92
Paving On Road Diesel	0.26	4.19	1.33	0.01	0.02	0.15	0.17	0.01	0.14	0.15	610.86
Paving Worker Trips	0.09	0.15	2.64	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.35
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09
Time Slice 1/3/2011-1/10/2011 Active Days: 6	7.96	49.72	30.17	0.01	112.64	3.06	115.70	23.53	2.82	26.34	5,080.69
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.66
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Fine Grading 11/30/2010-01/11/2011	3.96	31.69	16.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17

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Time Slice 1/11/2011-1/11/2011	14.68	<u>91.97</u>	<u>106.18</u>	<u>0.09</u>	<u>113.01</u>	<u>5.18</u>	<u>118.20</u>	<u>23.66</u>	<u>4.75</u>	<u>28.41</u>	<u>15,703.19</u>
Active Days: 1											
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.88
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.88	5,083.16
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Fine Grading 11/30/2010-01/11/2011	3.96	31.69	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17
Time Slice 1/12/2011-8/5/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Active Days: 148											
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.36	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.60	0.86	5,083.16
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93

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Time Slice 8/8/2011-8/22/2011	<u>507.30</u>	42.64	83.14	0.09	0.41	2.14	2.54	0.14	1.95	2.09	11,216.35
Active Days: 11											
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.66	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Coating 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coating	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Time Slice 8/23/2011-9/5/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Active Days: 10											
Coating 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coating	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05

Phase Assumptions

Phase: Fine Grading 11/30/2010 - 1/11/2011 - Default Fine Site Grading Description

Total Acres Disturbed: 22.53

Maximum Daily Acreage Disturbed: 5.63

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

Dn Road Truck Travel (VMT): 0

Off-Road Equipment:

1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

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Phase: Paving 12/28/2010 - 1/11/2011 - Default Paving Description

Acres to be Paved: 5.63

Off-Road Equipment:

- 4 Cement and Morter Mixers (10 hp) operating et a 0.56 load factor for 6 hours per day
- 1 Pavers (100 hp) operating et a 0.62 load factor for 7 hours per day
- 2 Paving Equipment (104 hp) operating et a 0.53 load factor for 8 hours per day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day

Phase: Building Construction 1/11/2011 - 8/22/2011 - Default Building Construction Description

Off-Road Equipment:

- 1 Cranas (399 hp) operating at a 0.43 load factor for 6 hours per day
- 2 Forklifts (145 hp) operating at a 0.3 load factor for 6 hours per day
- 1 Generator Sals (49 hp) operating at a 0.74 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoas (108 hp) operating at a 0.55 load factor for 8 hours per day
- 3 Welders (45 hp) operating at a 0.45 load factor for 8 hours per day

Phase: Architectural Coating 8/8/2011 - 9/5/2011 - Default Architectural Coating Description

- Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250
- Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250
- Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250
- Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

	<u> ROG </u>	<u> NOx </u>	<u> CO </u>	<u> SO2 </u>	<u> PM10 Dust </u>	<u> PM10 Exhaust </u>	<u> PM10 </u>	<u> PM2.5 Dust </u>	<u> PM2.5 Exhaust </u>	<u> PM2.5 </u>	<u> CO2 </u>
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Time Slice 11/30/2010-12/27/2010 Active Days: 20	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.46	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.46
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09
Time Slice 12/28/2010-12/31/2010 Active Days: 4	8.38	52.97	31.37	0.01	112.64	3.24	115.87	23.53	2.98	26.50	5,060.69
Asphalt 12/28/2010-01/11/2011	4.17	19.21	12.24	0.01	0.03	1.44	1.47	0.01	1.32	1.33	1,946.12
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.48	14.87	8.27	0.00	0.00	1.28	1.28	0.00	1.18	1.18	1,131.92
Paving On Road Diesel	0.26	4.19	1.33	0.01	0.02	0.15	0.17	0.01	0.14	0.15	610.86
Paving Worker Trips	0.09	0.15	2.64	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.35
Fine Grading 11/30/2010-01/11/2011	4.22	33.76	19.13	0.00	112.61	1.80	114.40	23.52	1.65	25.17	3,134.57
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	4.16	33.67	17.48	0.00	0.00	1.79	1.79	0.00	1.65	1.65	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.65	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.09

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Time Slice 1/3/2011-1/10/2011	7.96	49.72	30.17	0.01	112.64	3.06	115.70	23.53	2.62	26.34	5,080.89
Active Days: 6											
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.88
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Fine Grading 11/30/2010-01/11/2011	3.96	31.69	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17

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Time Slice 1/11/2011-1/11/2011 Active Days: 1	14.68	<u>91.97</u>	<u>106.18</u>	<u>0.09</u>	<u>113.01</u>	<u>5.18</u>	<u>118.20</u>	<u>23.66</u>	<u>4.75</u>	<u>28.41</u>	<u>15,703.19</u>
Asphalt 12/28/2010-01/11/2011	4.00	18.03	11.82	0.01	0.03	1.37	1.41	0.01	1.26	1.27	1,946.24
Paving Off-Gas	1.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	2.34	14.17	8.17	0.00	0.00	1.24	1.24	0.00	1.14	1.14	1,131.92
Paving On Road Diesel	0.24	3.73	1.20	0.01	0.02	0.13	0.16	0.01	0.12	0.13	610.86
Paving Worker Trips	0.08	0.14	2.44	0.00	0.01	0.01	0.02	0.00	0.00	0.01	203.47
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Fine Grading 11/30/2010-01/11/2011	3.96	31.69	18.35	0.00	112.61	1.69	114.29	23.52	1.55	25.07	3,134.64
Fine Grading Dust	0.00	0.00	0.00	0.00	112.60	0.00	112.60	23.52	0.00	23.52	0.00
Fine Grading Off Road Diesel	3.91	31.61	16.82	0.00	0.00	1.68	1.68	0.00	1.55	1.55	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.05	0.09	1.53	0.00	0.01	0.00	0.01	0.00	0.00	0.01	127.17
Time Slice 1/12/2011-8/5/2011 Active Days: 148	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.86	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93

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Time Slice 8/8/2011-8/22/2011 Active Days: 11	<u>507.30</u>	42.64	83.14	0.09	0.41	2.14	2.54	0.14	1.95	2.09	11,216.35
Building 01/11/2011-08/22/2011	6.72	42.24	76.01	0.09	0.38	2.12	2.50	0.13	1.94	2.07	10,622.30
Building Off Road Diesel	3.39	15.67	10.85	0.00	0.00	1.14	1.14	0.00	1.05	1.05	1,621.20
Building Vendor Trips	1.79	23.94	18.09	0.05	0.18	0.88	1.06	0.06	0.80	0.88	5,083.18
Building Worker Trips	1.54	2.63	47.07	0.04	0.19	0.11	0.30	0.07	0.09	0.16	3,917.93
Coating 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coating	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Time Slice 8/23/2011-9/5/2011 Active Days: 10	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Coating 08/08/2011-09/05/2011	500.58	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05
Architectural Coating	500.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.23	0.40	7.14	0.01	0.03	0.02	0.05	0.01	0.01	0.02	594.05

Construction Related Mitigation Measures

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
Natural Gas	0.12	1.70	1.43	0.00	0.00	0.00	2,042.44
Hearth							
Landscaping - No Winter Emissions							
Consumer Products	0.00						
Architectural Coatings	2.87						
TOTALS (lbs/day, unmitigated)	2.99	1.70	1.43	0.00	0.00	0.00	2,042.44

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Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

<u>Source</u>	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
Natural Gas	0.12	1.70	1.43	0.00	0.00	0.00	2,042.44
Hearth							
Landscaping - No Winter Emissions							
Consumer Products	0.00						
Architectural Coatings	2.87						
TOTALS (lbs/day, mitigated)	2.99	1.70	1.43	0.00	0.00	0.00	2,042.44

Area Source Mitigation Measures Selected

<u>Mitigation Description</u>	<u>Percent Reduction</u>
-------------------------------	--------------------------

Area Source Changes to Defaults

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOX</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM25</u>	<u>CO2</u>
Office park	12.62	17.59	139.63	0.09	18.56	3.56	9,207.21
Warehouse	13.56	19.29	150.62	0.10	20.50	3.92	10,035.13
TOTALS (lbs/day, unmitigated)	26.18	36.68	290.25	0.19	39.06	7.48	19,242.34

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Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Office park	12.62	17.59	139.63	0.09	18.58	3.56	9,207.21
Warehouse	13.56	19.29	150.62	0.10	20.50	3.92	10,035.13
TOTALS (lbs/day, mitigated)	26.18	36.88	290.25	0.19	39.06	7.48	19,242.34

Operational Mitigation Options Selected

Residential Mitigation Measures

Nonresidential Mitigation Measures

Non-Residential Local-Serving Retail Mitigation

Percent Reduction in Trips is 0%

Inputs Selected:

The Presence of Local-Serving Retail checkbox was NOT selected.

Operational Settings:

Includes correction for passby trips

Includes the following double counting adjustment for internal trips:

Residential Trip % Reduction: 0.00 Nonresidential Trip % Reduction: 0.00

Analysis Year: 2012 Temperature (F): 40 Season: Winter

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Office park		11.42	1000 sq ft	134.50	1,535.99	10,768.97
Warehouse		4.96	1000 sq ft	356.00	1,765.76	11,918.54
					3,301.75	22,707.51

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	45.7	0.9	98.7	0.4
Light Truck < 3750 lbs	17.6	2.3	92.6	5.1
Light Truck 3751-5750 lbs	19.9	1.0	96.5	0.5
Med Truck 5751-8500 lbs	7.8	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	1.6	0.0	66.8	31.2
Lite-Heavy Truck 10,001-14,000 lbs	0.9	0.0	55.6	44.4
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.3	0.0	0.0	100.0
Other Bus	0.1	0.0	100.0	0.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	3.9	59.0	41.0	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.1	0.0	90.9	9.1

	Travel Conditions					
	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4	7.4
Rural Trip Length (miles)	16.8	7.1	7.9	14.7	6.6	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			
% of Trips - Commercial (by land use)						
Office park				48.0	24.0	28.0
Warehouse				2.0	1.0	97.0
	Operational Changes to Defaults					

Attachment C

North Fork Associates, *Biological Resources Assessment*,

June 1, 2009

(sans appendices)

BIOLOGICAL RESOURCES ASSESSMENT
FOR THE

**±34-ACRE NAPA COMMERCE CENTER STUDY
AREA**

NAPA COUNTY, CALIFORNIA



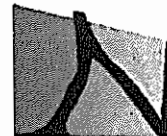
Prepared for:
NAPA 34 HOLDINGS, LLC
2617 Castro Street
Sacramento, California 95818

Prepared by:

RECEIVED

JUL 2 1 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



north
fork associates

110 Maple Street, Auburn, California 95603
(530) 887-8500

JUNE 1, 2009

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BIOLOGICAL RESOURCES ASSESSMENT FOR THE ±34-ACRE NAPA COMMERCE CENTER STUDY AREA

INTRODUCTION

Project Location

North Fork Associates conducted a biological resources assessment for an approximately 34-acre study area in Napa County, California. The study area is located southwest of the corner of Highway 29 and Airport Boulevard south of the City of Napa. The location corresponds to Section 1 of Township 4 North and Range 4 West on the 7.5 minute Cuttings Wharf USGS (United States Geological Survey) quadrangle (Figure 1). The latitude and longitude of the approximate center of the study area are 38.22132° north and 122.25983° west. The Assessor Parcel Number (APN) is 057-210-056.

Setting

The study area is located at an elevation between approximately 45 and 80 feet. The study area is bounded by Airport Boulevard and commercial developments to the north, undeveloped land to the west and south, and Highway 29 to the east. Surrounding land uses include a county airport used by large overseas carriers for training, a Napa County Sheriff Department Office, salt ponds, business and industrial development, agricultural activities, a golf course, and patches of undeveloped open areas (Figure 2).

Objectives of Biological Resources Assessment

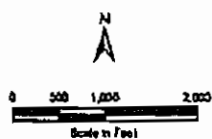
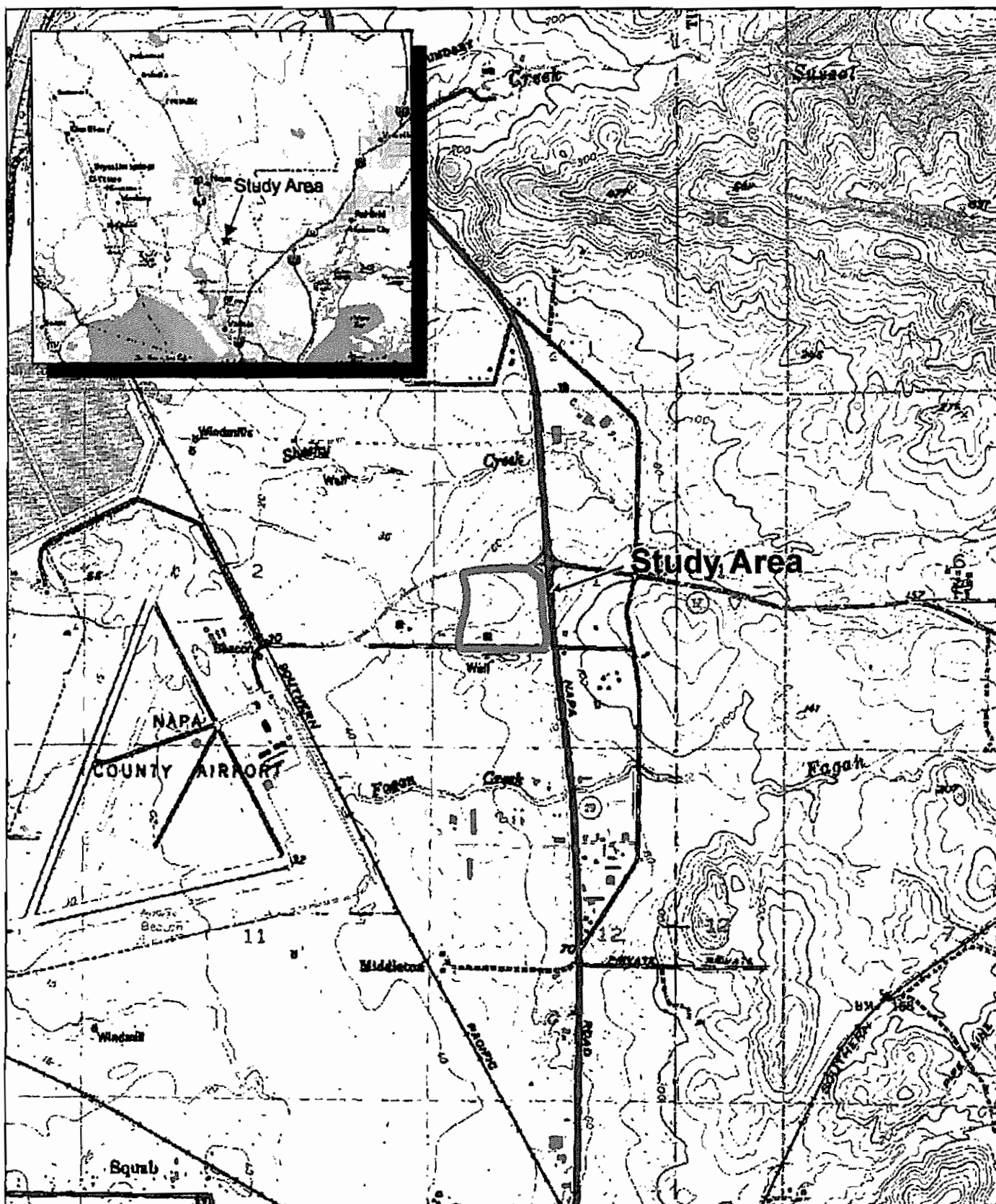
- Identify and describe the biological communities present in the study area.
- Record plant and animal species observed in the study area.
- Evaluate and identify sensitive resources and special-status plant and animal species that could be affected by project activities.
- Provide conclusions and recommendations.

METHODS

Literature Review

A variety of resources were used in this assessment. An aerial photo was obtained from 2007 (taken in July, 2007), and TLA Engineering and Planning Inc. supplied the digital base files, including a topographic map of the site. Geological information was taken from the Geologic Map of California, Santa Rosa Sheet (California Department of Conservation 1963). Information on soils was taken from the Soil Survey Geographic (SSURGO) Database for Napa County, California (USDA, NRCS 2006).

Several publications were reviewed to provide information on life history, habitat requirements, distribution, and conservation status of regionally occurring animal



NOTES
Base map: Cuttings View, CA, USGS
7.5 minute topographic quadrangle
Section: 1
Township: 04N
Range: 04W

Figure 1

Site & Vicinity
Napa Commerce Center
Napa County, California



Study Area

Abert Road

Henderson Road



NOTES:
Aerial Photo Date, July 2007

Figure 2

Aerial Photo Map
Napa Commerce Center
Napa County, California

Species	Status*			Habitat	Potential for Occurrence**
	Federal	State	Other		
Showy Indian clover <i>Trifolium amoenum</i>	FE	-	CNPS List 1B.1	Valley and foothill grasslands.	Possible. Marginal habitat is present onsite, and the species is known historically from Napa Junction. Disturbance may preclude this species.
Invertebrates					
Conservancy fairy shrimp <i>Branchinecta conservatio</i>	FT	-	-	Vernal pools.	Unlikely. Limited suitable habitat present. No individuals observed during field surveys.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	FT	-	-	Vernal pools.	Unlikely. Limited suitable habitat present. No individuals observed during field surveys.
Amphibians					
California red-legged frog <i>Rana aurora draytonii</i>	FT	CSC	-	Lowlands and foothills in ponds, deeper pools, and slow moving streams, usually with emergent vegetation.	None. No habitat onsite for breeding or dispersal.
Birds					
White-tailed kite <i>Elanus leucurus</i>	-	CFP	-	Low foothills or valley areas with valley or live oaks, riparian areas, and marshes near grasslands.	Observed. Foraging habitat occurs onsite, and potential nesting habitat is nearby.
Burrowing owl <i>Athene cunicularia</i>	-	CSC	-	Nests in annual and perennial grasslands in burrows created by small mammals.	Possible. Marginal habitat is present, although burrows are not common. Not likely to use the site when dense vegetation is present.

Species	Status*			Habitat	Potential for Occurrence**
	Federal	State	Other		
Swainson's hawk <i>Buteo swainsoni</i>	-	CT	-	Nests in trees located adjacent to large open areas, such as grasslands and agricultural fields.	Possible. Marginal foraging habitat is present when vegetation is removed to reduce the fire hazard. Known nesting location approximately 1.25 miles to the north.

*Status Codes:

Federal

- FE Federal Endangered
- FT Federal Threatened
- FP Federal Proposed Species

State

- CE California Endangered
- CT California Threatened
- CR California Rare (plants only)
- CSC California Species of Concern
- CFP California Fully Protected

CNPS

- List 1B Rare, Threatened, or Endangered in California
- List 2 R, T, or E in California, more common elsewhere
- 1- Seriously threatened in California
- 2- Fairly threatened in California
- 3- Not very threatened in California

**Definitions for the Potential to Occur:

- None. Habitat does not occur.
- Unlikely. Some habitat may occur, but disturbance or other activities may restrict or eliminate the possibility of the species occurring. Habitat may be very marginal, or the study area may be outside the range of the species.
- Possible. Marginal to suitable habitat occurs, and the study area occurs within the range of the species.
- Likely. Good habitat occurs, but the species was not observed during surveys.
- Occurs: Species was observed during surveys.

Plants

The potential for occurrence for species in Appendix C and Table 2 were evaluated before the March and May 2008 surveys and again prior to the April 2009 survey. Based on the results of those surveys, these lists were revised. The high level of past and present disturbance, and the presence of very tall, dense vegetation, probably precludes the presence of species that may have had suitable habitat historically.

Big-scale balsam-root (*Balsamorhiza macrolepis* var. *macrolepis*) is an herbaceous perennial member of the sunflower family (Asteraceae). It has no state or federal status, but it is on the CNPS List 1B. This species has large yellow flowering heads and leaves that arise from the ground. It differs, in part, from other balsam-roots by having coarsely serrate leaves. Big-scale balsam-root grows in open woodlands and grasslands at widely scattered locations in northern California, and will tolerate serpentine soil. It blooms from March to June.

Historically, the study area may have provided some habitat for this species, and the Jepson Herbarium has a specimen from the hills near American Canyon (although this was on serpentine soil). The high levels of disturbance and the thick cover of non-native species may preclude the presence of big-scale balsam-root in the study area. No

members of the genus *Balsamorhiza* or the similar genus *Wyethia* were found during surveys. Big-scale balsam-root has distinctive leaves that would have been evident in the March or May 2008 surveys or in the April 2009 survey, even without blooms. This species is presumed to be absent from the study area.

Pappose tarplant (*Centromadia parryi* subsp. *parryi*) is an annual member of the sunflower family (Asteraceae). It has no state or federal status, but is on the CNPS List 1B. It differs from related species and subspecies by having dark anthers and glandular herbage. Pappose tarplant grows in a variety of wetlands that are often saline or alkaline from Butte and Glenn Counties south to Monterey County. It blooms between May and November.

Very marginal habitat for the pappose tarplant is present. However, all specimens in the Consortium of California Herbaria for Napa County are near Calistoga. Specimens from Solano County are from the area around Suisun Bay near Cordelia. The wetlands in the study area provide habitat, and this species, if present, it would have been identifiable in May 2008. This species is presumed to be absent from the study area.

Contra Costa goldfields (*Lasthenia conjugens*) is an annual member of the sunflower family (Asteraceae). It is a federal endangered species with CNPS List 1B status. It differs from other goldfields by having phyllaries fused less than ½ their length and with mostly pinnately cut leaves. Contra Costa goldfields occurs in mesic grasslands and vernal pools in a number of Bay Area counties. It blooms from March to June.

The wetlands in the study area provide marginal habitat for this species, and it apparently tolerates some level of disturbance. It is known to occur on Suscol Ridge northeast of the study area. As a genus, *Lasthenia* is recognizable without flowers, and no members of the genus were observed in the March or May 2008 surveys or in the April 2009 survey. This species is presumed to be absent from the study area.

Dwarf downingia (*Downingia pusilla*) is a small annual member of the bellflower family (Campanulaceae). It has no state or federal status. The CNPS places the dwarf downingia on their List 2, meaning that, although it is rare in California, it is more widespread elsewhere. Dwarf downingia also occurs in Chile where the type specimen was collected. Dwarf downingia is distinguished from other members of the genus by having very small flowers that are not upside down at blooming time. The species is an obligate wetland plant that occurs primarily in vernal pools. It blooms from March to May, depending on the amount and distribution of winter rains.

Marginal habitat for dwarf downingia occurs in the wetlands of the study area, and the species is known to occur at several locations near Napa. No members of the genus *Downingia* were observed during March or May 2008 surveys or in the April 2009 survey. This species is presumed to be absent from the study area.

Hayfield tarweed (*Hemizonia congesta* subsp. *congesta*) is an annual member of the sunflower family (Asteraceae). It has no state or federal status and is on the CNPS List 1B.1. The taxonomy of *Hemizonia* is confused, and the treatment in The Jepson Manual (Hickman 1993) is substantially different than the treatment in the Flora of North

America (FNA) by Baldwin and Strother (2006). The authors for the FNA treatment of *Hemizonia* are the same as for The Jepson Manual (second edition, unpublished), so there is reason to believe that the FNA treatment will be followed.

Marginal habitat for hayfields tarweed occurs in the open ruderal grassland areas for the study area. No members of the genus *Hemizonia* were observed during the March or May 2008 surveys or in the April 2009 survey. This species is presumed to be absent from the study area.

Sebastopol meadowfoam (*Limnanthes vicularis*) is an annual member of the meadowfoam family (Limnanthaceae). It has state and federal endangered status and is on the CNPS List 1B.1. Sebastopol meadowfoam has white flowers and entire leaves. It grows in vernal pools and other wet habitats in Napa and Sonoma Counties. Sebastopol meadowfoam blooms in April and May.

Marginal habitat for Sebastopol meadowfoam occurs in the wetland in the study area. No members of the genus *Limnanthes* were observed during the March and May 2008 surveys or in the April 2009 survey. This species is presumed to be absent from the study area.

Showy Indian clover (*Trifolium amoenum*) is a robust, annual member of the pea family (Fabaceae) that is listed as endangered by the USFWS. It has no state status, but it is on the CNPS List 1B. Showy Indian clover was thought to be extinct, but has recently been found in the North Bay. It is similar to the widespread *T. albopurpureum*, but it has much larger flowers. Showy Indian clover grows in moist grasslands, ditches, and other disturbed areas. It blooms from April to June.

Showy Indian clover grows in heavy, disturbed soils. Whether it tolerates long-term disturbance, such as that in the study area is unknown. Consequently, the study area may provide marginal habitat, and is known historically from Napa Junction. No unknown species of *Trifolium* were found during the March or May 2008 surveys or in the April 2009 survey. This species is presumed to be absent from the study area.

Wildlife

Numerous state and federally listed species are known to occur in the region surrounding the study area, including the California freshwater shrimp (*Syncaris pacifica*), California tiger salamander (*Ambystoma californiense*), California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*), western snowy plover (*Charadrius alexandrinus nivosus*), and the saltmarsh harvest mouse (*Reithrodontomys raviventris*). Each of these species occurs in specific habitats in the Napa region and is known to occur in the region surrounding the study area. Collectively, these species occur within a range of specific environmental conditions that include vegetation characteristics, water depth, inundation duration, and water quality. None of the specific habitats for these species occur onsite and they are, therefore, not discussed further in this document.

Conservancy fairy shrimp (*Branchinecta conservatio*), a federally endangered species, is a small crustacean in the Branchinectidae family. This species inhabits somewhat large,

cool water vernal pools with moderately turbid water (USFWS 2005a). Similar to other vernal pool crustaceans, the life cycle of Conservancy fairy shrimp is closely tied to the ephemeral conditions of the pool in which they live. Vernal pools that support Conservancy fairy shrimp generally persist until June. The average age of maturity is 49 days, and individuals may live up to 154 days. The female fairy shrimp carries its eggs in a brood sac. Eggs then either drop to the bottom of the pool or remain in the brood sac until the mother dies and sinks to the pool bottom. The eggs subsequently dry out as the pool dries at the end of the rainy season. The resting eggs, known as cysts, remain in the dry pool bed until rain stimulates hatching in the following season. Hatching of the eggs can begin within the same week that the pool starts to fill with rainwater.

A site assessment and surveys for vernal pool crustaceans by Monk & Associates determined that the study area may provide suitable habitat for this species. Wet season surveys conducted in 2009 determined negative findings for this species. Final survey reports are pending.

Vernal pool fairy shrimp (*Branchinecta lynchi*), a federally-listed threatened species, resides and breeds in vernal pools from Mt. Shasta south to Riverside County. The vernal pool fairy shrimp occupies a variety of different vernal pool habitats, from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools. The ephemeral life span of the fairy shrimp reduces the limiting factors on their population. They are unlikely to be heavily preyed upon by other vernal pool inhabitants because they use the pool before the majority of carnivorous insects have colonized the pool. Vernal pool fairy shrimp have been collected from early December to early May. Resting fairy shrimp eggs are known as cysts and are capable of withstanding heat, cold, and prolonged desiccation. When the pools refill in springtime some of the cysts may hatch, other cysts may remain in the soil. Average time to maturity is between 18 and 41 days depending on the temperature of the pool.

A site assessment and surveys for vernal pool crustaceans by Monk & Associates determined that the study area may provide suitable habitat for this species. Wet season surveys conducted in 2009 determined negative findings for this species. Final survey reports are pending.

California red-legged frog (*Rana aurora draytonii*), a federally-listed threatened species and a California Species of Special Concern, breeds in permanent and semi-permanent aquatic habitats, such as cold-water ponds, slow-moving streams, and deep pools in intermittent streams. Inhabited waters typically are at least two feet deep and contain emergent and shoreline vegetation that provides cover from predators and depositional sites for eggs. This species is associated most frequently with arroyo willow (*Salix lasiolepis*), cattail (*Typha* spp.), and bulrush (*Schoenoplectus* spp.). During dry periods, California red-legged frog will aestivate in ground-squirrel burrows, earthen cracks, and under boulders and logs. Aestivation habitat can occur up to 300 feet from aquatic habitats.

The wetland swale on site is ephemeral and does not provide suitable breeding habitat. Monk & Associates conducted a site assessment in accordance with current USFWS protocols (USFWS 1996). This assessment determined that the study area has no

breeding or dispersal habitat, and that development on the site would not affect the CRLF. The assessment report has not yet been completed, but will be submitted to the USFWS for review and concurrence upon completion.

White-tailed kite (*Elanus leucurus*), a California fully protected species, is an uncommon to locally fairly common resident and is typically found in grassy foothill slopes interspersed with oaks (including interior live oak, agricultural areas, and marshy bottomlands). They generally forage in undisturbed open grasslands, farmlands, meadows, and emergent wetlands, in areas with a high prey base. Nest trees range from single isolated trees to trees within larger stands. Nests of white-tailed kite are constructed near the top of oaks, willows, or other tall trees from 20 to 100 feet above ground. Breeding takes place from February to October, with peak activity from May to August. Incubation lasts between 28 and 30 days, and young usually fledge by October.

Burrowing owl (*Athene cunicularia*) is a California species of special concern. This species is primarily associated with open, dry grasslands, deserts, agricultural areas, and rangeland. They often occur where numerous burrowing mammals are present and frequently occupy California ground squirrel burrows (Zeiner et al. 1990). Burrowing owls may also use man-made structures such as debris piles, culverts, and cement piles for cover. Distinctive burrow characteristics for burrowing owl are not known. However, given the size of this owl, burrow entrances are expected to be at least seven centimeters in diameter. Circumstantial evidence of burrowing owl occurrence within an area typically consists of the presence of molted feathers, cast pellets, prey remains, or excrement near a burrow entrance. Breeding of burrowing owl occurs from March to late August and incubation lasts between 28 to 30 days. Young are fledged at about 44 days but remain near the burrow and join the adults to forage at dusk. Young burrowing owls often establish nest sites the following year near their natal sites.

No burrowing owls and little evidence of suitable nesting habitat was observed during field surveys. Vegetation on much of the study area was three to four feet high during the March plant surveys, and burrowing owls generally avoid tall vegetation. During the spring or summer, vegetation is often removed, and this activity may provide better nesting and denning habitat.

Swainson's hawk (*Buteo swainsoni*) is a state listed threatened species pursuant to the California Endangered Species Act. Although it has no special federal status, it is protected from direct take under the Federal Migratory Bird Treaty Act. Swainson's hawks, their nests, eggs, and young are also protected under provisions of the California Fish and Game Code.

The Swainson's hawk is generally a summer visitor to California. During the fall, most Swainson's hawks migrate to South America before returning to the United States to breed once again in the late spring. The nesting population of Swainson's hawks in California has declined greatly due primarily to habitat loss. This raptor inhabits open to semi-open areas at low to middle elevations in valleys, dry meadows, foothills, and level uplands. It nests almost exclusively in trees and will nest in almost any tree species that is at least 10 feet tall. Nests are constructed in isolated trees that are dead or alive along drainages and in wetlands, or in windbreaks in fields and around farmsteads.

Foraging habitats include alfalfa fields, fallow fields, beet, tomato, and other low-growing row or field crops, dry-land and irrigated pasture. The Swainson's hawk generally forages in open habitats with short vegetation containing small mammals, reptiles, birds, and insects. Its primary prey in the Central Valley is California meadow vole. Agricultural and other disturbed areas are often preferred over more natural grassland habitats because these activities tend to allow more access to prey species. During the nesting season Swainson's hawks usually forage within two miles of the nest.

A known nesting location occurs approximately 1.25 miles north of the study area. The eucalyptus trees on the adjacent site may provide nesting habitat. During portions of the year the study area supports a dense growth of mustard and grasses that is not suitable foraging habitat. However, vegetation is often removed in the spring or summer by disking to reduce the fire hazard, and this activity may result in more suitable foraging habitat.

POTENTIAL IMPACTS FROM DEVELOPMENT

Special-status plant surveys are complete and it seems unlikely that development of the site would adversely affect any special-status species (plant or animal). The main community on the site is ruderal grassland, and this is not a habitat warranting protection. The wetland swale is highly degraded and the water source is largely from developments upstream of the site. Nevertheless, the Corps of Engineers would consider the loss of waters of the United States to be significant if left unmitigated. The use of an in-lieu fund or mitigation bank is probably the most environmentally viable method of mitigating these losses.

RECOMMENDATIONS

Waters of the United States

1. The study area has areas considered waters of the United States. Activities that affect these areas would require a permit from the U.S. Army Corps of Engineers pursuant to Section 404 of the federal Clean Water Act. The project would also need to obtain a water quality certification from the Regional Water Quality Control Board pursuant to Section 401 of the federal Clean Water Act. The Corps and the Regional Board would add conditions to the permits that would stipulate the appropriate mitigation, which could include one or more of the following: onsite creation, offsite creation, purchase of credits in a mitigation bank, or payments to an in-lieu fund. The precise mitigation and monitoring requirements would depend on the extent of impacts.

Streams and Riparian Habitat

1. The applicant intends to submit a 1602 application to CDFG to the extent that future development would impact the swale.

Other Trees

1. The site does not support oak woodland habitat, but does have several coast live oaks located along the southern study area boundary.

Special-Status Plants

1. Several special-status plants have at least some potential to occur in the study area. Rare plant surveys were conducted in March and May 2008 and in April 2009. These surveys were floristic and conducted according to guidelines issued by the CDFG and the USFWS. No rare plant species were observed during surveys and no further surveys are recommended.

Special-Status Wildlife

1. Protocol level survey reports for vernal pool crustaceans have not yet been completed. Final survey results will be submitted to the USFWS for review and concurrence.
2. A site assessment for the CRLF was completed and determined that there were no occurrences of this species in the study area, nor does the site provide suitable habitat for this species. The assessment report has not yet been completed, but will be submitted to the USFWS for review and concurrence upon completion.
3. The study area provides suitable nesting habitat for raptors (including white-tailed kite and red-tailed hawk), in the coast live oak trees onsite. If construction occurs during the typical breeding season (approximately March 1 through August 31), and is within 500 feet of the trees, potential disturbance of nesting activities could occur. Take of any active raptor nest is prohibited under Fish and Game Code Section 3503.5. To avoid take of active raptor nests, pre-construction surveys should be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Survey results should then be submitted to CDFG. If active raptor nests are found on or immediately adjacent to the site, consultation should be initiated with CDFG to determine appropriate avoidance measures. If no nests are found, tree removal could proceed without further surveys.
4. Dense vegetation in the study area during the late winter and early spring may prevent burrowing owls from nesting there. In addition, the study area may lack the small mammal burrows used for nesting. A nesting survey should be conducted for western burrowing owl 30 days prior to construction of the project. Burrowing owl surveys shall be conducted according to the methodologies prescribed by CDFG in their 1995 *Staff Report on Burrowing Owl Mitigation* (CDFG 1995). If burrowing owls are found during surveys, CDFG should be contacted for the appropriate avoidance and mitigation measures.
5. The coast live oaks trees in the study area are unlikely to support nesting Swainson's hawks because of nearby human activities. Nevertheless, portions of the study area may provide foraging habitat. A nest is known to occur within 1.25 miles of the study area, and CDFG considers all suitable areas within a 10-mile radius of a nest to be foraging habitat. CDFG has produced a report titled *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California* (CDFG

1994) that describes potential mitigation for foraging habitat. The applicant should consult with CDFG to determine what, if any, mitigation might be required.

6. The study area provides suitable nesting habitat for a number of common and special status bird species. These birds, although not listed as threatened or endangered by either FESA or CESA, are protected under the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3513. Both the federal act and state code prohibit the intentional take of nests of any migratory bird species. Standard recommendations include removal of vegetation outside of the typical nesting season (April through August). If nesting habitat is to be removed during the nesting season, it is recommended that consultation should be initiated with CDFG to determine appropriate avoidance measures. If no nests are found, vegetation removal could proceed without further surveys.

Attachment D

OmniMeans Engineering and Planning,

*Napa Commerce Center Light-Industrial Project Traffic Impact
Analysis - Final Report,*

February 2010

(sans appendices)

Napa Commerce Center Light-Industrial Project Traffic Impact Analysis

Final Report

Prepared For:
The County of Napa

At the Request of:
Napa 34 Holdings, LLC

February, 2010

Prepared By:



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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

**NAPA COMMERCE CENTER LIGHT-INDUSTRIAL PROJECT
TRAFFIC IMPACT ANALYSIS**

FINAL REPORT

**PREPARED FOR:
THE COUNTY OF NAPA**

**AT THE REQUEST OF:
NAPA 34 HOLDINGS, LLC**

**PREPARED BY:

OMNI-MEANS, LTD.
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FEBRUARY 2010

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INTRODUCTION

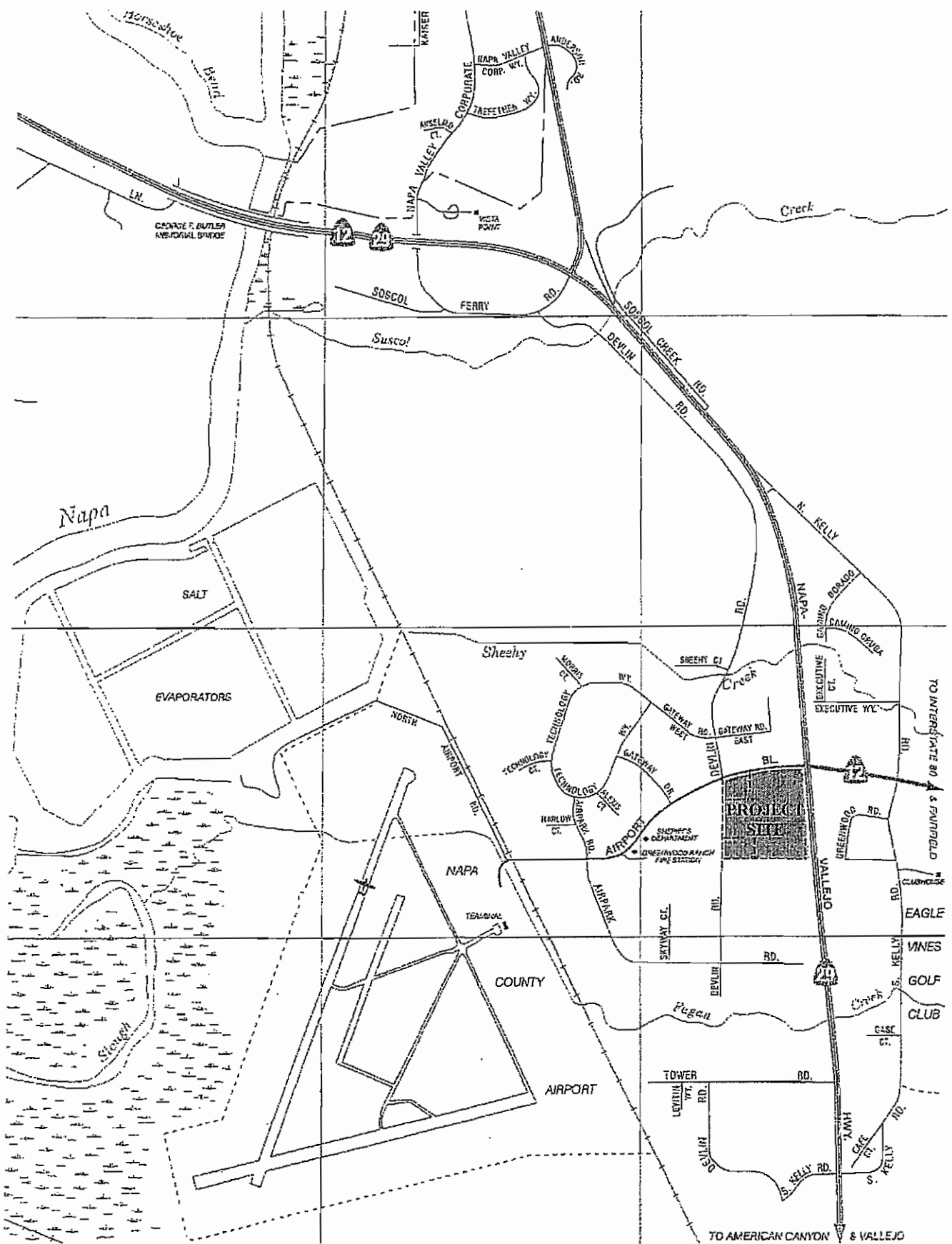
This report presents the results of a traffic impact analysis performed by OMNI-MEANS for the proposed Napa Commerce Center project in the Napa Airport Industrial Area (NAIA). The proposed project would consist of 490,503 square feet of light-industrial uses and would be located on the southeast quadrant of the Airport Boulevard/Devlin Road intersection just west of State Route 29 (SR-29). Figure 1 illustrates the Project Location and Vicinity Map. Based on discussions with County Transportation Engineering staff, the traffic issues for this development relate to operations at key intersections along Airport Boulevard, Devlin Road, and proposed project access. Some of the key issues evaluated in this study include the following:

- Peak hour traffic operations along SR-29 and internal intersections within the NAIA;
- Vehicle queuing and storage capacity at key study intersections;
- Project driveways on Airport Boulevard and Devlin Road and their relationship to other nearby intersections and driveways;
- Existing plus project traffic operations;
- Consistency with the ongoing NAIA TIF Update transportation analysis (pending availability of that analysis).

Based on discussions with County Engineering staff, both Existing traffic conditions and Existing plus Proposed Project traffic conditions have been analyzed as part of a comprehensive transportation and circulation analysis. It is noted that short-term development volumes from the adjacent Greenwood Business Park project (to be located immediately west of the project site off Devlin Road [extension]) have been included in Existing plus Proposed Project traffic conditions. Both the Greenwood Business Park and Proposed Project would share common access intersections on Devlin Road and both projects would be adding traffic volumes at outlying study intersections on Soscol Ferry Road, Airport Boulevard, SR-29, and SR-12.

For the purposes of this study the following scenarios were analyzed:

- Existing Traffic Conditions: Represents existing traffic flow conditions collected through new field counts and/or previous traffic counts for the five existing study intersections. Points of congestion and vehicle delays are noted for both the AM and PM peak commute hours;
- Existing plus Project Traffic Conditions: Proposed project trips and approved Greenwood Business Park project trips added to existing traffic volumes to determine overall project impacts.



omni-means

Project Location and Vicinity Map



figure 1

EXISTING CONDITIONS

Existing conditions describe the existing transportation facilities serving the project site.

EXISTING ROADWAYS

Roadways that provide primary circulation in the vicinity of the project site are as follows:

Airport Boulevard is a major east-west arterial street that extends in a westerly direction from SR-29/SR-12 (Jamison Canyon Road) and provides primary vehicle access to/from the NAIA. From SR-29, Airport Boulevard has four travel lanes with raised landscaped median and left-turn pockets at major intersections within the NAIA. At North Airport Road (west of Railroad Tracks), the roadway narrows to two travel lanes. Providing access to light-industrial /warehouse uses, Airport Boulevard also provides access to the Napa County Airport located in the far western portion of the NAIA. Airport Boulevard would provide direct access to the proposed project via a limited access driveway (right-turns-only inbound/outbound).

Devlin Road extends in a north-south direction between Soscol Ferry Road and Airport Boulevard. This roadway parallels SR-29 on its west side providing access to commercial and light/industrial areas. For most of its length Devlin Road is a wide, two-lane street. Prior to its connection with Airport Boulevard, Devlin Road widens to four travel lanes with painted and raised medians. In this last 1,800 feet, Devlin Road provides access to both light-industrial and office areas. Devlin Road would provide direct access to the project site via an extension south of Airport Boulevard to the southern project boundary. Currently, Devlin Road does not extend south of Airport Boulevard. However, from the proposed project's southerly boundary there is a connection to a part-width segment of Devlin Road which continues south to Airpark Road.

Aviation Way extends in a southeast direction from Airport Boulevard a relatively short-distance (400 feet) and terminates in a cul-de-sac just east of the existing fire station. This roadway has been improved and is a wide two-lane segment adjacent to the Greenwood Ranch Fire Station (with access to both Airport Boulevard and Aviation Way).

Airpark Road extends both north and south of Airport Boulevard. South of Airport Boulevard, Airpark Road is a wide, two-lane street that provides access to warehouse/office development within the NAIA. This southern segment of Airpark Road eventually extends east-west (south of the project site) to provide access to Skyway Court and Devlin Road. North of Airport Boulevard, Airpark Road extends to Technology Way and has two travel lanes.

Gateway Drive is located west of the project site and extends north of Airport Boulevard to Technology Way and provides access to office and light-industrial areas. Gateway Drive is a wide, two-lane roadway with a two-way-left-turn lane.

Soscol Ferry Road is located in the northern portion of the NAIA. A two-lane roadway, Soscol Ferry Road extends from SR-29 in a westerly direction and provides access to light-industrial and storage areas. The roadway provides a key connection between SR-29 and Devlin Road.

Kelly Road (North and South) extends in a north-south direction and parallels SR-29 on its east side. North Kelly Road extends between SR-12 and SR-29 with two travel lanes and left-turn lanes at Camino Dorado and Executive Way. In this section, N. Kelly Road provides access to commercial and manufacturing areas. S. Kelly Road extends between SR-12 and SR-29 with two travel lanes and provides access to commercial areas east of SR-29.

Regional access to the project site is primarily provided by *State Route 29 and State Route 12*. A four-lane facility, SR-29 extends north through Napa County and south to American Canyon and Vallejo. State Route 12 (Jamison Canyon Road) extends east from SR-29 at Airport Boulevard to Interstate 80 and beyond to Cordelia, Fairfield, and Rio Vista. In the study area, SR-12 has two eastbound travel lanes and one westbound travel lane.

EXISTING INTERSECTIONS

Intersection operation (as compared to roadway segments) is usually considered the major factor in determining the traffic handling capacity of a local circulation system. The following list of study intersections have been chosen by County Transportation staff for both existing and proposed project operating conditions.¹ To assess vehicle traffic flows on key streets in the project study vicinity, both AM and PM peak period (7:00-9:00 a.m. and 4:00-6:00 p.m.) intersection turning movement counts were obtained for the following five intersections within the project study area as follows:²

1. Soscol Ferry Road/SR-29/SR-12	Signalized
2. Soscol Ferry Road/Devlin Road	Unsignalized (Stop control for Devlin Rd.)
3. Airport Boulevard/Devlin Road	Signalized
4. Airport Boulevard/SR-12/SR-29	Signalized
5. Kelly Road/SR-12	Signalized

Existing study intersections' AM and PM peak hour traffic volumes are shown on Figure 2.

INTERSECTION LEVEL-OF-SERVICE (LOS) CONCEPT/OPERATION

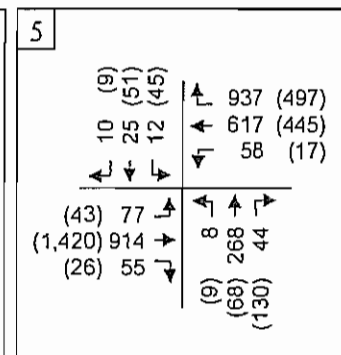
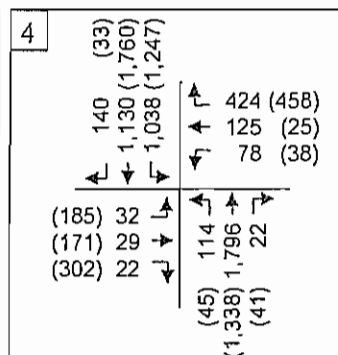
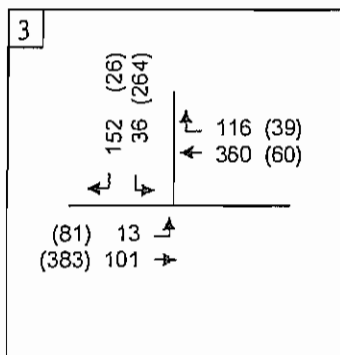
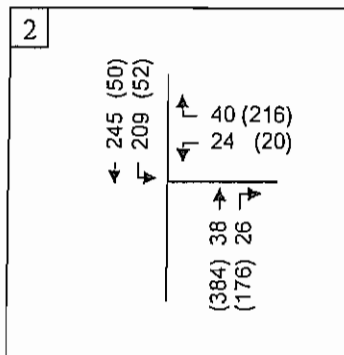
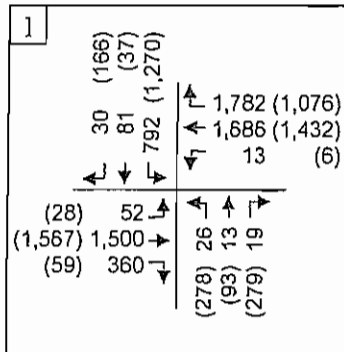
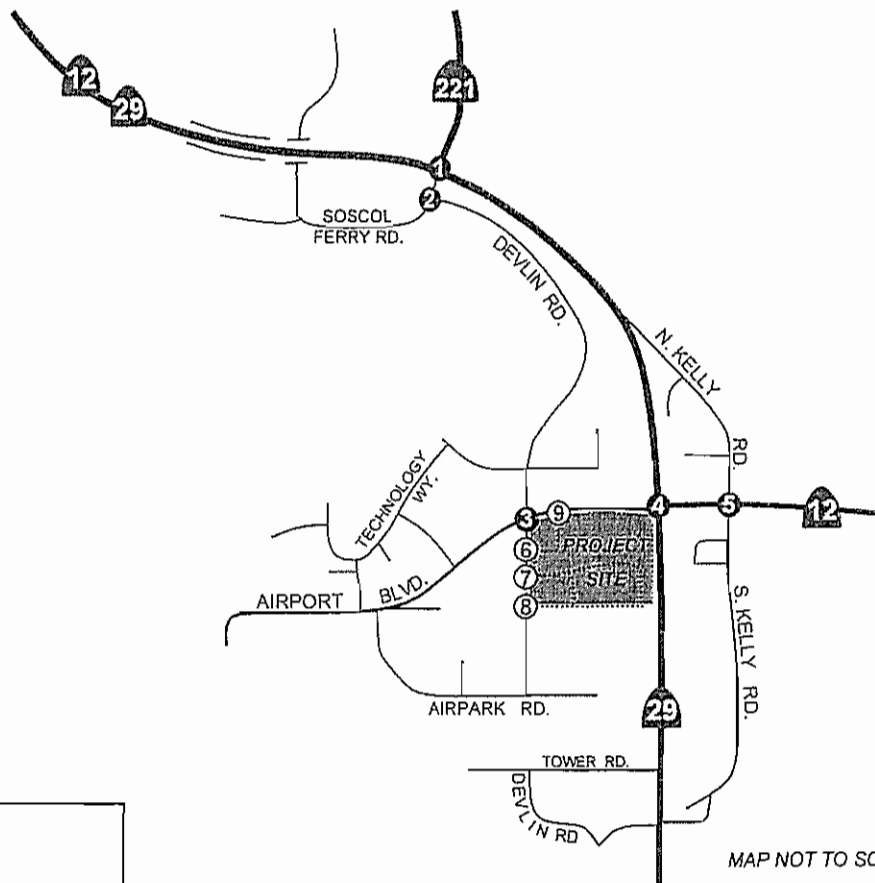
Intersection LOS provides the most accurate measure of operational performance with a scale ranging from LOS A-F (see Table 1—LOS Definition Criteria). These ratings correspond to an average vehicle delay expressed in seconds. LOS A represents relatively free-flow conditions with little delay at intersections. LOS E represents unstable or unbalanced flow conditions with volumes at or near design capacity. LOS F represents a significantly congested condition where traffic flows can exceed design capacities resulting in long vehicle queues and delays from the minor-street driveway.

Signalized AM and PM peak hour intersection LOS calculations have been calculated based on the *Highway Capacity Manual 2000, Fourth Edition*, using HCM operations methodology and Synchro/Simtraffic modeling software. Unsignalized intersections have also been calculated using *HCM 2000* methodology. For stop-sign controlled intersections, intersection LOS typically refers to the minor street (stop-sign controlled approach) and yields a vehicle delay in seconds.

This traffic impact analysis provides a “planning level” evaluation of traffic condition, which is considered sufficient for CEQA/NEPA clearance purposes. The “planning level” evaluation incorporates appropriate heavy vehicle adjustment factors, peak hour factors, and signal lost-time factors. LOS operations have been analyzed using HCM-2000 methodologies for determining intersection delay, incorporating the aforementioned factors.

¹ Mr. Rick Marshal, Traffic Engineer, County of Napa, Personal communication, September 7, 2009.

² Napa County, AM and PM (7:00-9:00 a.m. & 4:00-6:00 p.m.) peak period intersection counts at Airport Boulevards, June 2-4, 2009.



Existing Volumes
A.M. and (P.M.) Peak Hour



TABLE 1
LEVEL-OF-SERVICE CRITERIA FOR INTERSECTIONS

LEVEL OF SERVICE	TYPE OF FLOW	DELAY	MANEUVERABILITY	CONTROL DELAY (SECONDS/VEHICLE)		
				SIGNALIZED	UNSIGNALIZED	ALL-WAY STOP
A	Stable Flow	Very slight delay. Progression is very favorable, with most vehicles arriving during the green phase not stopping at all.	Turning movements are easily made, and nearly all drivers find freedom of operation.	≤ 10.0 secs. ≤ 0.60 v/c	≤ 10.0	≤ 10.0
B	Stable Flow	Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.	Vehicle platoons are formed. Many drivers begin to feel somewhat restricted within groups of vehicles.	> 10 and ≤ 20.0 secs. 0.61 – 0.70 v/c	> 10 and ≤ 15.0	> 10 and ≤ 15.0
C	Stable Flow	Higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, although many still pass through the intersection without stopping.	Back-ups may develop behind turning vehicles. Most drivers feel somewhat restricted	> 20 and ≤ 35.0 secs. 0.71 – 0.80 v/c	> 15 and ≤ 25.0	> 15 and ≤ 25.0
D	Approaching Unstable Flow	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles of stopping declines. Individual cycle failures are noticeable.	Maneuverability is severely limited during short periods due to temporary back-ups.	> 35 and ≤ 55.0 secs. 0.81 – 0.90 v/c	> 25 and ≤ 35.0	> 25 and ≤ 35.0
E	Unstable Flow	Generally considered to be the limit of acceptable delay. Indicative of poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.	There are typically long queues of vehicles waiting upstream of the intersection.	> 55 and ≤ 80.0 secs. 0.91 – 1.00 v/c	> 35 and ≤ 50.0	> 35 and ≤ 50.0
F	Forced Flow	Generally considered to be unacceptable to most drivers. Often occurs with over saturation. May also occur at high volume-to-capacity ratios. There are many individual cycle failures. Poor progression and long cycle lengths may also be major contributing factors.	Jammed conditions. Back-ups from other locations restrict or prevent movement. Volumes may vary widely, depending principally on the downstream back-up conditions.	> 80.0 secs. > 1.00 v/c	> 50.0	> 50.0

References: 1. Highway Capacity Manual, Fourth Edition, Transportation Research Board, 2000, Contra Costa Transportation Authority (CCTA), Technical Procedures Update, Final, July 9, 2006. For the purposes of this study, CCTA intersection methodology has been used for signalized intersections yielding an LOS and v/c ratio.

A standard peak hour factor (PHF) of 0.92 is typically applied to all analysis scenarios in this study (the PHF refers to progression of approach traffic through the signal). A minimum traffic signal cycle length of 90 seconds will be used at signalized intersection locations (except where field measurements differ), with 4 seconds of "lost time" per critical signal phase. Study intersection LOS calculations results/inputs have been based on the ongoing NALA TIF Update supplied by Napa County Transportation staff.

Field observations indicate traffic volumes in the study area tend to be directional in nature reflecting an inbound flow (south to north) to the Napa Valley in the morning commute period and an outbound flow (north to south) during the evening commute period. The same conditions are true for the NALA, with a predominantly inbound flow during the AM commute period and outbound flow during the PM commute period. Significant vehicle queuing occurs at both study intersections located along SR-29 at Soscol Ferry Road and at Airport Boulevard and SR-12. During the AM peak hour, most of these vehicle queues clear the intersection within the allotted green time for each turning movement. However, during the PM peak hour this does not always occur with some turning movements taking 2-3 cycle lengths to clear the intersections.

As shown in Table 2, the Soscol Ferry Road/SR-29 intersection is currently operating at unacceptable conditions (LOS E-F) during the AM and PM peak hours. As noted, this intersection experiences congestion and vehicle queuing during the peak commute periods. All remaining project study intersections are operating at acceptable levels (LOS D or better) during the peak hours.

TABLE 2
EXISTING CONDITIONS: INTERSECTION LEVELS-OF-SERVICE

#	Intersection	Control Type	AM Peak Hour		PM Peak Hour	
			Delay (secs.)	LOS	V/C Ratio	LOS
1	Soscol Ferry Rd./SR-29	Signal	61.1	E	> 80.0	F
2	Soscol Ferry Rd./Devlin Road	Stop	17.6	C	15.8	C
3	Airport Boulevard/Devlin Blvd.	Signal	11.3	B	10.4	B
4	Airport Boulevard/SR-29/SR-12	Signal	41.4	D	35.1	D
5	Kelly Road/SR-12	Signal	52.5	D	26.7	D

Signalized intersection calculations based on HCM 2000 operations methodology which yields an intersection LOS and vehicle delay in seconds.

TRAFFIC SIGNAL WARRANT ANALYSIS

A supplemental traffic signal warrant analysis has been completed to determine whether the Soscol Ferry Road/Devlin Road study intersection may require or benefit from the installation of a traffic signal. The term "signal warrant" refers to any of the eight established methods used by Caltrans to quantify the need for a traffic signal at an unsignalized intersection. The eight signal warrant methods are described in the latest edition of the California Manual on Uniform Traffic Control Devices (MUTCD).

The California MUTCD indicates that the installation of a traffic signal should be considered only if one or more of the eight signal warrants are met. This traffic analysis has performed the peak hour volume-based Warrant #3 on this intersection. The peak hour volume warrant refers to a combination of minor street volume (100 vehicle minimum) and major street volumes (400-1,400 vehicles) that would qualify an intersection for a signal during the peak commute hour. The results of the signal warrant analyses may indicate that a traffic signal could be beneficial to the operations of an intersection. The final decision to install a traffic signal should, however, be based upon further studies utilizing additional warrants as presented in the California MUTCD.

At this time, the Soscol Ferry Road/Devlin Road unsignalized intersection would not qualify for signalization

under MUTCD warrant #3 peak hour volume criteria due to minor street (and major street) volumes being too low.

EXISTING VEHICLE QUEUING ANALYSIS

Vehicle queuing operations have also been quantified as part of this analysis. Vehicular queuing projections have been estimated utilizing *SimTraffic* micro-simulation software developed by *TrafficWare*. The queuing analysis has focused on intersection operation along Airport Boulevard and Devlin Road under existing and proposed project conditions. However (as noted previously), there is significant vehicle queuing on SR-29 in both the north-south directions during the AM and PM commute periods. Vehicle queuing projections are provided in terms of the 95th percentile queue lengths. The design queue is taken as the 95th percentile queue length.

The results of the Existing conditions queuing analysis are presented in Table 3. The available storage lengths are based on measurements from aerial photographs and field measurements. As calculated, vehicle queuing problems occur at the following intersections:

- Soscil Ferry Road/SR-29: The analysis indicates that the northbound approach of Soscil Ferry Road/SR-29 intersection experiences queuing problems during the PM peak hour. This would include both the northbound left-turn lane (280-foot queue) and the shared through/right-turn lane (621-foot queue). However, overall intersection operation during this time period is LOS F (>80.0 seconds). Typically, calculated vehicle queues are not accurate once an intersection's LOS exceeds F. Existing LOS notwithstanding, long vehicle queues (500 + feet) were observed at all four intersection approaches during the PM peak hour.
- Airport Boulevard/SR-29/SR-12: The analysis indicates that the westbound approach of Airport Boulevard/SR-29/SR-12 intersection experiences queuing problems during the PM peak hour. Specifically, the westbound through-lane approach on SR-12 has a 219-foot queue with approximately 175-feet of storage capacity. However, these vehicle queues just extend back (east) onto SR-12 in the existing through-lane towards Kelly Road.

All other study intersection approaches within the NAIA have adequate vehicle storage. Vehicle queuing on SR-29 is extensive during the AM and PM commute periods. At times, north-south vehicle queues on SR-29 are extensive enough to prevent motorists from accessing other turning movement lanes at the Soscil Ferry Road/SR-29 and Airport Boulevard/SR-29/SR-12 intersections.

SIGNIFICANCE CRITERIA

The County of Napa's significance criteria has been based on a review of the Napa County Transportation and Planning Agency and Napa County General Plan documentation on roadway and intersection operations. Specifically, the Circulation Element of the County's General Plan outlines the following significance criteria specific to intersection operation:

Intersections

- The County shall seek to maintain a Level of Service D or better at all intersections, except where the level of service already exceeds this standard (i.e. Level of Service E or F) and where increased intersection capacity is not feasible without substantial additional right-of-way.
- No single level of service standard is appropriate for un-signalized intersections, which shall be

**TABLE 3
EXISTING CONDITIONS: PM PEAK HOUR VEHICLE QUEUES**

Intersection	Movement	Available Storage (ft.)	95th Percent Queue Length (ft.)
Soscal Ferry / SR-29	EBL	500	306
	EBT	n.a.	
	EBR	520	331
	WBL	350	78
	WBT	n.a.	
	NBL	200	280
	NBT/NBR	220	621
	SBL	500	330
Soscal Ferry / Devlin Road	SBT/SBR	500	333
	WBL/WBT	150	44
Airpon Blvd. / Devlin Road	NBL/NBT	100	42
	EBL	320	73
	EBT	n.a.	
	WBT	n.a.	
	WBT/WBR	n.a.	
	SBL	220	68
	SBR	220	35
Airport Blvd. / SR-29 / SR-12	EBL	300	164
	EBL/EBT	300	184
	WBL	175	89
	WBT	175	219
	NBL	350	208
	NBT	n.a.	
	NBR	240	161
	SBL	1000	471
Kelly Road / SR-12	SBT	n.a.	
	EBL	210	96
	EBT	n.a.	
	EBR	250	111
	WBL	250	31
	WBT	n.a.	
	WBR	470	102
	NBL	190	27
	NBT	n.a.	
	NBR	170	74
	SBL	230	69
	SBT/SBR	215	56

Notes: 1) Queuing Projections are based upon Synchro/SimTraffic software;
2) The queue lengths reported above are presented on a per lane basis;
3) Available storage for through-lanes is to the nearest major intersections—unless otherwise noted there is adequate storage for through-traffic at all studied intersections. n.a. = Not Applicable
4) BOLD = 95th percentile volume exceeds storage, queue may be longer.
5) 25 feet equals one car length

evaluated on a case-by-case basis to determine if signal warrants are met.

Further significance criteria are based on County and CEQA guidelines and apply mainly to intersection operation, access, and parking. A significant impact occurs if project traffic would result in the following:

- Cause an increase in traffic which is substantial in relation to existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume capacity ratio on roads, or congestion at intersections);
- Exceed either individually or cumulatively, an LOS standard established by the county congestion management agency for designated roads or highways;
- Result in a change of traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);
- Result in inadequate emergency vehicle access;
- Project site or internal circulation on the site is not adequate to accommodate pedestrians and bicycles;
- The project provides inadequate parking or on-site circulation.

PROPOSED PROJECT IMPACTS

PROJECT DESCRIPTION

The proposed Napa Commerce Center project would consist of 490,503 square feet of “Industrial Park” uses. The project site would be located immediately west of SR-29 and south of Airport Boulevard. As part of overall project circulation improvements, Devlin Road would be extended south of Airport Boulevard to serve project driveways and adjacent development immediately to the west (see Figure 4-- Project Site Plan). From Airport Boulevard south on Devlin Road (extension), there would be three (full-access) driveways. In addition, there would a limited access driveway (right-turns-only in/out) off Airport Boulevard east of Devlin Road. Based on the topography and natural drainage of the site, the project parcel would be divided into two development areas. The northern development area would serve primarily office-type uses and the southern development areas would serve primarily warehouse uses.

PROJECT TRIP GENERATION

Daily and peak hour vehicle trip generation for the proposed project has been based on accepted rates found in the Institute of Transportation Engineers (ITE) trip research manual for “industrial park” uses.³

Vehicle trip generation for the proposed project is broken down by daily vehicle trips and “peak hour” vehicle trips. Daily trips are the total vehicle trips generated by the project over a 24-hour period. The peak hour trips are typically generated during the highest hour of the morning (7:00-9:00 a.m.) and evening (4:00-6:00 p.m.) commute periods when weekday traffic is significant. The peak hour rates reflect the amount of traffic that would be generated by the proposed project during the “peak hour of adjacent street traffic.” However, it is possible the proposed project could generate a higher amount of trips during some other period during the day. Regardless, the combination of peak hour project trips combined with the peak hour of adjacent street traffic commonly yields a “worst case” scenario for measuring project impacts and vehicle congestion. Typically, the PM peak hour period yields the greatest combination of project trip generation and vehicle congestion.

Daily and peak hour proposed project trip generation has been shown in Table 4. As calculated, the proposed

³ *Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition, Industrial Park (land use #130), 2008.*

TABLE 4
PROJECT TRIP GENERATION: DAILY AND PEAK HOUR

Land Use	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
490,503 sq. ft. Industrial Park							
Daily & Peak Hour Trip Rates (per ksf)	6.96	0.69	0.15	0.84	0.18	0.68	0.86
Daily & Peak Hour Trip Generation	3,414	338	74	412	89	333	422
Net New Trips	3,414	338	74	412	89	333	422

*Source: Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition, Industrial Park (land use #130), 2008.
Based on 490,503 square feet of Industrial Park uses.*

project is expected to generate 3,414 daily trips with 412 new AM peak hour trips and 422 new PM peak hour trips. It is noted that the proposed project would have a greater portion of “office” uses in the northern half of its development area and greater proportion of “warehouse” uses in the southern half of its development area. As such, calculated light industrial park trip generation for the proposed project was “weighted” to account for slightly more office use in the northern development area and more warehouse uses in the southern portion of the site. This was accomplished by comparing “industrial park” and “general office” trip generation rates and the amount of overall project square footage in the northern and southern development areas of the site. This analysis provided a more accurate representation of total vehicle trips accessing proposed project driveways.

Based on discussions with Napa County Transportation staff, this traffic analysis is evaluating Existing plus Proposed Project traffic conditions. No interim development projects have been added to existing conditions for short-term analysis. However, it was necessary to include vehicle trips from a development parcel located immediately west of the proposed project site off of Airport Boulevard and Devlin Road (southern extension). Specifically, the Greenwood Business Park project would consist of 378,891 square feet of Industrial Park uses. This project would share access driveways with the proposed Napa Commerce Center on the southerly extension of Devlin Road as well as adding vehicle trips to all project study intersections on Airport Boulevard, Devlin Road, SR-29, and SR-12. Based on a previous study conducted for the Greenwood Business Park, the project is expected to generate 318 AM peak hour trips and 326 PM peak hour trips.⁴ These vehicle trips have been added to existing traffic volumes (along with proposed project trips) to accurately quantify overall project driveway operation on Devlin Road and study intersection operation in the greater NALA.

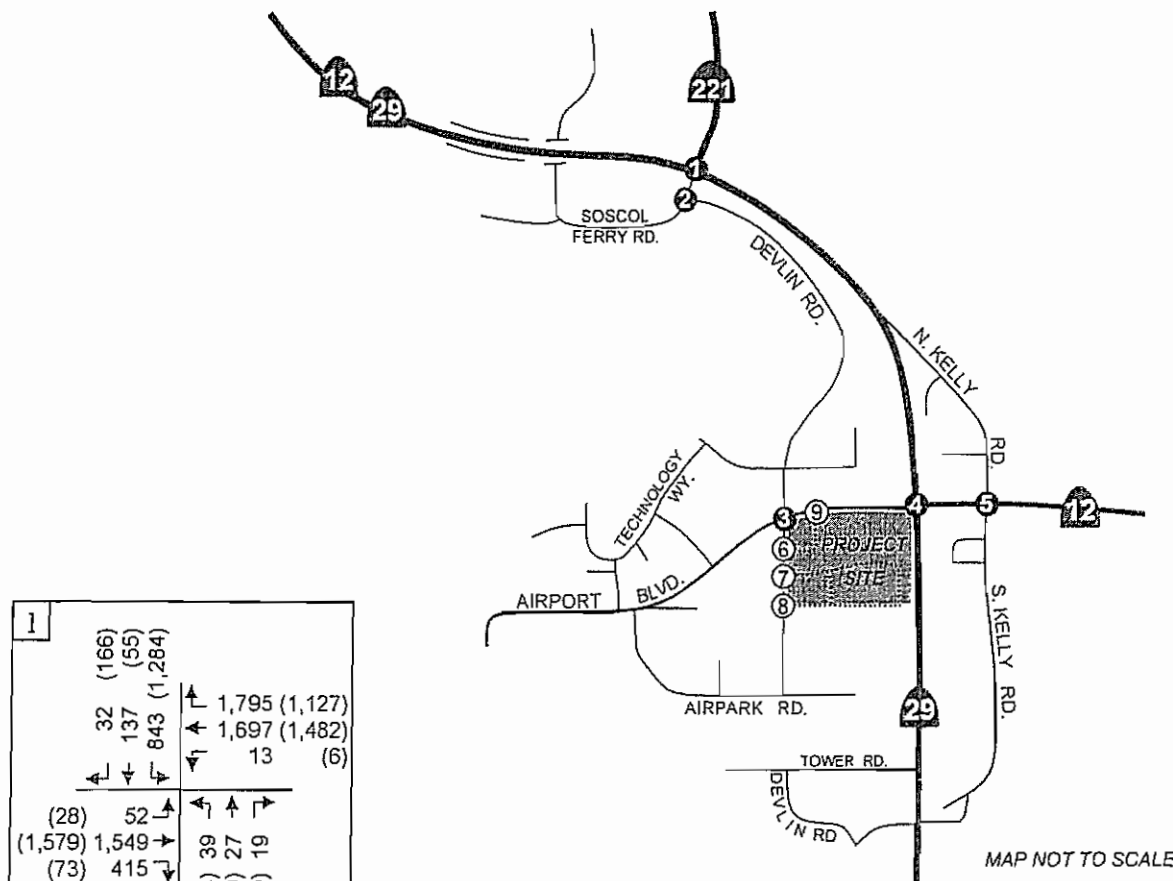
PROJECT TRIP ASSIGNMENT

AM and PM peak hour project trips were distributed onto the street network based on a previous transportation study performed for the Greenwood Business Park on the project site (reviewed by County Engineering staff prior to inclusion in this study). Consideration was also given to freeway access and project driveway location (in/out on Devlin Road). Based on these factors, proposed project trip assignment would be as follows:

- SR-29 to/from the north: 17%
- SR-29 to/from the south: 41%
- SR-12 to/from the east: 23%
- Devlin Road to/from the north: 19%
- Total: 100%

AM and PM peak hour proposed project trips have been added to existing traffic volumes (with the Greenwood Business Park project) and are shown in Figure 3. Figure 3 also provides projected peak hour volumes at all

⁴ George W. Nickelson, P.E. *Traffic Analysis for the Proposed Greenwood Business Park Project in the Napa Airport Industrial Area (NALA) of Napa County, Mr. Kris Pigman, Pigman Companies, July 8, 2008.*



1	
32 (166)	1,795 (1,127)
137 (55)	1,697 (1,482)
843 (1,284)	13 (6)
28 52	39 27 19
(1,579) 1,549	(284) 39
(73) 415	(149) 27
	(279) 19

2	
245 (50)	67 (323)
320 (82)	24 (25)
	38 26
	(384) 38
	(176) 26

3	
165 (32)	116 (39)
85 (21)	417 (84)
49 (267)	421 (103)
19 124	0 21 73
(95) 443	(0) 98
(0) 0	(342) 73

4	
240 (59)	424 (458)
1,130 (1,760)	261 (62)
1,038 (1,247)	78 (38)
56 356	1,796 22
(286) 307	(109) 1,338
(544) 80	(41) 41

5	
10 (9)	937 (497)
25 (51)	753 (482)
12 (45)	58 (17)
77 8	268 44
(43) 1,556	(9) 68
(26) 55	(130) 44

6	
33 (8)	12 (49)
351 (85)	0 (0)
75 (21)	0 (0)
9 73	0 0
(32) 0	(0) 359
(0) 0	(0) 0

7	
60 (17)	33 (155)
139 (27)	0 (0)
152 (41)	0 (0)
16 24	0 0
(63) 0	(0) 141
(0) 0	(0) 0

8	
89 (13)	11 (52)
50 (14)	
	13
	(89)

9	
	185 18
	(13) 61
	(77) 18

Existing Plus Project Volumes
A.M. and (P.M.) Peak Hour



**TABLE 5
EXISTING AND EXISTING PLUS PROJECT CONDITIONS: INTERSECTION LEVELS-OF-SERVICE**

#	Intersection	Control Type	AM Peak Hour LOS/Delay		PM Peak Hour LOS/Delay	
			Existing	Exist + Project	Existing	Exist + Project
1	Soscol Ferry Rd./SR-29	Signal	E 61.1	E 67.1	F > 80.0	F > 80.0
2	Soscol Ferry Rd./Devlin Road	Stop	C 17.6	D 25.3	C 15.8	C 21.5
3	Airport Boulevard/Devlin Blvd.	Signal	B 11.3	C 22.9	B 10.4	C 25.1
4	Airport Boulevard/SR-29/SR-12	Signal	D 41.4	D 53.6	D 35.1	D 44.6
5	Kelly Road/SR-12	Signal	C 33.6	C 34.1	C 26.7	C 28.3
6	Project Drive #1/Devlin Road	Stop	----	C 15.4	----	B 12.7
7	Project Drive #2/Devlin Road	Stop	----	C 15.4	----	B 14.4
8	Project Drive #3/Devlin Road	Stop	----	A 8.4	----	A 9.0
9	Project Drive #4/Airport Boulevard	Stop	----	A 9.1	----	B 12.8

Signalized intersection calculations based on HCM 2000 operations methodology which yields an intersection LOS and vehicle delay in seconds..

proposed project driveway access intersections.

EXISTING PLUS PROJECT INTERSECTION OPERATIONS

With AM and PM peak hour project trips added to existing traffic volumes, study intersection LOS have been calculated and are shown in Table 5. With proposed project traffic, intersection LOS would change at two of the study locations; the stop-sign controlled Soscol Ferry Road/Devlin Road intersection and the signalized Airport Boulevard/Devlin Road intersection. During the AM peak hour, the Soscol Ferry Road/Devlin Road intersection would change from LOS C (17.6 seconds) to LOS D (25.3 seconds). This change in intersection LOS would apply to the northbound left and right-turn movements from Devlin Road onto Soscol Ferry Road. During the same AM peak hour, the Airport Boulevard/Devlin Road intersection would change from LOS B (11.3 seconds) to LOS C (22.9 seconds). During the PM peak hour, the same intersection would change from LOS B (10.4 seconds) to LOS C (25.2 seconds). All other project study intersections would remain unchanged from existing LOS conditions but would experience increases in overall seconds of vehicle delay due to increases from proposed project and adjacent development traffic volumes.

The unsignalized intersection of Soscol Ferry Road/Devlin Road was evaluated for peak hour (MUTCD #3) signal warrant satisfaction. With Existing plus Project traffic volumes, the intersection would just exceed the minimum volumes for signal installation during the PM peak hour.

With proposed project development, overall vehicle circulation within the NALA would change due to planned project circulation improvements. Specifically, Devlin Road would be extended south approximately 1,100 feet south to provide access to proposed project driveways and adjacent development. These circulation changes would affect existing intersection operation at the Airport Boulevard/Devlin Road intersection as well as overall vehicle circulation on Devlin Road from other areas in the NALA. Proposed project circulation improvements and their affects on vehicle circulation are discussed in detail in the following Proposed Project Access and Circulation and Proposed Project Vehicle Queuing Analysis sections.

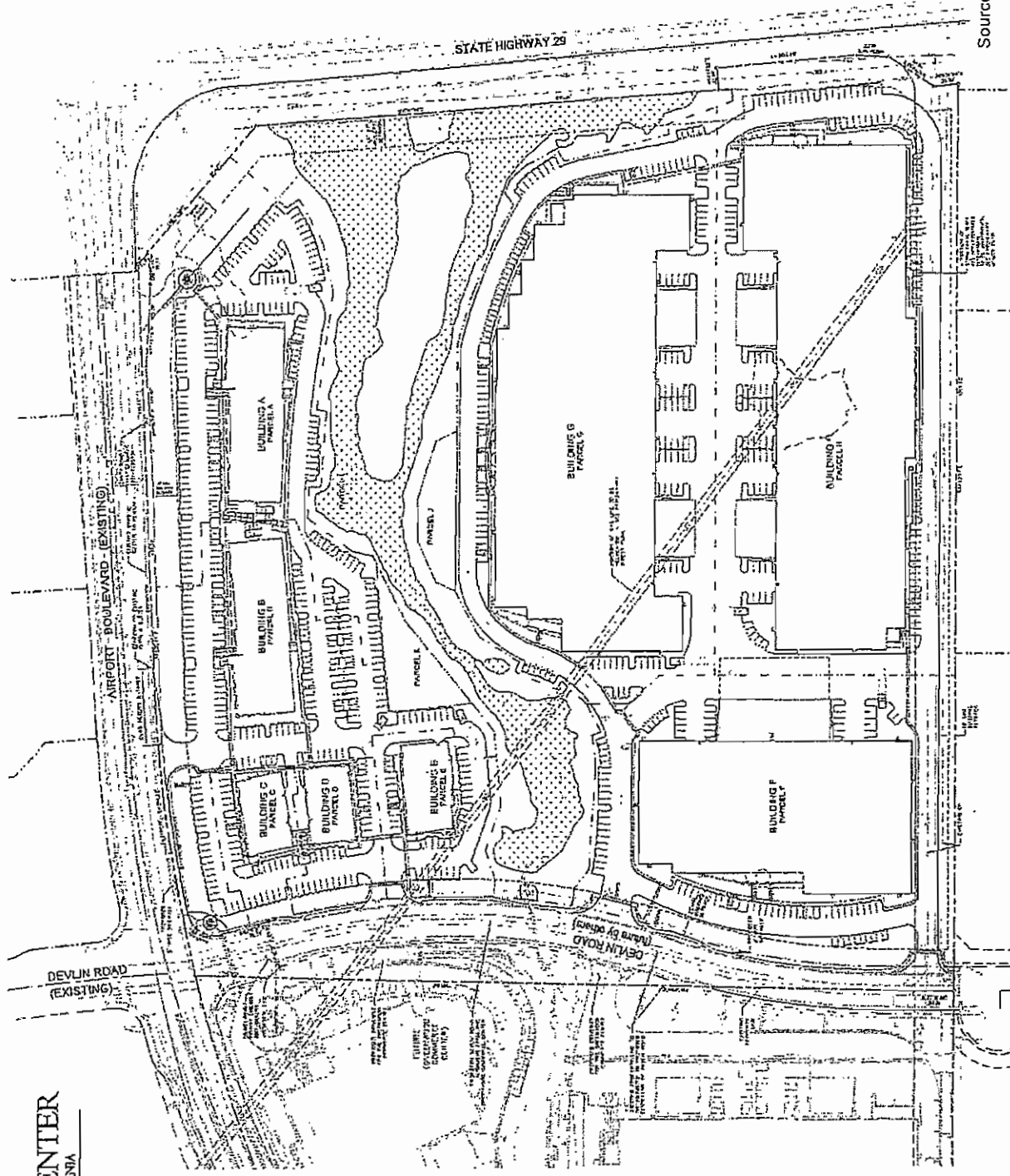
PROJECT ACCESS AND CIRCULATION

Site Access/Internal Circulation

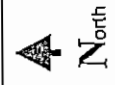
Vehicle access to the proposed project site would be gained directly from a southerly extension of Devlin Road (at Airport Boulevard) and existing Airport Boulevard east of Devlin Road. There would be three (3) full-

**NAPA
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JULY 2009
SHEET 1 OF 4



Source: **IPA**
ENGINEERING & PLANNING
UNIVERSITY MICROFILMS
SERIALS ACQUISITION



Project Site Plan

figure 4



omni-means

access driveways off of the Devlin Road southern extension and one (1) limited access driveway off of Airport Boulevard (see Figure 4—Project Site Plan). As noted above, Devlin Road would be extended south 1,100 feet (approximately) to provide access to proposed full-access project driveways and adjacent development. The first project driveway would be located approximately 280-300 feet south of Airport Boulevard and would serve both the proposed project and Greenwood Business Park development. The second project driveway would be located approximately 640 feet south of Airport Boulevard and would also serve both the proposed project and Greenwood Business Park development with full vehicle access. Finally, the third project driveway would be located approximately 1,110 feet south of Airport Boulevard on the Devlin Road extension and serve proposed project access. A limited access driveway (right-turns-only inbound/outbound) would be located on Airport Boulevard approximately 260 feet east of Devlin Road.

Again, based on the topography and natural drainage of the site, the project parcel would be divided into two development areas. The northern development area would serve primarily office-type uses and the southern development areas would serve primarily warehouse uses. The northern development area of the site would be served by the limited access driveway off Airport Boulevard and the first full-access driveway off the southerly extension of Devlin Road. The southern development area of the project site would be served by the two remaining full-access driveways off the southerly extension of Devlin Road.

Internal vehicle circulation within the proposed project would be adequate. The northern development area of the site would be served by a long east-west parking/drive aisle extending along the entire Airport Boulevard frontage would be accessed primarily through the limited access driveway. Another east-west parking/drive aisle would extend east from the first project driveway off Devlin Road serving the smaller development buildings and a parking field located towards the rear of the site. A north-south parking/drive aisle would extend from the limited access driveway off Airport Boulevard and link the two access drive aisles.

The southern half of the project site would be served by the second and third remaining full-access project driveways off of the Devlin Road extension. The second full-access driveway would provide access to an east-west internal drive aisle that would essentially form a circular roadway and “loop” around the entire warehouse set of buildings. This circular drive aisle would provide access to vehicle parking along the roadway and eventually form the southern-most drive aisle connecting to the Devlin Road extension at the third and final project access driveway. Between the two main project warehouse buildings, there would be a limited parking field and this would be accessed by a north-south drive aisle connecting the circular roadway. It is noted that there are specific parking spaces situated on the curves of the internal drive aisles around project buildings F and H at the following locations of the proposed project site:

- Five (5) vehicle parking spaces at the northeast corner of Building F on the entrance curve;
- Two (2) vehicle parking spaces at the southeast corner of Building F on the exit curve;
- Five (5) vehicle parking spaces at the northwest corner of Building H on the entrance curve;
- Three (3) vehicle parking spaces at the southeast corner of Building H on the inside curve.

Since these parking spaces are located internal to the site and would not affect external driveway operation or off-site street traffic on Devlin Road, they would not need to be removed. However, it is recommended that these parking spaces be reserved for “employees only” to ensure a low turnover rate. Project volumes on the internal drive aisle and vehicle speeds would be low and by limiting these specific parking spaces for employees only there would be limited in/out maneuvers.

Devlin Road Extension

The southern extension of Devlin Road between Airport Boulevard and the southerly boundary of the project site is shown as 48-foot curb-to-curb with a 68-foot right-of-way (ROW) in project improvement plans.⁵

⁵ TLA Engineering and Planning, Napa Commerce Center Use Permit, Sheet 1 of 4, July 2009.

Previous discussions with Napa County Transportation staff had indicated that the roadway would likely have to accommodate two (2) travel lanes and a two-way-left-turn-lane (TWLTL) in this area. The new connection of Devlin Road between Airport Boulevard and southern boundary of the project site would also attract existing traffic currently using Airport Road to access to/from Airport Boulevard. With the new Devlin Road extension, existing vehicle and/or truck trips would not have to travel (west) to the Airport Boulevard/Airpark Road intersection but would merely travel north up the new Devlin Road extension (via the part-width segment) to access Airport Boulevard. Based on previous traffic analyses conducted for the Greenwood Business Park project, the extension of Devlin Road would likely attract 102 existing vehicle trips from the southern Airport Road area.⁶ This would equate to 89 trips inbound and 13 trips outbound during the AM peak hour and the exact opposite during the PM peak hour (13 in, 89 out). These diverted existing trips were accounted for under Existing plus Project conditions and would only affect the four project study intersections on the Devlin Road extension between the project's southern boundary and Airport Boulevard.

Airport Boulevard/Devlin Road Intersection

With development of the proposed project site (and adjacent Greenwood Business Center) and extension of Devlin Road to the south, the Airport Boulevard/Devlin Road intersection would become a four-way intersection. Vehicle queuing analyses have been conducted for all intersections with Existing plus Project AM and PM peak hour volumes to ensure adequate storage lengths and vehicle queuing (see Proposed Project Vehicle Queuing Analysis section). However, based on the projected vehicle trips through the intersection (with proposed project development) there would be a need for dual (2) westbound left-turn lanes from Airport Boulevard onto the Devlin Road extension with a storage capacity of 225 feet. This need is based on a total of 421 westbound left-turn vehicles from Airport Boulevard onto Devlin Road during the AM peak hour. This circulation improvement would require two (2) receiving lanes on the Devlin Road extension in the southbound direction. Based on measurements from aerial photographs and field measurements, Airport Boulevard at Devlin Road has an approximate curb-to-curb width of 72 feet. This includes Class II bike lanes (5 feet each), two westbound through-lanes (24-feet), one westbound left-turn lane (12-feet), two eastbound through-lanes (24-feet), and a two-foot raised median. With the installation of dual westbound left-turn lanes on Airport Boulevard at Devlin Road, Airport Boulevard would need to be widened by 12-feet to an 86-foot curb- to-curb width to include the additional westbound left-turn lane and existing Class II bike lanes.

Based on the proposed project site plan, the new extension of Devlin Road immediately south of Airport Boulevard has an approximate 72-foot curb-to-curb width. In the southbound direction, this could accommodate a one (1) 12-foot bus turn-out and two (2) 11-foot travel lanes. In the northbound direction (at Airport Boulevard) there could be one (1) 12-foot left-turn lane, one (1) 12-foot through-lane, and one (1) 14-foot right-turn lane. It is not recommended that a new northbound bus turnout be installed on the Devlin Road extension immediately south of Airport Boulevard. In this area, there would be a high-volume right-turn movement (342 vehicles) from northbound Devlin Road onto eastbound Airport Boulevard. A new bus turnout on Devlin Road (southeast corner of the Airport Blvd./Devlin Rd. intersection) would interfere with right-turn volumes and buses would have a difficult time merging back out into through-traffic to travel in a northbound direction. It is recommended that transit users/bus riders use the existing bus turnout located immediately north of the Airport Blvd./Devlin Rd. intersection on Devlin Road. This bus turnout is located a mere 50-feet north of Airport Boulevard on Devlin Road. Transit users could easily walk across Airport Boulevard from the proposed project site (or Greenwood Business Park) to access this bus stop. Further south of Airport Boulevard, the extension of Devlin Road is shown having an approximate 48-foot curb-to-curb width which could readily accommodate two (2) travel lanes, a two-way-left-turn lane, and Class II bike lanes.

Proposed Project Driveway Access

All proposed project driveways off of Devlin Road have been assumed as stop-sign controlled for the minor

⁶ George W. Nickelson, P.E.,.....Ibid

street (driveway) operation. Project driveway intersection LOS calculations have assumed a separate southbound (inbound) left-turn lane, and a separate westbound (outbound) right-turn lane and shared through/left-turn lane. Based on the proposed project site plan, the outbound driveway lanes on Devlin Road are approximately 21-22 feet wide. At a minimum, it is recommended that the outbound driveway widths be 24-feet to allow for two standard turn lanes. It would be preferable to allow for a 25-foot outbound driveway width to allow for a 13-foot right-turn lane to accommodate large trucks (particularly at proposed project driveway #'s 2 and 3).

The limited access driveway intersection (Project Drive #4/Airport Boulevard) off of Airport Boulevard is projected to operate at acceptable levels. However, during the PM peak hour there would be a heavy (342 vehicles) northbound right-turn movement from Devlin Road onto eastbound Airport Boulevard. With an additional 1,000+ eastbound through-vehicles on Airport Boulevard there would be some minor (on-site) vehicle queuing for outbound driveway traffic. The intersection would not meet the minimum right-turn volumes for inbound traffic to warrant a separate right-turn deceleration lane.⁷ However, during both the AM and PM peak hours the driveway would meet the minimum volumes required for a taper. This finding is based on minimum right turn volumes of 61 (AM) and 13 (PM) and through-volumes of 185 (AM) and 1,039 (PM) on Airport Boulevard during the AM and PM peak hours, respectively (please refer to Appendices for traffic volume guidelines for design of right-turn lanes).

PROJECT VEHICLE QUEUING ANALYSIS

The results of the Existing plus Project conditions queuing analysis are presented in Table 6. The available storage lengths for existing intersections are based on measurements from aerial photographs and field measurements. For future intersection analyses, vehicle storage requirements have been based on project driveway turning movement volumes combined with the vehicle queuing analysis. Vehicle queuing analyses have been conducted for both the AM and PM peak hour to ensure adequate vehicle storage with proposed project traffic. As calculated, vehicle queuing problems would occur at the following locations:

- Socal Ferry Road/SR-29: The analysis indicates that the northbound approach of Socal Ferry Road/SR-29 intersection would continue to experience queuing problems during the PM peak hour. This would include both the northbound left-turn lane (273-foot queue) and the shared through/right-turn lane (608-foot queue). As with existing conditions, overall intersection operation during this time period is LOS F (>80.0 seconds). Calculated vehicle queues are not meaningful once an intersection's LOS exceeds F. Therefore, long vehicle queues (500 + feet) would continue to be experienced at all four intersection approaches during the PM peak hour with existing plus project traffic volumes.
- Socal Ferry Road/Devlin Road: Vehicle queuing indicated for the northbound right-turn movement from Devlin Road onto eastbound/northbound Socal Ferry Road is a function overall poor operations (LOS F) at the Socal Ferry Road/SR-29 intersection. The northbound queue on Socal Ferry Road (at SR-29) is causing northbound motorists on Devlin Road to be delayed resulting in vehicle queuing. However, calculated vehicle queues for the Socal Ferry Road/SR-29 and Socal Ferry Road/Devlin Road intersection are somewhat tenuous given an overall operation of LOS F at the Socal Ferry Road/SR-29 intersection. Until operations improve at this SR-29 intersection, vehicle queuing on northbound Socal Ferry Road will continue to occur during the PM peak hour.
- Airport Boulevard/SR-29/SR-12: The analysis indicates that the westbound approach of Airport

⁷ *Transportation Research Board (TRB), Intersection Channelization Design Guideline #279, Chapter 4, Design of Right-Turn Lanes, Figure 4.23, November 1985.*

**TABLE 6
EXISTING PLUS PROJECT CONDITIONS: AM AND PM PEAK HOUR VEHICLE QUEUES**

Intersection	Movement	Available Storage (ft.)	95th Percent Queue Length (ft.) AM/PM
Soscal Ferry / SR-29	EBL	500	224/125
	EBT	n.a.	
	EBR	520	366/225
	WBL	350	86/36
	WBT	n.a.	
	NBL	200	66/273
	NBT/NBR	220	72/608
	SBL	500	338/335
Soscal Ferry / Devlin Road	SBT/SBR	500	157/333
	WBL/WBT	150	87/95
Airport Blvd. / Devlin Road	NBL/NBR	100	46/1089
	EBL	320	43/96
	EBT/EBR	n.a.	64/87
	WBL	225	134/94
	WBT/WBR	n.a.	119/54
	SBL	220	60/212
	SBR	220	71/36
	NBL	75	50/50
Airport Blvd. / SR-29 / SR-12	NBR	220	48/130
	EBL	300	60/339
	EBL/EBT	300	76/569
	WBL	175	131/76
	WBT	175	369/202
	NBL	350	429/299
	NBT	n.a.	
	NBR	240	101/190
Kelly Road / SR-12	SBL	1000	543/488
	SBT	n.a.	
	EBL	210	163/67
	EBT	n.a.	
	EBR	250	127/85
	WBL	250	82/34
	WBT	n.a.	
	WBR	470	212/82
Project Driveway #1/Devlin Road	NBL	190	30/26
	NBT	n.a.	
	NBR	170	97/73
	SBL	230	31/60
	SBT/SBR	215	33/55
	EBL	50	31/44
	WBT/WBR	50	33/50
	SBL	150	29/32
Project Driveway #2/Devlin Road	EBL	150	33/46
	WBT/WBR	120	47/65
	SBL	150	20/21
Project Driveway #3/Devlin Road	WBT/WBR	60	35/49
	SBL	150	33/45
Project Driveway #4/Devlin Road	EBT/EBR	250	30/50
	NBR	50	33/62

Notes: 1) Queuing Projections are based upon Synchro/SimTraffic software;
2) The queue lengths reported above are presented on a per lane basis;
3) Available storage for through-lanes is to the nearest major intersections—unless otherwise noted there is adequate storage for through-traffic at all studied intersections; n.a. = not applicable.
4) BOLD = 95th percentile volume exceeds storage, queue may be longer.
5) 25 feet equals one car length

Boulevard/SR-29/SR-12 intersection experiences queuing problems during the AM peak hour. Specifically, the westbound through-lane approach on SR-12 has a 369-foot queue with approximately 175-feet of storage capacity. However, these vehicle queues just extend back (east) onto SR-12 in the existing through-lane towards Kelly Road. In addition, analysis indicates that the eastbound through and left-turn movements on Airport Boulevard at SR-29/SR-12 would experience a vehicle queue of 569 feet during the PM peak hour with an overall storage length of 300 feet. Again, there is ample capacity on Airport Boulevard to store these vehicles since both the eastbound through and left-turn lanes extend back (west) into the two eastbound through-lanes. Finally, the SR-29 northbound left-turn movement onto Airport Boulevard would experience a vehicle queue of 429 feet with an overall storage capacity of 350 feet. This would exceed overall vehicle capacity for the northbound left-turn movement by three vehicle lengths on to SR-29 and would not be considered significant in nature.

All other study intersection approaches located internal to SR-29 on Airport Boulevard and Devlin Road have adequate vehicle storage. As with existing conditions, vehicle queuing on SR-29 is extensive during the AM and PM commute periods. At times, north-south through traffic vehicle queues on SR-29 are extensive enough to prevent motorists from accessing other turning movement lanes at the Soscol Ferry Road/SR-29 and Airport Boulevard/SR-29/SR-12 intersections. Vehicle queuing at the Airport Boulevard/Devlin Road intersection would be acceptable with recommended circulation improvements for westbound Airport Boulevard.

Based on the vehicle queuing analysis for Existing plus Project conditions and overall project vehicle trips in/out of the site, recommended lane geometrics and storage requirements for all project study intersections on Devlin Road and Airport Boulevard have been shown in Figure 5.

SUMMARY/FINDINGS

The proposed Napa Commerce Center project would add proportionately to overall traffic volumes on Devlin Road, Airport Boulevard, Soscol Ferry Road, SR-29, and SR-12. With existing plus proposed project traffic volumes, all project study intersections would generally operate at acceptable levels (LOS D or better) during the AM and PM peak hour. The Soscol Ferry Road/SR-29 would continue to operate at LOS E and F during the AM and PM peak hours, respectively.

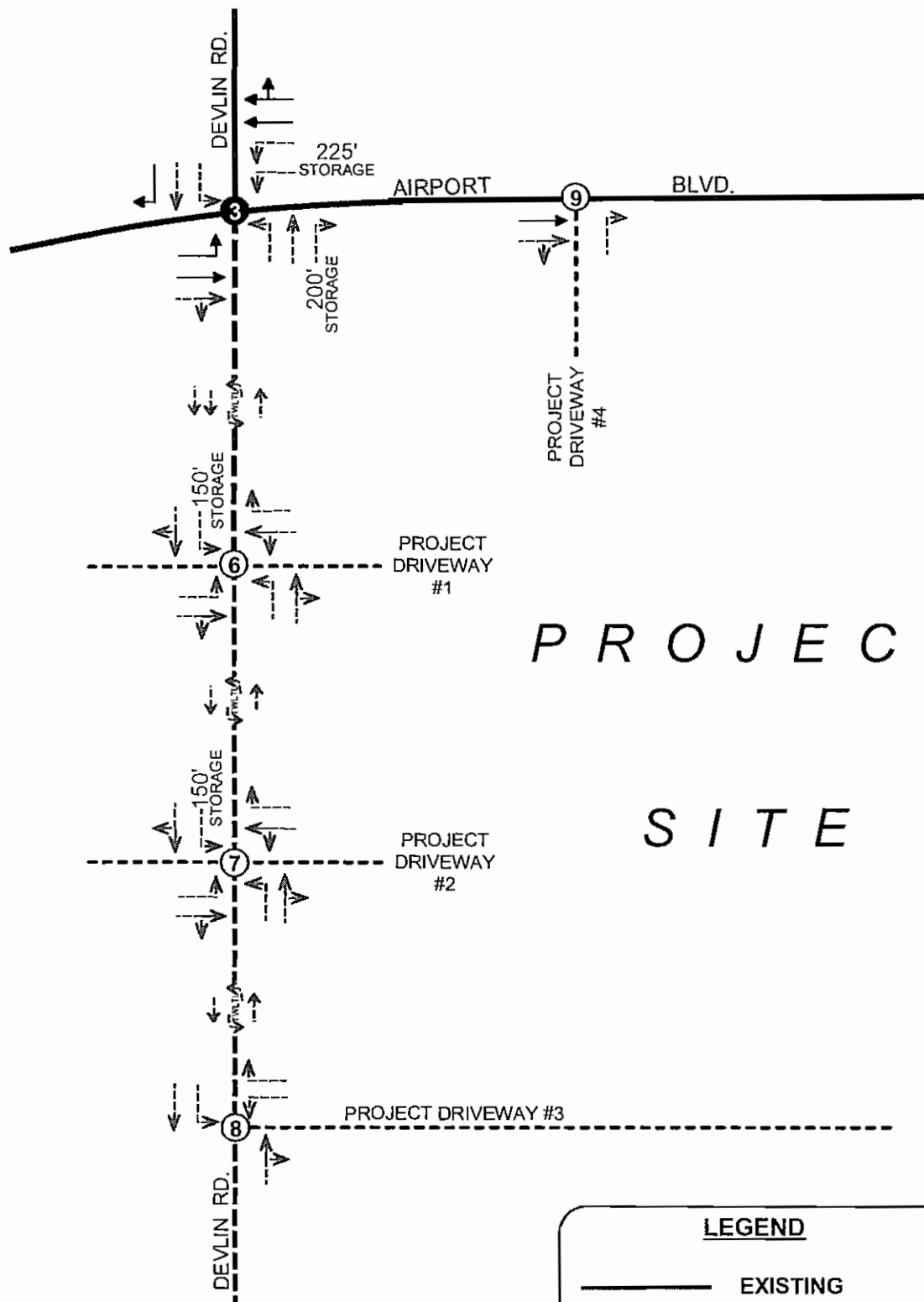
The overall Existing plus Project traffic analysis included peak hour project traffic from the adjacent Greenwood Business Center project located immediately west of the proposed project site off the planned southerly extension of Devlin Road. It was necessary to include this project to obtain accurate vehicle queuing and lane storage requirements as well as evaluating overall shared project driveway operation. Based on vehicle queuing analyses and overall proposed project trips, the following measures are recommended to ensure acceptable traffic flow throughout the NAIA:

Existing Plus Project Conditions:

Internal Circulation:

In the southern portion of the project site, there are specific parking spaces situated on the curves of the internal drive aisles around project buildings F and H at the following locations:

- Five (5) vehicle parking spaces at the northeast corner of Building F on the entrance curve;
- Two (2) vehicle parking spaces at the southeast corner of Building F on the exit curve;
- Five (5) vehicle parking spaces at the northwest corner of Building H on the entrance curve;
- Three (3) vehicle parking spaces at the southeast corner of Building H on the inside curve.



PROJECT SITE



Existing and Recommended Intersection/Roadway Improvements



Since these parking spaces are located internal to the site and would not affect external driveway operation or off-site street traffic on Devlin Road, they would not need to be removed. However, it is recommended that these parking spaces be reserved for “employees only” to ensure a low turnover rate. Project volumes on the internal drive aisle and vehicle speeds would be low and by limiting these specific parking spaces for employees only there would be limited in/out maneuvers.

Airport Boulevard/Devlin Road Intersection:

Based on the proposed project vehicle trips through the Airport Boulevard/Devlin Road Intersection there would be a need for dual (2) westbound left-turn lanes from Airport Boulevard onto the southbound Devlin Road extension with a storage capacity of 225 feet. This is based on a total of 421 westbound left-turn vehicles from Airport Boulevard onto Devlin Road during the AM peak hour. This circulation improvement would require two (2) receiving lanes on the Devlin Road extension in the southbound direction. Based on measurements from aerial photographs and field measurements, Airport Boulevard at Devlin Road has an approximate curb-to-curb width of 72 feet. This includes Class II bike lanes (5 feet each), two westbound through-lanes (24-feet), one westbound left-turn lane (12-feet), two eastbound through-lanes (24-feet), and a two-foot raised median. With the installation of dual westbound left-turn lanes on Airport Boulevard at Devlin Road, Airport Boulevard would need to be widened by 12-feet to an 86-foot curb- to-curb width to include the additional westbound left-turn lane and existing Class II bike lanes.

With respect to the new southbound Devlin Road extension immediately south of Airport Boulevard, the proposed project site plan indicates an approximate 66-foot curb-to-curb width. In the southbound direction, this could accommodate one (1) 4-foot Class II bike lane, one (1) 11-foot travel lane (drop lane), and one (1) 12-foot travel lane. In the northbound direction (at Airport Boulevard), Devlin Road could be one (1) 11-foot left-turn lane, one (1) 12-foot through-lane, one (1) 12-foot right-turn lane, and one (1) 4-foot Class II bike lane. Continuing southbound travel on the Devlin Road extension, the outside through-lane could then transition or merge back down to one through-lane past the Greenwood Business Center’s first driveway access. The Caltrans Highway Design Manual and the Manual on Uniform Traffic Control Devices (MUTCD) contains criteria for through-lane drops and taper transitions. The required distance for a southbound lane drop on Devlin Road is based on a distance equal to $L = WS$, where W equals the width of the lane to be dropped and S equals the design speed.⁸ The transition merge or taper distance formula is $L = WS^2 / 60$. Assuming an 11-foot travel lane and a speed limit of 30 mph in the immediate design area, the required distances have been calculated below:

Lane Drop Distance:	11-foot travel lane x 30 mph	= 330 feet
Taper Transition Distance:	11-foot travel lane x 30 ² mph / 60	= 165 feet

As calculated above, there would be a required distance of 330 feet to drop the right (outside) southbound through-lane on Devlin Road and a distance of 165 feet to transition back to one southbound travel lane. Based on these distances, the through-lane drop would extend to the first proposed project driveway on Devlin Road and then the transition taper would begin immediately south of this driveway. Further south of Airport Boulevard, the extension of Devlin Road is shown having an approximate 48-foot curb-to-curb width which could readily accommodate two (2) travel lanes, a two-way-left-turn lane, and Class II bike lanes.

Soscol Ferry Road/Devlin Road Intersection:

The unsignalized intersection of Soscol Ferry Road/Devlin Road was evaluated for peak hour (MUTCD #3) signal warrant satisfaction. With Existing plus Project traffic volumes, the intersection would just exceed the minimum volumes for signal installation during the PM peak hour. However, overall intersection operation is

⁸ Caltrans, *Highway Design Manual, Chapter 200—Geometric Design and Structure Standards, Section 206.3, Pavement Reductions, September 1, 2006.*

projected to be LOS D during the PM peak hour (most of the stop-sign controlled turning movements are northbound right-turns from Devlin Road onto Soscol Ferry Road). Should the County decide to signalize the intersection at some future date, a portion of the proposed project's traffic impact fees could contribute towards this improvement

Airport Boulevard:

Based on the existing plus project vehicle queuing analysis, the projected vehicle queue on eastbound Airport Boulevard at SR-29 would be 569 feet during the PM peak hour (combined through and left-turn movements). The distance between the Airport Boulevard/Devlin Road and Airport Boulevard/SR-29/SR-12 intersections is approximately 1,300 feet. Therefore, while eastbound vehicle queues on Airport Boulevard would extend back towards Devlin Road, these queues could be accommodated on Airport Boulevard in the existing eastbound through-lanes without significantly affecting traffic flows (or those motorists wishing to access the eastbound free right-turn lane). With the recommendation of dual westbound left-turn lanes on Airport Boulevard at Devlin Road and corresponding northbound right-turn lane on Devlin Road, it is recommended that a northbound right-turn overlap phase be included as part of the overall signal phasing operation. This overlap phase would help to facilitate the relatively heavy (342 peak hour vehicles) right-turn movement from Devlin Road onto eastbound Airport Boulevard and improve overall intersection operation. The proposed limited access project driveway (right-turns-only inbound/outbound) on Airport Boulevard would not interfere with overall operation at the Devlin Road/Airport Boulevard intersection. We would not characterize this driveway as 'mid-block' in that the limited access driveway would be located a safe distance from Devlin Road (260 feet) but still 1,000+ feet from SR-29. The driveway would not disrupt or delay vehicle turning movements from the Airport Boulevard/Devlin Road intersection (Devlin Road northbound right-turn movement or eastbound through-movements on Airport Boulevard). The eastbound right-turn lane on Airport Boulevard currently has 600+ feet of storage capacity. In addition, this is a "free" right-turn at SR-29 with its own merge lane on to southbound SR-29. Eastbound motorists on Airport Boulevard wishing to travel southbound on SR-29 are not required to stop at the intersection at SR-29 but merely have to merge into southbound traffic. With a 1,300-foot distance between the Airport Boulevard/Devlin Road and Airport Boulevard/SR-29/SR-12 intersections, it is not recommended that the existing eastbound free right-turn lane be extended back as a "weaving lane" to Devlin Road. This could actually create more weaving maneuvers on eastbound Airport Boulevard between Devlin Road and SR-29 and increase vehicle speeds. Based on existing plus project volumes, the free eastbound right-turn lane on Airport Boulevard with 600+ feet of storage capacity would be adequate for 544 right-turn vehicles during the PM peak hour. The vehicle queuing analysis for the PM peak hour indicates a vehicle queue of 332-feet for this free eastbound right-turn movement accounting for the southbound merge onto SR-29.

Driveway Access:

Based on the proposed project site plan, the driveway lane widths for outbound vehicle traffic onto Devlin Road are approximately 21-22 feet wide. At a minimum, it is recommended that the outbound driveway widths be 24-feet wide to allow for two standard turn lanes. It would be preferable to allow for a 25-foot outbound driveway width as this would allow for a 13-foot right-turn lane to accommodate large trucks (particularly at proposed project driveway #'s 2 and 3).

The limited access driveway intersection (Project Drive #4/Airport Boulevard) off of Airport Boulevard is projected to operate at acceptable levels. However, during the PM peak hour there would be a heavy northbound right-turn movement (342 vehicles) from Devlin Road onto eastbound Airport Boulevard. With an additional 1000+ eastbound through-vehicles on Airport Boulevard there would be some minor (on-site) vehicle queuing for vehicles exiting the driveway. The intersection would not meet the minimum right-turn volume for inbound traffic to warrant a separate right-turn deceleration lane. However, it would meet the warrant for installation of a taper for inbound traffic.

With regard to the proposed limited access project driveway (right-turns-only inbound/outbound) on Airport Boulevard, this driveway would be located approximately 260-feet east of Devlin Road. During the AM peak hour, inbound/outbound traffic volumes at this intersection would be relatively light with 61 vehicles inbound and 18 vehicles outbound. Eastbound through-traffic on Airport Boulevard would also be light with 185 vehicles. Overall intersection operation is projected to be LOS A. During the PM peak hour, inbound/outbound traffic volumes at the intersection would be reversed with 13 vehicles inbound and 77 vehicles outbound. Eastbound through-traffic on Airport Boulevard would increase to 1,039 vehicles. Overall intersection operation is projected to be LOS B. As a stop-sign controlled intersection, there would be very minor vehicle queuing during the PM peak hour but this would be limited to on-site (outbound) vehicles. The signalized intersection at the Airport Boulevard/Devlin Road intersection would help to provide additional “gaps” in eastbound through-traffic on Airport Boulevard for outbound traffic from the driveway. Outbound motorists wishing to access SR-29 north or SR-12 east would turn right from the driveway and either merge north one lane over or just stay in the eastbound through lane. There would not be significant weaving issues associated with this driveway. Even with projected vehicle queuing on eastbound Airport Boulevard during the PM peak hour (569 feet) there would still be approximately 330 feet remaining to access these turn lanes.

Based on the proposed project description, the majority building uses along the Airport Boulevard frontage are “office” uses rather than “light-industrial” or “warehouse” type uses. Office uses tend to have a very directional peak hour flow (inbound AM, outbound PM). It has been our experience that multiple driveway access tends to benefit office-type uses by dispersing peak hour traffic flows and not limiting access to one particular driveway in/out of the site. By not providing this driveway, all office-related project trips located in the northern half of the project site would be forced to use the first proposed project driveway on Devlin Road.

This would result in additional southbound left-turn movements and westbound right-turn movements at the project driveway. With respect to the southbound left-turn movement this would increase to 141 vehicles during the AM peak hour. We have assumed a storage length of 150 feet for the southbound left-turn lane at this driveway which is adequate. However, we have also assumed 125-feet of storage for the opposing northbound left-turn lane on Devlin Road at Airport Boulevard. We note this as we currently have no traffic demand for this movement based on existing plus project volumes. Should this northbound left-turn lane on Devlin Road require more storage capacity (based on future volume projections), this could affect the capacity of the southbound left-turn lane at the first project driveway on Devlin Road. Therefore, adding additional volumes to this turning movement (by eliminating the Airport Boulevard limited access driveway) could affect overall storage capacity at the Airport Boulevard/Devlin Road intersection. There would also be an increase in northbound right-turn movements at the Devlin Road intersection, particularly during the PM peak hour ($342 + 77 = 419$ right-turn vehicles). The 419 northbound right-turn movements from Devlin Road onto Airport Boulevard during the PM peak hour would comprise the major northbound movement from this roadway. The addition of an internal vehicular connection over the watercourse between the northern and southern portions of the project site would not significantly improve vehicle access or internal circulation to the project site. No significant internal circulation issues have been identified other than vehicle/parking conflicts and overall internal circulation would be adequate. However, if a bridge were installed over the watercourse it may encourage more project trips to use the northerly driveways to access the site rather than using the southerly Devlin Road driveways. This would likely increase project trips at the first project driveway on Devlin Road and the limited access project driveway on Airport Boulevard.

Traffic Impact Fees:

As part of the NAIA, the proposed project is subject to the “Airport Industrial Area Traffic Impact Fee,” currently \$3,551.00 per PM peak hour trip. However, the proposed project would be constructing a portion of Devlin Road, a key component identified within the NAIA. Should the proposed project be approved, it would be appropriate for the project applicant to receive a fee credit as a result of this roadway construction.

Attachment E

Michael Throne, City of American Canyon Department of Public
Works,

Napa Commerce Center Water Supply Report,

October 2009

(sans appendices)



CITY OF AMERICAN CANYON
PUBLIC WORKS DEPARTMENT
4381 BROADWAY, SUITE 201
AMERICAN CANYON, CA 94503

WATER SUPPLY REPORT

Napa Commerce Center

Napa County Assessor's Parcel Number
057-210-056

Prepared by:

Michael Throne, P.E.



Approved

OCTOBER 14, 2009
Date

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Appendix A – Water Service Request Process

Appendix B – Water Capacity Capital Program Projects

Appendix C – Water Demand Calculations

Appendix D- Water Capacity Capital Program Schematic

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WATER SERVICE REQUEST

DESCRIPTION OF PROJECT

Napa 34 Holdings, LLC is seeking a Use Permit for the construction of 8 buildings totaling 490,503 square feet on a 34 acre lot located west of SR 29, east of Devlin Road extension, south of Airport Boulevard and north of old Aviation Way right-of-way.

The property is located within the Napa County Airport Specific Plan Area. The anticipated use is industrial/warehouse (346,427 square feet) and office (144,076 square feet). The property zoning is Industrial Park/Airport Compatibility.

WATER SERVICE REQUEST

Average Daily Demand

Mr. Brian Kaufman of Napa 34 Holdings, LLC submitted a will-serve questionnaire on September 22, 2009. The questionnaire concluded the total average annual water demand will be 10,800 gallons per day.

Based on review of the calculations submitted by Mr. Kaufman this demand is a reasonable estimate.

Domestic demand: 10,800 gpd

Industrial demand: 0 gpd

Irrigation demand: 0 gpd

The total annual demand equals 10,800 gallons per day or 12 acre feet per year (AFY)

Peak Day Demand

Mr. Brian Kaufman of Napa 34 Holdings, LLC submitted a will-serve questionnaire on September 22, 2009. The questionnaire concluded the total maximum day demand will be 16,200 gallons per day.

Based on review of the calculations submitted by Mr. Kaufman this demand is a reasonable estimate.

Domestic demand: 16,200 gpd

Industrial demand: 0 gpd

Irrigation demand: 0 gpd

Conservation Measures Included in Project

The project includes water conservation measures, including:

- Educate employees on the importance of water conservation
- Minimize water usage and maximize water efficiency of operations

CONSISTENCY

URBAN WATER MANAGEMENT PLAN

The sites estimated total annual demand of 12 AFY, **is consistent** with the demands estimated in the Urban Water Management Plan. The Urban Water Management Plan estimated 25 AFY for the 34 acre site. The sites estimated average demand for water of 10,800 gallons per day, or 12 AFY, **is consistent** with the Urban Water Management Plan estimate.

RECYCLED WATER FACILITIES PLAN

The project site is within the Napa Sanitation District (NSD) recycle water service area. The City anticipates that NSD will require the applicant to construct a recycled water main in Devlin road along the project frontage.

WATER CONSERVATION IMPLEMENTATION GUIDELINES

The project has not yet been reviewed for consistency with the Water Conservation Guidelines adopted by the City Council on 10/23/07. This should be accomplished prior to issuance of a building permit.

CONSISTENCY WITH ORDINANCE 2000-08

Ordinance 2000-08 states that all projects within the City of American Canyon conforming to City zoning as Industrial and all projects within the unincorporated area of Napa County, for which the city provides water connections pursuant to Municipal Code Section 13.10.040 are subject to a limit of 650 gallons per acre per day average annual water demand. The projects water demand is 318 gallons per acre per day for the 34 acre site. Thus, it **is consistent** with the ordinance.

WATER FOOTPRINT

ZERO WATER FOOTPRINT DEFINITION

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

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

Appendix A provides the process for water service requests considered by the City Council as part of their policy decision on Zero Water Footprint.

The Important ZWF policy decision followed shortly after the Napa County Local Agency Formation Commission (LAFCO) adopted Policy Resolution 07-27 on October

15, 2007, which established that water service requests outside the City of American Canyon city limits but within the Airport Industrial Area are not subject to LAFCO review. Because the City of American Canyon lacks land use jurisdiction in this area, it became necessary to implement a policy and process that protects the reliability and financial viability of the City's water enterprise while providing a predictable outcome for those seeking new or increased water service.

It is the City of American Canyon's policy that the ZWF policy and process apply equally both within the City limits and within the approved extrajurisdictional service area.

PROJECT'S IMPACT ON RELIABILITY

The Urban Water Management Plan finds that, as of 2005, the City of American Canyon would experience a shortfall in water supplies in multiple-dry-years of up to 427 acre feet and single-dry-years of up to 897 acre feet. Due to increased demand, the shortfall would worsen even as additional supplies are obtained. By the year 2015, the City of American Canyon would experience a shortfall in multiple-dry-years of up to 1,037 acre feet and in single-dry-years of up to 1,557 acre feet. By contributing to the shortfall, the project would reduce the reliability of American Canyon water service.

PROJECT'S IMPACT ON RATES

The project would not have an impact on rates.

PROJECT'S WATER FOOTPRINT

The project **does not have a zero water footprint**. Staff has determined that it will result in a loss in water service reliability. Therefore in accordance with Chapter 13.10 of the City Municipal Code the applicant shall pay to the City a monthly service charge in the amount of \$4.25/100 cubic feet. This represents the project's costs associated with City supplying water through the City's connection to the City of Vallejo.

PROJECT'S CONTRIBUTION

CAPACITY FEE

Based on the Water and Wastewater Rate and Fee Study prepared by Bartle Wells and Associates for the City of American Canyon and the December 18, 2007 approval of the Water Capacity Fee Ordinance, the project would generate water capacity fees of **\$296,946** based on the increased peak day demand of 16,200 gpd times \$18.33 per gallon.

REIMBURSEABLE IMPROVEMENTS

None.

CAPITAL PROGRAM STATUS

SUMMARY

The City of American Canyon's Water Capital Program will address the supply shortfalls identified in the 2005 Urban Water Management Plan and will meet the treatment, storage, and distribution needs as the City implements its General Plan. Appendix B describes the program in detail.

SYSTEM PLANNING STATUS

The City of American Canyon is currently preparing an Integrated Water Management Plan, which will address all water resources – drinking water, recycled water, wastewater, groundwater, creeks and wetlands in a comprehensive way. The study was initiated in December 2006 and Phase I is complete. The work products within Phase I include a technical review of the water treatment plant, goal setting and performance criteria, a water loss audit, an analysis of existing conditions, a report on threatened and endangered species constraints, a feasibility study of a well in the Newell Open Space Preserve, a funding assistance survey, an investigation into corrosion problems in portions of the water system, a unified hydrology analysis, and a Strengths, Weaknesses, Opportunities and Threats report.

Phase II of the Integrated Water Management Plan has been initiated. Phase II will include an estimate of anticipated resource demands, feasibility study of a high capacity well field, a wastewater source identification and local limits study, a facilities plan for wastewater improvements, and an analysis of the alternative water resource solutions, a water conservation feasibility study, assessment of a possible well at the American Canyon High School property, Geographical Information Systems (GIS) Data Entry, and pilot testing of Water Treatment Plant modifications.

A water and wastewater rate and capacity fee report was prepared. It proposed substantial increases in water and wastewater rates and in capacity fees. It was endorsed by the City's Blue Ribbon Committee on Water Resources and was approved by the City Council at a public hearing on December 18, 2007.

The Blue Ribbon Committee on Water Resources was formed in March 2007 to serve as a sounding board on all water related issues. The committee includes elected and appointed City leaders, long-term residents, newer residents, developers with interests inside and outside the City limits, vineyard owners, business owners, agency representatives, a County Supervisor and retired water professional. Water, Wastewater, Recycled Water, Finance and Creeks/Wetlands Subcommittees have been formed. The full committee has met monthly, and the subcommittees have met numerous additional times. The Blue Ribbon Committee is expected to remain active for the next two years as the Integrated Water Management Plan is completed and initial projects are implemented.

WATER SUPPLY

WATER SUPPLY IMPLEMENTATION STATUS

The status of the water supply projects in the Final Water and Wastewater Rate and Fee Study is as follows:

- Water rights - Purchase of 1,560 annual acre feet of water rights from Sacramento Valley agricultural interests. The City of American Canyon, the City of Napa and the Napa County Flood Control and Water Conservation District have met with one interested seller, who provided a letter summarizing the availability and possible terms for the water supply. They indicated that the requested amount would be available to the City of American Canyon for long-term transfer. During cutbacks north of the Delta of the Central Valley Project, the transfer would be subject to a reduction of 25%. The long-term transfer of appropriative rights would require approval by the State Water Resources Control Board. The City of American Canyon and the City of Napa are currently seeking a proposal from a water transfer consultant to assist with this purchase. About three years would be needed to complete the long-term transfer. Short-term transfers are also available on a year-to-year basis.

Water Code Section 109 contains a declaration of state policy favoring voluntary water transfers, and directs the Department of Water Resources, the State Water Resources Control Board and all other state agencies to encourage voluntary water transfers. Water Code section 475 contains legislative findings and declarations favoring voluntary water transfers.

The Sacramento Valley Integrated Water Management Plan promotes water transfers, both within the Sacramento Valley and outside of it, as one of its key water management strategies.

On May 20, 2008, the City Council approved a consulting contract to evaluate three potential sellers. After the City selects a preferred seller, the consultant will describe the next steps needed to complete a transfer. The schedule for the consulting contract calls for completion in 2008 Phase 1, evaluation of three sellers is completed. Phase 2, selection of a preferred seller and other steps, to be completed in 2009.

- North Bay Aqueduct expansion - Project to expand the ability of the North Bay Aqueduct to deliver more water. An increase of 5.5 cubic feet per second (cfs) in conveyance capacity would allow the City of American Canyon to treat an additional 3.5 million gallons per day during peak months of the year. It would provide conveyance capacity for approximately 3,300 acre feet per year.

The Department of Water Resources completed a study in 2005 which confirmed the feasibility of expanding the conveyance capacity of Reach 3a of the North Bay Aqueduct from 46 to 65 cfs. The project would replace the four existing pumps and motors, furnish and install a new air

chamber, furnish and install new check valves, furnish and install required electrical equipment, and furnish and install a parallel 36-inch steel pipeline from the surge tank to the terminal tank(s).

Currently, the County of Napa and the California Department of Transportation (Caltrans) are performing environmental review on a project to widen Jameson Canyon Road (SR 12). When it is constructed, about half of the length of the North Bay Aqueduct will need to be relocated out of the roadway at the expense of the highway project. This would be an appropriate time to expand the North Bay Aqueduct. The agenda for the November 2007 meeting of the Napa County Water Technical Advisory Committee included a discussion of this opportunity.

Solano and Napa County water agencies have contracted with CDM to evaluate future water demands and NBA capacity. Their consulting services are in progress.

- North Bay Aqueduct terminal tank replacement - Project to replace and expand the seismically deficient water tank at the end of the North Bay Aqueduct. One 7 million-gallon open air tank is being replaced with two 5-million gallon enclosed tanks. This project is under construction. The first two million-gallon tank is complete and the 7-million gallon tank is being demolished.
- Vallejo water rights purchase - Exercise remaining potable water contract options from city of Vallejo for use in times of drought. The 1996 contract between the City of American Canyon and the City of Vallejo currently provides the City of American Canyon with treated water in the following amounts:
 - o A maximum of 2.15 million gallons per day on a peak day or
 - o A maximum of 1.3 million gallons per day for a peak month or
 - o A maximum of 1,351 acre feet per year

The contract also provides for 500 acre feet of raw water, available through Vallejo's riparian permit. It also provides for an additional 500 acre feet of raw water per year during emergency conditions.

The contract provides options for the City of American Canyon to purchase additional capacity in the following periods:

- o 2007-2011, 1.15 million gallons per day on a peak day
- o 2012-2016, 0.9 million gallons per day on a peak day
- o 2017-2021, 0.9 million gallons per day on a peak day

The total water supply available under the remaining options is 1,854 AFY.

The Integrated Water Management Plan will guide the City's decision on whether to execute the remaining potable water contract options with Vallejo or to use the capacity fees for more cost-effective supply sources.

On June 16, 2008, the City of American Canyon received an offer from the City of Napa to evaluate purchasing water from the City of Napa as an alternative to the 2007-2011 Vallejo Water Supply option.

- Emergency groundwater bank - American Canyon's share of project to "bank" groundwater for times of emergency. The feasibility of this project

is currently being investigated as part of the Integrated Water Management Plan. It is conceived as a high-yield well field which serve as a regional facility for municipalities in Napa County. Based on Initial hydrogeology investigation, Soscol Creek would be one probable location for such a high-yield well field. In 2007, the City of Napa denied a request to install a commercial well on Anselmo Court, which would have tapped this resource. The reports provided to the City of Napa indicated that wells in this vicinity have been found to produce high-quality water at rates of 1,000 to 2,000 gpm. A feasibility report on high-capacity wells at this location was approved by the Blue Ribbon Committee at their May 2008 meeting.

- Water conservation program implementation - Project to fully implement the City-approved Water Conservation Guidelines. The City's current water conservation program includes rebates for low-flow toilets, public education, leak detection, and a master irrigation controller for City parks. A Water Conservation Implementation Plan has been drafted to fully implement the Best Management Practices of the California Urban Water Conservation Council, of which the City of American Canyon is a member. It sets forth guidelines for new development and provides an implementation plan for new programs such as conservation pricing, a water conservation ordinance, enhancement of the leak detection programs, enhancements to the public awareness program, and enhancements to the rebate programs. It estimates that 744 AFY will ultimately be supplied through water conservation. Startup costs for several of these programs are included in the capacity fee, and several startups are already in progress.

On January 1, 2008, the City initiated a clothes washer rebate program in partnership with other Bay Area water agencies and PG&E. The rebate program is partly funded through a State of California Proposition 50 grant. It provides rebates ranging from \$125 - \$200 depending on the washing machine efficiency.

- Recycled water Implementation - Project to implement the Recycled Water Facilities Plan approved by the City Council in 2003. Currently, the City of American Canyon recycles 100 AFY of wastewater to a vineyard directly adjacent to the Wastewater Treatment Plant. The permit for recycled water distribution was issued in 2005. Further expansion of the system will require completion of one remaining segment of pipeline and a storage tank. The 1.0 million gallon storage tank, Recycled Water Tank #1, has been designed and has received environmental approval and all necessary permits. It will be completed concurrently with East Tank #1 by December 31, 2009. The pipeline will be completed with prior to improvements to American Canyon Road West. A consulting contract has been awarded for the pipeline design. It will be completed by December 31, 2009. The City has received a \$2.5 million Proposition 50 grant for constructing the recycled water distribution system, which requires that the system be completed by 2010 and achieve 1,000 AFY of distribution by 2011.

Additionally, the Napa Sanitation District is implementing a recycled water system in the City's extraterritorial service area, which includes the Airport Industrial Area. Landscape irrigation within significant portions of the Napa Valley Gateway Business Park have been converted to recycled water. Based on analysis of the water use since this conversion has taken place, potable water use has been reduced by approximately 50% for the properties served by recycled water. The Napa Sanitation District has adopted a Recycled Water Strategic Plan which calls for converting all of the landscape irrigation in the Airport Industrial Area to recycled water. Additionally, several industrial users are committed to using recycled water for their process demands. The Urban Water Management Plan estimated the ultimate yield from this source of supply to be 226 acre feet per year, which represents less than 20% of the ultimate Airport Industrial Area demand and appears to be conservative (low). The scope of the Integrated Water Management Plan includes a more comprehensive estimate of ultimate recycled water demand in this area.

The Napa Sanitation District is also pursuing a recycled water Aquifer Storage and Recovery (ASR) project. They have completed a hydrogeological investigation of five alternate sites, which concluded that two locations in Jameson Canyon were feasible. They are now performing detailed investigation of the preferred site, which is located in lower Jameson Canyon. The ASR project would benefit American Canyon's water supply by improving the reliability of the NSD recycled water supply. It could also serve as a supplemental source to the City of American Canyon during peak summer irrigation periods when the wastewater treatment plant does not generate sufficient supply.

In summary, the City's long term water supply and demand situation is as follows:

Table 1

LONG TERM WATER SUPPLY AND DEMAND			
Source	Normal Year	Multiple-Dry-Year	Single-Dry-Year
State Water Project	3,640	1,976	1,508
Current Vallejo Potable Water Contract	1,351	1,216	1,216
Current Vallejo Contract for Raw Permit Water	500	450	450
Current Vallejo Contract for Raw Water during Emergencies		450	450
Subtotal, Current Supplies	5,491	4,091	3,623
City of American Canyon Recycled Water	1,000	900	900
Napa Sanitation District Recycled Water	228	203	203
Water Conservation	744	744	744
Water Transfer from Sacramento Valley	1,560	1,170	1,170
Remaining Vallejo Potable Water Contract Options	1,854	1,668	1,668
Subtotal, Additional Supplies	5,384	4,685	4,885
Total Long Term Water Supply	10,875	8,776	8,308
(Demand)	(7,026)	(7,026)	(7,026)
Surplus/(Shortfall)	3,849	1,750	1,282

The City of American Canyon has developed a capacity fee program which, when implemented, will ensure an adequate supply of potable and recycled water to meet demands under normal years, multiple-dry-years and single-dry-years

WATER SUPPLY ALTERNATIVES

The Blue Ribbon Committee is currently evaluating alternative water supplies. One of the most promising would be to harvest the rain that currently falls on American Canyon by tapping into groundwater supplies. If groundwater wells yielding 4.5 mgd could be developed, it would not be necessary to purchase additional Vallejo options or to expand the North Bay Aqueduct. Bulletin 118 from the California Department of

Water Resources states that wells up to 300 gallons per minute are found in American Canyon's groundwater subbasin, the Napa-Sonoma Lowlands. A well reportedly yielding 400 gallons per minute is located on the American Canyon High School property. 11 wells yielding 300 gallons per minute would be required to meet the peak demand. Groundwater research was recommended by the Urban Water Management Plan and is being completed through the Integrated Water Management Plan. A 72-hour test was performed on the High School well in Summer 2008. Although the well did produce a large volume it was not sustained and upstream wells stopped producing during the test. This well water was also tested for water quality and was determined to be very high in Boron which is not desirable for drinking water. The City of American Canyon and the Napa Valley Unified School District have entered into a Memorandum of Understanding (MOU) regarding the high school project; one provision of this MOU is an agreement to cooperate on development of the well.

During 2008, the City of American Canyon experienced a 65% cutback in the State Water Project allocation. This would have resulted in a shortfall of 2,300 AFY. However, a number of alternate sources were developed, and implementation of the Water Shortage A Contingency Plan has not been necessary as of May 23, 2008. These sources include previous year carryover, Article 21 Water, Yuba Accord Dry Year Purchase Program and Turn Back Pool A & B Water from the State Water Project. :

Table A Previous Year Carryover. The City is able to carry its unused Table A water over from the previous year to the current year. This additional water is treated as if it were additional Table A water, except it is lost as soon as State Water Project (SWP) storage at the San Luis Reservoir fills and spills due to pumping from the Banks Pumping Plant.

- **Other Cities in Napa County Carryover Water.** When available, the City can purchase carryover SWP water from the previous year from other cities in Napa County. This additional carryover water has the same conditions as our carryover water; that is, it is treated as if it were additional Table A water, except it is lost once the San Luis Reservoir "fills and spills" because of pumping at the Banks Plant.
- **Article 21 Water.** Article 21 water is available after the City uses its SWP scheduled monthly allotment when unbalanced conditions exist in the Delta. The Delta is considered to be in an unbalanced condition when rain and snowmelt water is flowing out under the Golden Gate Bridge into the Pacific Ocean.
- **SWP Dry-Year Program.** It is possible to purchase additional water through the SWP during dry years, when Sacramento Valley farmers willingly let their land lie fallow and make their water available to State Water Contractors. In addition, there are occasional reservoir re-operation activities that some water agencies can do that make water available for sale to buyers. Approvals from DWR and/or SWRCB are often required to allow transfer and conveyance of the water from seller to buyer.

- **Pool A and B Water.** State Water Contractors that decide not to draw all or a portion of their entitlements in any given year may place their unused water into a pool for resale by DWR to other State Water Contractors.
- **Yuba River Accord.** This agreement between the Yuba County Water Agency, the Department of Fish and Game, and several other regulatory agencies and environmental groups would revise the operation to provide higher flows in the lower Yuba River and allow the Department of Water Resources to purchase and transfer this water to State Water Project and Central Valley Project contractors in dry years.
- **Vallejo Water Service Addendum No. 1** This addendum would allow American Canyon to receive up to 500 acre feet per year of raw water when the City's entitlement is reduced due to environmental or other constraints.

WATER TREATMENT

WATER TREATMENT IMPLEMENTATION STATUS

The City has two water treatment facilities, side-by-side on the same site at 205 Kirkland Ranch Road: a 2.5 million gallon per day (mgd) conventional treatment plant completed in 1976, and a 3.0 mgd advanced technology treatment plant completed in 2004. The advanced technology treatment plant uses membranes manufactured by Zenon Corporation, as does the wastewater treatment plant.

Additional treatment capacity is needed to achieve the General Plan EIR peak day demand estimate of 10.0 mgd. The membrane plant was designed to accommodate an additional 3.0 mgd expansion within the existing structure. This is included in the capital fee capital program. Expansion to the North Bay Aqueduct (NBA), as discussed above, would be needed to meet the peak day flow requirements for this additional treatment. Under this approach, the total treatment plant capacity would be 8.5 mgd. The remaining 1.5 mgd of peak treated water capacity could come from the City of Vallejo through the water supply contract discussed above. The Vallejo contract currently provides up to 1.3 mgd of peak day capacity during a peak month, which would be more than adequate to meet the treatment gap. If all of the remaining options were executed, the Vallejo contract would provide up to 3.1 mgd of peak day capacity during a peak month. An additional metering station would be needed to deliver this water to the City of American Canyon distribution system; this metering station is included in the capacity fee capital program.

WATER TREATMENT ALTERNATIVES

The City of American Canyon also enjoys a physical connection to the City of Napa's treated water supply. Currently, the City of Napa treated water is provided on an informal basis in the absence of an agreement. On June 17, 2008, the City Council approved a one-year agreement with the City of Napa to treat and wheel water on behalf of the City of American Canyon. The City of American Canyon and the City of Napa have recently agreed to extend the agreement for another year. The agreement provides up to 1 mgd of treatment capacity in normal circumstances and up to 2.25 mgd when the North Bay Aqueduct is out of service.

WATER STORAGE, TRANSMISSION, AND DISTRIBUTION STATUS

Two additional storage tanks for treated water are needed to support anticipated fire flows and daily demands for the cumulative condition. East Tank #1, a 2.5 million gallon potable water tank, has been designed for a site to the east of Newell Drive. The base of the tank will be set at elevation 195 to match the existing Oat Hill #1 tank. The two tanks together will serve the main pressure zone in the City of American Canyon. Negotiation is underway for the site for East Tank #1. A mitigated negative declaration has been completed, the plans and specifications are 95% complete, and regulatory permits have been obtained. The land has been acquired and construction is to be completed by Summer 2010.

A variety of projects are included in the capacity fee capital program to expand the water distribution system, to repair existing deficiencies, or a combination of the two. Recently, Flow Control Valve (FCV) #9, which overly restricted water flow from the treatment plant to the distribution system was removed. The backbone of the distribution system is a 14" diameter transmission main which runs down SR 29; it was built in the 1950s, is badly corroded and is being replaced in segments as part of a biennial water main replacement program and by new development. As it is replaced, additional capacity will be added and water loss will be reduced. As demands grow, there is a need for additional connections across SR 29; project is planned to complete three connections. Similarly, development on the east side of SR 29 will require closing gaps in the existing water main. Ultimately, increased flows from the water plant will require transmission improvements, either a pump station or another pipeline, on the east side of SR 29.

WATER CAPITAL PROGRAM FINANCIAL STATUS

The Water Capital Program is primarily funded by capacity fees, supplemented by capital funds from the Water Operations Fund. The City of American Canyon has adopted a fiscal policy which requires new development to fully fund improvements needed to serve that development. Accordingly, the City's Blue Ribbon Committee on Water Resources recommended that the City Council approve a significant increase in the water capacity fee. The capacity fee for a single-family residence has been increased from the prior rate of \$11,634 to a new rate of \$12,462. The fees were approved at a public hearing on July 21, 2009.

VINEYARDS ANALYSIS

VINEYARDS DECISION

The California Supreme Court decision "Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova and Sunrise Douglas Property Owners Association et. al" sets forth guidelines for evaluating the water supply of a project under the California Environmental Quality Act (CEQA). It requires that water supplies not be illusory or intangible, that water supply over the entire length of the project be evaluated, and that environmental impacts of likely future water sources, as well as alternate sources, be summarized.

FACTS WITH RESPECT TO SOLUTIONS TO WATER SUPPLY PROBLEMS

The City of American Canyon has developed a capacity fee capital program which, when implemented, will ensure an adequate supply of potable water and recycled water to meet demands under normal years, multiple-dry-years, and single-dry-years.

WATER SUPPLY OVER THE LIFE OF THE PROJECT

The project is a single phase. Accordingly, an analysis of water supply for later phases is not required.

IMPACTS OF LIKELY FUTURE WATER SOURCES

Potential environmental impacts of purchasing a permanent transfer of 1,560 acre feet per year of water rights from Sacramento Valley agricultural interests have not yet been evaluated. However, because the water would be used to make up shortfalls in the State Water Project supplies and would be conveyed using existing State Water Project facilities, the transfer would not require the construction of any new facilities. Also, such an intra-regional transfer would be consistent with the Sacramento Valley Integrated Regional Water Management Plan, which has been subject to significant public input and environmental review. Lastly, several of the potential sellers of water rights have completed environmental review of similar permanent transfers.

The environmental review of North Bay Aqueduct expansion has not been initiated. However, the area of disturbance of the pipeline would largely be included within the area impacted by the Jameson Canyon (SR 12) widening project, which is currently being evaluated by Caltrans through a mitigated negative declaration.

No environmental review has been performed for a potential emergency groundwater bank. However, such a groundwater bank is intended to improve the reliability of water supplies and is not to serve as a primary water source. Also, it should be noted that wells in the vicinity of Soscol Creek historically served the American Canyon area as well as portions of Solano and Contra Costa counties with potable water supply. The wells have been inactive since the mid-20th century.

No additional environmental review would be needed to execute the remaining options for treated water supply from the City of Vallejo because these options are included within the 1996 contract.

Water conservation would result in no negative impacts to the physical environment.

A mitigated negative declaration was prepared for the recycled water distribution system when the Recycled Water Facilities Plan was adopted by the City Council in November 2003. Impacts were minimal because the pipelines were to be located in existing public rights of way.

POSSIBLE REPLACEMENT SOURCES AND THEIR IMPACTS

Development of groundwater as an alternative municipal supply is currently under study as part of the Integrated Water Management Plan. Potential environmental impacts have not yet been evaluated. However, 41 existing wells are included in the Department of Water Resources records for the City of American Canyon area. The average flow rate for these wells varies from approximately 5 to 20 gpm, with the total between all wells of approximately 500 gpm. This does not include the well on the high

school property. Most, if not all, of these wells will eventually go out of service as City of American water service is supplied. Thus, a minimum of 500 gpm, which would equate to 807 AFY, would be available without increasing the rate of withdrawal of groundwater.

RECOMMENDED MITIGATIONS

LONG TERM WATER MITIGATIONS

The potable water impacts of the Napa Commerce Center project will be fully mitigated by the financial contribution it will make to the water capacity fee program.

SHORT TERM WATER MITIGATIONS

The project is occupied therefore it represents 100% of the demand for the 2009/2010 water year. It is assumed that 100% of the project is occupied for the 2010/2011 and 2011/12 water years.

The additional source of supply from acquiring a permanent transfer of water rights from Sacramento Valley agricultural interests will not be available until the 2011/12 water year, based on three years from the anticipated completion of the evaluation of potential sellers, which is currently underway.

The recycled water system will not be fully implemented until 2010/11 water year, based on completion of Recycled Water Tank #1 by December 21, 2009 and the remaining pipeline by December 31, 2010.

A decision will not be made as to executing the 2007-2011 option under the Vallejo water contract until after the Integrated Water Management Plan is completed in 2009. If an alternate supply is chosen, it would require a minimum of two years to implement.

Thus the project would result in potential reliability impacts during multiple-dry-year and single-dry-year conditions during the 2009/10 and 2010/11 water years. This impact can feasibly be mitigated, however, by providing funds to the City of American Canyon to purchase dry-year water, if necessary. Dry-year water is available either through the State Water Project Contractor's Association or from individual sellers. The cost of dry-year water (2008/09) is currently on the order of \$275 per AF per year, and no environmental review is required on a one-year transfer. Acquisition of one-year water transfers for the 2009/10 and 2010/11 water years will mitigate short term impacts, as follows:

Table 2

SHORT TERM MITIGATION					
Water Year	Percent occupied	Annual demand (AF)	Water needed (AF)	Estimated cost/AF	Short-term mitigation
2009-10	100%	12	0	\$302	\$0
2010-11	100%	12	6	\$330	\$1,980
2011-12	100%	12	12	\$357	\$4,284
Total					\$6,264

The project will contribute the above amounts as non-refundable payments to the water operations fund to allow the City to acquire dry-year water, if necessary. If the long-term mitigations are not in place prior to the 2011-12 water year, the project will continue to make annual non-refundable payments until the short-term impacts are mitigated by completion of long-term improvements.

OPPORTUNITIES TO REDUCE PROJECT'S WATER FOOTPRINT

On-site Conservation opportunities

The project will be reviewed for additional on-site conservation opportunities during the building permit plan review process.

OFF-SITE CONSERVATION OPPORTUNITIES

The project could reduce its water footprint by including one or more of the following off-site water conservation opportunities:

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

Attachment F

*Richard Drury, RE: Mitigated Negative Declaration for Napa 34
Commerce Center Use Permit and Variation to Development Standards
Application No. P09-00329-UP and TPM and LLA Application No.
P09-00330-TPM; SCH Number 2010032066,*

May 23, 2010

(including Brohard {Traffic}, Nickelson {Traffic}, and Hagemann
{Air Quality, Hydrology} appendices.)

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SANDRA RAE BENSON
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RICHARD T. ORURY, Of Counsel

* Also admitted in Arizona
** Admitted in Hawaii
*** Also admitted in Nevada
**** Also admitted in Illinois

May 23, 2010

BY ELECTRONIC MAIL and US MAIL

Honorable Members of the Planning Commission
County of Napa
c/o John McDowell
Deputy Planning Director
1195 Third Street, Suite 210
Napa, CA 94559
Email: John.McDowell@countyofnapa.org

Chris Cahill
Napa County Department of Conservation, Development, & Planning
1195 Third Street, Room 210
Napa, CA 94559
Email: chris.cahill@countyofnapa.org

RE: Mitigated Negative Declaration for Napa 34 Holdings Commerce Center Use
Permit and Variation to Development Standards Application No P09-00329-UP
and TPM and LLA Application No P09-00330-TPM;
SCH Number: 2010032066

Honorable Members of the Planning Commission and Mr. Cahill:

This letter supplements my letters dated May 12 and May 19, 2010 in which I explained that Napa 34 Holdings, LLC ("Napa 34") had voluntarily agreed to adopt supplemental environmental projects ("SEPs") to address all of the issues raised by Carpenters Local 751, its members, and Mr. Dan Digardi (collectively, "Local 751") concerning the proposed Preliminary Mitigated Negative Declaration and its initial study and supporting documents ("IS/MND") for Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application No P09-00329-UP and TPM and LLA Application No P09-00330-TPM; SCH Number: 2010032066 ("Project" or "Napa 34 Project"). With this letter we submit additional supplemental analysis of Traffic Engineer Tom Brohard, PE.

In the attached letter (Exhibit A), Mr. Brohard, PE explains that he has reviewed the analysis of traffic engineer George Nickelson, PE of Omni-Means Engineers dated May 21, 2010

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(Exhibit B). Based on the information and analysis provided by Mr. Nickelson, which has been independently verified by Mr. Brohard, Mr. Brohard has concluded that:

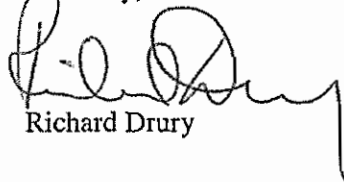
*"my prior comments have been adequately addressed by Mr. Nickelson, the Traffic Study is appropriate, the mitigation measures in the MND are adequate, and **the Project has no unmitigated significant traffic impacts.**"*

Mr. Brohard explains that Mr. Nickelson has provided information and analysis that demonstrates:

1. SR12/SR29/Airport Boulevard will operate at LOS "D" with Project traffic added, which is below the level of significance.
2. Driveway throat distances are adequate to accommodate 95th percentile queues.
3. The Napa 34 Holdings Commerce Center Project will pay its "fair share" of the regional roadway improvements needed to mitigate the cumulative traffic impacts of all projects in the area.

The analysis provided by traffic engineers George Nickelson and Tom Brohard, in addition to Mr. Brohard's analysis of May 17, 2010 (Exhibit C) clearly establishes that the Napa 34 Project' traffic impacts will be fully mitigated. We urge the Planning Commission to approve the Napa 34 Project with the traffic mitigation measures contained in the Initial Study/Mitigated Negative Declaration and the supplemental environmental projects that the developer has in good faith voluntarily agreed to implement. These SEPs will address all of the environmental issues raised by Local 751 and will result in a model "green" project with minimal environmental impacts, just as contemplated by CEQA. As such no environmental impact report ("EIR") and no recirculation of the mitigated negative declaration should be required. The developer should not be penalized for its good faith efforts to improve the Project with any further delays. We incorporate the legal analysis from our May 12, 2010 letter by reference (Exhibit D). Thank you for your consideration.

Sincerely,



Richard Drury

Attachments:

- Comment letter of Tom Brohard, PE (May 22, 2010) (Exhibit A)
- Comment letter of George Nickelson, PE (May 21, 2010) (Exhibit B)
- Comment letter of Tom Brohard, PE (May 22, 2010) (Exhibit C)
- Letter of Richard Drury, with analysis of Matthew Hagemann, PG (May 12, 2010)

Comments of Local 751

Napa 34 Holdings Commerce Center MND SCH Number: 2010032066

May 23, 2010

Page 3

cc: Alicia Guerra, Counsel for Napa 34 Holdings, LLC

EXHIBIT A

Tom Brohard and Associates

May 22, 2010

Mr. Richard Drury, Attorney at Law
Lozeau/Drury LLP
1516 Oak Street, Suite 216
Alameda, California 94501

**SUBJECT: Review of Response to Prior Comments Regarding Traffic
Issues for the Napa 34 Holdings Commerce Center in the County of Napa**

Dear Mr. Drury:

I have reviewed the May 21, 2010 letter from George Nickelson, Branch Manager at Omni-Means, providing further information in response to my prior comments.

Mr. Nickelson indicates traffic volumes have remained the same or decreased slightly over the last three years on SR12 and SR29 adjacent to the Project, and I have verified this on the Caltrans website. Further, I found that the County of Napa does not require factoring of traffic counts to represent conditions on Thursdays in August as does the City of Napa. After considering these items, I agree with the analysis in the Traffic Study that SR12/SR29/Airport Boulevard will operate at LOS "D" with Project traffic added.

In regard to on-site queuing, I had previously indicated the 95th percentile queues in the Traffic Study appeared to exceed the available distances that I had scaled from the reduced site plan. Mr. Nickelson has measured the distances from a scaled drawing of the site, and I agree that the distances provided are adequate.

My May 17, 2010 letter acknowledged the study of cumulative traffic conditions in the area (including Napa Pipe) was nearing completion, together with updating of the current traffic impact fee. Assuming that the County of Napa continues the Traffic Impact Fee Program, the Napa 34 Holdings Commerce Center Project will pay its "fair share" of the regional roadway improvements needed to mitigate the cumulative traffic impacts of all projects in the area.

In sum, my prior comments have been adequately addressed by Mr. Nickelson, the Traffic Study is appropriate, the mitigation measures in the MND are adequate, and the Project has no unmitigated significant traffic impacts.

Respectfully submitted,

Tom Brohard and Associates



Tom Brohard, PE
Principal



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Email tbrohard@earthlink.net

EXHIBIT B



May 21, 2010

Mr. Kristen E. Pigman, President
The Pigman Companies, LLC
2481 Sunrise Boulevard, Suite 200
Gold River, CA 95670

Subject: Responses to Comments by Tom Brohard and Associates Related to the Napa Commerce Center Traffic Impact Analysis (TIA)

Dear Mr. Pigman:

This letter has been prepared in response to a comment letter submitted by Tom Brohard and Associates related to our Napa Commerce Center TIA. Our responses address the various technical issues raised by Mr. Brohard. Because a number of Mr. Brohard's comments reflect his being unaware of other traffic data, we have also provided updated information that confirms the validity of our TIA.

Although Mr. Brohard raised a number of comments, they essentially involve the following five (5) issues:

1. Validity of the baseline analysis scenario
2. On-site queuing impacts at project driveways
3. Need for a cumulative analysis
4. Adequacy of mitigation measures
5. Consistency with the Napa Pipe Project

1. Validity of the Baseline Analysis Scenario:

The baseline scenario was established through consultations with Mr. Rick Marshall, the Deputy Director of Public Works for Napa County. This scenario reflects the buildout of the adjacent Greenwood Business Park; the proposed Napa Commerce Center trips were then added to identify the short term traffic impacts. Due to the size of these developments (378,891 sq.ft. in the approved Greenwood Business Park and 490,503 sq.ft. in the proposed Napa Commerce Center project), the traffic generated by these combined developments would represent a very conservative estimate of traffic growth over the next 2-3 years. Our TIA short term baseline scenario is conservative and valid.

With regard to other "Annual Ambient Growth", we assume Mr. Brohard is referring to potential background traffic increases on State Route 29 (SR 29) and SR 12 in the project area. However, Caltrans traffic volume records indicate that volumes on SR 29 and SR 12 have been constant or have actually decreased slightly over the 2006-2009 (the most recent 3 year period for which Caltrans has volume data). There is no evidence that our short term baseline analysis should have included increased traffic volumes on SR 29 or SR 12 – our TIA analysis is appropriate.

With regard to impacts at SR 29/SR 12-Airport Boulevard, our TIA found that when project trips are added to the baseline conditions, this intersection would continue to operate at an acceptable LOS "D". Cumulative buildout mitigation measures are being established (and the appropriate traffic impact fee identified) as a part of the "Update of Airport Industrial Area Traffic Mitigation Fee Program" (see section 3 of this letter).

2. On-Site Queuing Impacts at Project Driveways:

Our TIA provided Level of Service (LOS) and operations calculations for each of the four project driveways (three on Devlin Road and one on Airport Boulevard). As outlined in our report (Table 5, page 13, all of the driveways outbound traffic would operate at LOS "C" or better. This would be considered very acceptable urban peak hour conditions.

With regard to queuing, our TIA also provided 95th percentile vehicle queue calculations for each driveway (Table 6, page 18 of the TIA). The following compares the queue lengths with the distance between the adjacent roadway travel lane and the internal parking aisle:

- Devlin Road north driveway; 50 foot queue/55 foot distance
- Devlin Road center driveway; 65 foot queue/60 foot distance
- Devlin Road south driveway; 49 foot queue/70 foot distance
- Airport Boulevard driveway; 62 foot queue/65 foot distance

As this comparison indicates, at three of the project driveways, the calculated 95th percentile queue for vehicles exiting the project would not back up beyond the nearest internal parking aisle. Even at the project's Devlin Road center driveway, the calculated queue would be approximately equal to the available distance between the travel lane and the internal parking aisle. There is no evidence that the driveway queuing would significantly impact internal circulation. Similarly, based on the traffic circulation analysis, there is no reason to conclude that the driveways' operation would impact traffic flows on the adjacent streets.

3. Need for a Cumulative Analysis:

As noted above, the scope of our TIA was established through consultations with Mr. Rick Marshall, the Deputy Director of Public Works for Napa County. Consistent with County traffic analysis direction, our TIA relied on the cumulative buildout traffic findings included in the County's cumulative analysis - the "Update of Airport Industrial Area Traffic Mitigation Fee Program".

The Airport Industrial Area is subject to a County traffic mitigation fee program for the purpose of constructing long term traffic mitigation within and adjacent to the area. That fee is currently \$3,551 per PM peak hour trip. The current update has involved a cumulative traffic analysis including complete buildout of the Airport Industrial Area, cumulative development outside of the Area and long term traffic growth on the nearby State highways.

The proposed Napa Commerce Center project was included in the cumulative analysis conducted as a part of the Update of Airport Industrial Area Traffic Mitigation Fee Program. Thus, a cumulative traffic analysis is available relative to the proposed Napa Commerce Center.

4. Adequacy of Mitigation Measures:

The TIA for the Napa Commerce Center project concluded that traffic impacts at the Airport Boulevard/Devlin Road intersection would require mitigation. The TIA identifies specific mitigation measures to address the impacts resulting from the proposed project (and the cumulative baseline traffic generated by the Greenwood Business Park). These measures include the widening of Airport Boulevard and Devlin Road to accommodate dual westbound left turn lanes. These measures would address queuing impacts that would be reduced to "less than significant" levels.



The TIA also identifies intersection queuing problems at SR 29/Soscol Ferry and SR 29/Airport-SR 12 that would be exacerbated by the proposed Napa Commerce Center project. However, as noted in the TIA, these problems currently exist and are related to the overall operation of the intersections. The Napa County cumulative analysis conducted as a part of the Update of Airport Industrial Area Traffic Mitigation Fee Program applies to the Napa Commerce Center project and addresses the future improvements on these regional facilities. The proposed Napa Commerce Center project would participate in the implementation of these cumulative mitigation measures through the adopted fee program. The current traffic mitigation fee of \$3,551 per PM peak hour trip would yield a total of \$1,498,522 – this fee would be applied toward the project's "fair share" of the longer term mitigation measures on these regional facilities.

5. Consistency with the Napa Pipe Project:

The Napa Pipe Project would be a large mixed use development north of the Airport Industrial Area. The project application is being considered by Napa County, and appropriate environmental documents (including traffic studies) have been completed.

This project has been included in the cumulative analysis conducted as a part of the Update of Airport Industrial Area Traffic Mitigation Fee Program. Thus, there will ultimately be a consistent set of mitigation measures that address impacts associated with the Airport Industrial Area and other cumulative development.

In summary, the TIA for the Napa Commerce Center was prepared based on consultations with Mr. Rick Marshall, the Deputy Director of Public Works for Napa County. The analysis included recommended mitigation measures to address short term base plus project impacts. With regard to cumulative traffic conditions, the proposed project would participate in the Airport Industrial Area Traffic Mitigation Fee Program, a program designed to allow specific development projects to pay their "fair share" toward cumulative mitigation measures. With the project specific mitigation and participation in the Airport Industrial Area Traffic Mitigation Fee Program, there would be no residual significant traffic impacts associated with the project.

I trust that this letter responds to your needs and those of Napa County. Please let me know if further input is required.

Sincerely,

OMNI-MEANS, Ltd.
Engineers & Planners



George W. Nickelson, P.E.
Branch Manager

Cc: Brad Shirhall; Alicia Guerra,

GWN
C1409LTR002.doc



EXHIBIT C

Tom Brohard and Associates

May 17, 2010

Mr. Richard Drury, Attorney at Law
Lozeau/Drury LLP
1516 Oak Street, Suite 216
Alameda, California 94501

SUBJECT: Review of the Mitigated Negative Declaration, Initial Study Checklist, Use Permit, and Final Traffic Impact Analysis for the Napa 34 Holdings Commerce Center in the County of Napa – Traffic Issues

Dear Mr. Drury:

Tom Brohard, P.E., has reviewed the March 17, 2010 Mitigated Negative Declaration (MND), the Initial Study Checklist, Use Permit, and related documents prepared for the proposed Napa 34 Holdings Commerce Center (Project) in the County of Napa. The Omni-Means February 2010 Final Traffic Impact Analysis (Traffic Study) for the Project has also been reviewed, and additional information has been received from George Nickelson, the traffic engineering consultant with Omni-Means who oversaw the Traffic Study.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 40 years of professional engineering experience. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. I formed Tom Brohard and Associates in 2000 and now serve as the City Traffic Engineer for the City of Indio and as Consulting Transportation Engineer for the City of Big Bear Lake, City of Mission Viejo, and the City of San Fernando. I have extensive experience in traffic engineering and transportation planning. During my career in both the public and private sectors, I have reviewed numerous environmental documents and traffic studies for various projects. Several recent assignments are highlighted in the enclosed resume.

Project Description

Page 1 of the Notice of Intent to Adopt a Mitigated Negative Declaration describes the Napa 34 Holdings Commerce Center as:

"An industrial park totaling approximately 490,500 square feet of new development in eight buildings... Approximately 73% percent (or +/- 356,000 square feet) of the total development floor area would be dedicated to warehousing uses, while the remaining 27 percent (or +/- 134,500 square feet) would be utilized as office space. Access would be provided from three new driveways located off an extension of Devlin Road south of the existing Devlin Road/Airport Boulevard intersection and a single right-in right-out driveway off

81905 Mountain View Lane, La Quinta, California 92253-7611

Phone (760) 398-8885 Fax (760) 398-8897

Email tbrohard@earthlink.net

Mr. Richard Drury
Napa 34 Holdings Commerce Center Project – Traffic Issues
May 17, 2010

Airport Boulevard. Roadway improvements, including road construction at Devlin Road and road widening at Airport Boulevard are also proposed. Parking for 740 vehicles is to be provided on-site, along with six loading docks.”

Traffic Issues

Based on the information provided in the Initial Study Checklist, Use Permit, Traffic Study, and related documents for the Napa 34 Holdings Commerce Center, my review indicated the following:

- Update of Traffic Impact Fee Program – The Traffic Study indicates the County of Napa did not require an analysis of cumulative conditions as an area-wide traffic study to accomplish this task and to update the County of Napa Traffic Impact Fee Program is nearly complete. In my telephone discussion on May 12, 2010, George Nickelson indicated an administrative draft of cumulative traffic conditions and the corresponding update of the Traffic Impact Fee Program was now being reviewed by County staff. From his experience in the area, Mr. Nickelson indicated the current fee of \$3,551 per PM peak hour trip will likely increase when the update is adopted.

At the current fee, the Napa 34 Holdings Commerce Center Project would pay nearly \$1.5 million (422 PM peak hour trips times \$3,551 equals \$1,498,522) for mitigation of its cumulative traffic impacts. Assuming that the County of Napa continues all of the various components of their overall Traffic Impact Fee Program as they have historically done, it appears that the Napa 34 Holdings Commerce Center Project will be required to pay their “fair share” of the regional roadway improvements needed to mitigate the cumulative traffic impacts of all projects in the area.

If you have questions regarding these comments, please call me at your convenience.

Respectfully submitted,

Tom Brohard and Associates

Tom Brohard

Tom Brohard, PE
Principal

Enclosure



EXHIBIT D

STEWART WEINBERG
DAVID A. ROSENFELD
WILLIAM A. SOKOL
VINCENT A. IARINGTON, JR.
W. DANIEL RICHIE
DLYTHE MICKELSON
DARRY E. HINKLE
JAMES RUTKOWSKI
SANDRA RAE BENSON
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JAMES J. WEBBER
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ANTONIO RUIZ
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ASHLEY K. REDA
LINDA BALDWIN JONES
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KERIANNE R. STEELE
ANA M. GALLEGOS
GARY P. PROVENCHER

PATRICIA M. GATES, Of Counsel
ROBERTA D. PERKINS, Of Counsel
RICHARD T. DRURY, Of Counsel

* Also admitted in Arizona
** Admitted in Hawaii
*** Also admitted in Nevada
**** Also admitted in Illinois

May 12, 2010

BY ELECTRONIC MAIL and US MAIL

Honorable Members of the Planning Commission
County of Napa
c/o John McDowell
Deputy Planning Director
1195 Third Street, Suite 210
Napa, CA 94559
Email: John.McDowell@countyofnapa.org

Chris Cahill
Napa County Department of Conservation, Development, & Planning
1195 Third Street, Room 210
Napa, CA 94559
Email: chris.cahill@countyofnapa.org

RE: Mitigated Negative Declaration for Napa 34 Holdings Commerce Center Use
Permit and Variation to Development Standards Application No P09-00329-UP
and TPM and LLA Application No P09-00330-TPM;
SCH Number: 2010032066

Honorable Members of the Planning Commission and Mr. Cahill:

I am writing on behalf of Carpenters Local 751, its members, and City of Napa resident, Mr. Dan Digardi (collectively, "Local 751") concerning the proposed Preliminary Mitigated Negative Declaration and its initial study and supporting documents ("IS/MND") for Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application No P09-00329-UP and TPM and LLA Application No P09-00330-TPM; SCH Number: 2010032066 ("Project" or "Napa 34 Project"). We urge the Planning Commission to approve the Napa 34 Project with supplemental environmental projects (SEPs) that the developer has in good faith voluntarily agreed to implement. These SEPs will address all of the environmental issues raised by Local 751 and will result in a model "green" project with minimal environmental impacts, just as contemplated by CEQA. As such no environmental impact report ("EIR") and no recirculation of the mitigated negative declaration should be required. The developer should not be penalized for its good faith efforts to improve the Project with any further delays.

I. INTRODUCTION: Napa 34 Holdings has Voluntarily Agreed to Incorporate Numerous Supplemental Environmental Projects to Address Public Comments and Make the Project Even More Environmentally Friendly. Napa 34 Should not be Penalized for its Good Faith Efforts to Improve the Project with Further Delays.

As discussed in our letter dated April 29, 2010, we are very pleased that after receiving our comments dated April 20, 2010, Napa 34 Holdings, LLC ("Napa 34") agreed in good faith to incorporate numerous supplemental environmental project (SEPs) to address the concerns raised by Local 751 during the CEQA public comment period. We are pleased that in response to staff concerns, Napa 34 has agreed to incorporate even more supplemental measures to further reduce each impact discussed by Local 751, and to make the Napa 34 Project a clean and green project that should serve as a model for similar projects in the future.

As discussed in detail in the comment letter of environmental consultant, Mathew Hagemann, PG, our experts confirm that these additional measures are sufficient to reduce the Project's impacts below applicable CEQA significance thresholds. Thus, no environmental impact report (EIR) or recirculation of the mitigated negative declaration should be required. Indeed, this is precisely the type of good faith response that CEQA is designed to promote so that parties can work out their differences in the administrative process without the need for litigation, and that projects can be built with the minimum environmental impacts.

Certainly, Napa 34 should not be punished for its good faith behavior in adding SEPs in response to public comments with a mandate to prepare an EIR or to recirculate the negative declaration, which could result in months of delay. Instead, Napa 34 should be rewarded for its good faith efforts to improve the Project voluntarily, and the County should grant Project approval as expeditiously as possible.

II. SUPPLEMENTAL ENVIRONMENTAL PROJECTS ADDRESS ALL ISSUES RAISED BY PUBLIC COMMENTS.

Although Napa 34 and the County's IS/MND conclude that the Project has no significant impacts and the project already incorporates many environmental commitments and an environmentally-sensitive design, Napa 34 has agreed to request that the County include supplemental environmental measures for Use Permit and Variation to Development Standards Application No. P 09-00329-UP and Tentative Parcel Map and Lot Line Adjustment Application No. P 09-00330-TPM. Although the IS/MND includes mitigation measures to address all of the environmental topics considered in the IS/MND, the purpose of the supplemental environmental measures is to reduce any residual impacts of the Project even further and to allay any community concerns.

In particular, Napa 34 agreed to request that the County include supplemental environmental measures to further reduce the Project's impacts in the areas of construction emissions, greenhouse gas, water usage, nitrogen oxide emissions, and stormwater. I discuss

these measures below, and they are analyzed in detail by Mr. Hagemann in his attached comment letter.

1. GREENHOUSE GAS AND NO_x

- a. **SOLAR PANEL CAPACITY:** The Project buildings are to be designed to support structural loads associated with roof-mounted solar arrays. To further reduce greenhouse gas and nitrogen oxide ("NO_x") emissions, in conjunction with construction of Project buildings, Napa 34 shall explore opportunities to provide individual buildings designed to support roof-mounted solar panels that may be installed by future tenants ("Solar Panels"), and shall enable tenant use of the Solar Panels to help to meet the Project's electricity needs.
- b. **GREENHOUSE GAS OFFSETS:** Napa 34 agrees to purchase and retire 800 metric tons (MT) of carbon dioxide offset credits per year for ten years (total of 8000 MT) from the Chicago Climate Exchange or comparable broker.

DISCUSSION: As discussed by Mr. Hagemann, these measures will reduce the Project's greenhouse gas impacts below the level of significance proposed by the Bay Area Air Quality Management District's ("BAAQMD"). Mr. Hagemann explains that the Project as proposed will generate 1896 MT/yr of carbon dioxide emissions, but meets the 2,870.4 MT/Y CO₂e efficiency threshold based on the analysis contained in the Napa 34 Initial Study/Mitigated Negative Declaration (see p. 13 of 41). The Bay Area Air Quality Management District's proposed CEQA significance threshold for greenhouse gases is 1100 MT/yr. Therefore, carbon offset credits of 800 MT/yr will reduce the Project's carbon emissions to below the applicable draft significance threshold and will still meet the BAAQMD efficiency threshold. Installation of solar panels will reduce greenhouse gas and NO_x emissions even further. With these measures, Mr. Hagemann concludes that the Project will have no unmitigated significant impacts in the area of greenhouse gases.

2. CONSTRUCTION EMISSIONS

ALTERNATIVE FUEL CONSTRUCTION EQUIPMENT: Napa 34 shall require in its construction contracts that all construction equipment used by selected contractors to construct the Project shall be powered by one of the following alternative fuels: biodiesel, biodiesel blend, electricity, or natural gas, except where construction equipment capable of utilizing such alternative fuels is not available to the selected contractor through the exercise of reasonable diligence.

DISCUSSION: As discussed by Mr. Hagemann, this measure goes far beyond the Bay Area Air Quality Management District's ("BAAQMD") suggested construction mitigation of 15% alternative fuel vehicles. Mr. Hagemann concludes that with the other construction mitigation measures that the developer has already incorporated in the Project and the mitigation measures included in the Initial Study/Mitigated Negative Declaration, including the BAAQMD's

suggested measures, the Project has incorporated all feasible mitigation measures and will have no significant unmitigated air quality impacts.

3. STORMWATER

STORM WATER POLLUTION PREVENTION PLAN: Prior to the commencement of Project construction, Napa 34 shall retain a qualified third-party consultant to develop a stormwater pollution prevention plan ("SWPPP") in conformance with all applicable requirements of the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000 – 14598) and Federal Clean Water Act (13 U.S.C. 1251 et seq.).

DISCUSSION: Mr. Hagemann explains that development of a stormwater pollution prevention plan (SWPPP) is the standard means to mitigate stormwater impacts. Requirements for the SWPPP are set forth in the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000 – 14598) and Federal Clean Water Act (13 U.S.C. 1251 et seq.). Use of a third-party expert consultant will enhance the objectivity and adequacy of the plan. Mr. Hagemann concludes that with this measure, and the other mitigation measures recommended in the MND, the Project will have no significant unmitigated stormwater impacts.

4. WATER SUPPLY

- a. **DROUGHT-TOLERANT LANDSCAPING:** Napa 34 shall ensure that landscaping for the Project employs native, drought-tolerant plant species to the extent practicable, provided that such landscaping shall not conflict with the provisions of any mitigation and monitoring plans providing for the preservation, restoration and creation of any existing and proposed wetlands.
- b. **WATER-CONSERVING PLUMBING FIXTURES:** Napa 34 shall install water-conserving plumbing fixtures that maximize efficiency and water conservation in Project office-buildings, including dual-flush toilets and ultra-low flush or waterless urinals as required by applicable building codes.

DISCUSSION: Napa 34 has already agreed to the mitigation measures included in the project Water Supply Report incorporated by reference in the IS/MND (see page 39 of 41) and agreed to pay mitigation fees in accordance with the City of American Canyon water capacity fee program (see p. 16 of the Water Supply Report). In addition, the developer has agreed to the above supplemental mitigation measures. Mr. Hagemann explains that two of the largest areas of commercial water usage are landscaping and plumbing fixtures. The developer has agreed to incorporate two of the most effective measures to reduce water usage. Ultra-low flush plumbing fixtures can reduce water usage by one-half or more. Drought-tolerant landscaping can also reduce water usage by more than one-half. Mr. Hagemann concludes that with these measures, and the other water conservation measures in the MND, the developer has incorporated feasible mitigation measures in the project, and the project will have no significant unmitigated water supply impacts.

5. ODORS

Mr. Hagemann concludes that no additional measures would be required because the Napa 34 Project is a wine storage, warehouse, distribution and office complex and will not generate odor emissions that would affect residences located over 1,000 feet away from this industrial area.

DISCUSSION: Mr. Hagemann explains that the 1999 BAAQMD CEQA Guidelines state that the screening distance for significant odor impacts from a wastewater treatment plant is one mile. The wastewater treatment plant is just beyond the screening distance of one mile away from the Napa 34 Project. The second step in the odor analysis under the BAAQMD CEQA Guidelines is to determine whether there has been one or more confirmed odor complaints each year for the past three years. There appear to be no such complaints. Mr. Hagemann therefore concludes that the Project has no significant odor impacts.

III. LEGAL ANALYSIS

A. An EIR is Not Required for the Project as Mitigated Because there is No Fair Argument that the Project as Mitigated will have Significant Adverse Environmental Impacts.

In determining the existence of a "fair argument," the agency must analyze the "whole record." CEQA Guidelines section 15073.5(D); *Apartment Assoc. v. Los Angeles* (2001) 90 Cal.App.4th 1162, 1175-76. Evidence that may be substantial in isolation may not rise to the level of a "fair argument" when viewed in light of the "whole record." *Id.* at 1173-76. For example, *if an uncontradicted expert concludes that a project will not have a significant impact as mitigated, the agency may rely on that conclusion as substantial evidence.* *Uhler v. Encinitas* (1991) 227 Cal.App.3d 795, 805. An agency may rely on any expert with proper qualifications, including its own staff, to conclude that a project as mitigated will not have significant impacts, and there is no fair argument if the expert testimony is uncontradicted. *Gentry v. Murietta* (1995) 36 Cal.App.4th 1359, 1379-80.

The court held in *San Bernardino Audubon Society v. Met. Water Dist.* (1999) 71 Cal.App.4th 382, that in the context of a mitigated negative declaration, there is not a "fair argument" requiring an EIR unless there is expert testimony or other substantial evidence indicating that the project *as mitigated* has significant adverse environmental impacts. The court stated:

Upon issuance of a mitigated negative declaration, the project opponent must demonstrate by substantial evidence that the proposed mitigation measures are inadequate and that the project as revised and/or mitigated may have a significant adverse effect on the environment.

Id. at 390; citing CEQA Guidelines section 15070 and *Citizens Comm. v. Claremont* (1995) 37 Cal.App.4th 1157, 1167. The court stated that it must consider “whether there is substantial evidence in the record to support a fair argument that the stated mitigation measures may not achieve this goal.” Id.

Local 751 submits herewith expert testimony that the project with the supplemental mitigation measures has no significant adverse impacts. Furthermore, the County may rely on its own in-house expert opinions or other experts as substantial evidence that the Project as mitigated will not have significant adverse impacts. (See, *Uhler, supra*; *Gentry, supra*) *There is absolutely no expert testimony or other substantial evidence that the revised project, including the SEPs, has any significant adverse environmental impacts.* Therefore, in light of the whole record, there is no “substantial evidence that the proposed mitigation measures are inadequate.” *San Bernardino Audobon, supra*. The County may therefore approve the Project based on the MND with the SEPs.

B. The MND Does Not Have to be Recirculated.

CEQA requires a public review and comment period so that the public may review the proposed project and suggest additional mitigation measures. CEQA encourages an iterative process in which project proponents consider public comments in good faith and adopt reasonable suggestions from the public to further improve the project. That is precisely what occurred in this case. Local 751 commented on the Napa 34 Project, and in good faith, Napa 34 voluntarily agreed to adopt supplemental environmental measures to further improve the Project. In other words, CEQA operated exactly as intended.

CEQA recognizes that when a project proponent responds to public comments in good faith, and adopts supplemental mitigation measures to address community concerns, the proponent should be not penalized with additional project delays created by “recirculation.” Napa 34 should be rewarded for its good conduct that furthers the purposes of CEQA and protects the environment, rather than being penalized with further project delays. Any other rule would create a perverse incentive for project proponents to resist public comments during the CEQA process in order to avoid delays. This would thwart the whole purpose of CEQA, which is to allay public concerns about projects and create an interactive comment and response process that benefits the environment. This in turn would force the parties to resolve their disputes in court rather than through the administrative process, adding years of delay and needlessly consuming judicial resources. Not surprisingly, CEQA does not compel such an absurd result.

CEQA Guidelines section 15073.5 states:

(c) Recirculation is *not* required under the following circumstances:

(1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

(2) *New project revisions are added in response to written or verbal comments on the projects effects identified in the proposed negative declaration* which are not new avoidable significant effects.

(3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.

(4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

All of the above provisions apply to Napa 34's SEPs, but sections (c) 1 and (c) 2 apply directly to this matter. The comments submitted by Local 751 did not identify any new significant impacts. Instead, they only elaborated on impacts already discussed in the mitigated negative declaration, including traffic, air quality, greenhouse gases, stormwater and water usage. In response to those comments, Napa 34 agreed in good faith to add "equal or more effective mitigation measures." (15073.5(c)(1)) Napa 34 also agreed to make "project revisions . . . in response to written or verbal comments on the project's effects identified in the proposed negative declaration." (15073.5(c)(2)) Therefore, under the plain language of CEQA, recirculation of the mitigated negative declaration is *not* required.

A similar situation arose in *Long Beach Savings v. Long Beach Redevelopment Agency* (1986) 188 Cal.App.3d 249. In that case, in response to comments on a negative declaration, the developer and agency agreed to add mitigation measures to the negative declaration. The court held that the additional mitigation measures did not require recirculation of the mitigated negative declaration because they did not require "a fundamental reorganization of the negative declaration." The court noted that, "to allow the public review period to proceed ad nauseam would only serve to arm persons dead set against a project with a paralyzing weapon – hired experts who can always 'discover' flaws in mitigation measures." *Id.* at 263.

Napa 34's situation is even clearer than that in the *Long Beach* case. In Napa 34's case, unlike in *Long Beach*, all parties are satisfied that the SEPs address all of the Project's impacts, that an EIR is not required and that the SEPs do not require recirculation of the mitigated negative declaration. Under these circumstances, it is clear that Napa 34 should not be penalized for its good faith efforts to address community concerns with supplemental mitigation measures and that recirculation should not be mandated, despite the agreement of the parties.

C. The County Should Allow the Parties to Settle Their Dispute Rather Than Forcing the Parties to Continue their Dispute or Even Litigate.

Napa 34 has voluntarily agreed to implement numerous supplemental environmental projects (SEPs) to address all of the concerns raised by Local 751. Local 751 and its experts are satisfied that these SEPs adequately address all of the impacts of the Project and specifically all

of the impacts for which Local 751 raised concerns. Further, all of the parties agree that with these measures there is no need for an EIR, and that recirculation of the mitigated negative declaration is not required. In short, the parties have settled their disagreement in a manner that will provide real and concrete benefits for the environment and the public.

California law has long favored settlements between private parties as a beneficial and efficient way to resolve disputes without the need for litigation. In the case of *In re Marriage of McLaughlin*, 82 Cal. App. 4th 327, 331 (2000), “the court noted that *the law favors settlements, and expressed its disinclination to second-guess the parties’ agreement.*” In *Folsom v. Butte County Assn. of Governments*, 32 Cal. 3d 668, 677 (1982), the court stated, “Compromise has long been favored.” Citing, *Rohrbacher v. Aitken* (1904) 145 Cal. 485, 488; *Armstrong v. Sacramento Valley R. Co.*, 179 Cal. 648, 650. In *Ebensteiner Co., Inc. v. Chadmar Group*, 143 Cal. App. 4th 1174, 1179 (2006) the court explained that *the law favors and encourages compromises and settlements of controversies made in or out of court.* Similarly, the court stated in, *Utility Consumers Action Network v. Public Utilities Com.*, 120 Cal. App. 4th 644, 660 (2004), “it was better for all concerned to compromise the matter rather than chance an adverse ruling in the federal lawsuit. It is not our role to second guess that judgment...”

Here, the parties to the dispute have reached a compromise that by any estimation will reduce the environmental impacts of the Napa 34 Project while enhancing its public benefits. The revised Project will unquestionably have lesser environmental impacts than the Project as previously proposed in the MND, which County staff had recommended for approval. It should not be the role of the County, sitting in its quasi-judicial capacity, to “second guess that judgment” and hold up the settlement. This is particularly true when, as here, a delay may force the parties to resolve their dispute through lengthy and costly litigation – litigation into which the County will necessarily be drawn. In short, given that County staff recommended approval of the Napa 34 Project based on an MND without any of the SEPs now agreed to, there should be no question that the revised Project, with the SEPs, and with lesser environmental impacts should be approved based on an MND.

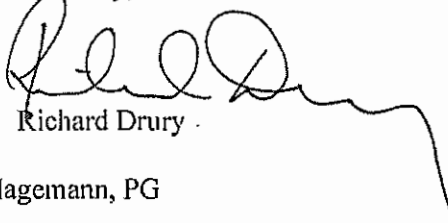
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IV. CONCLUSION

Local 751 urges the County Planning Commission to approve the Napa 34 Holdings Project, with its supplemental environmental projects, based on the Napa 34 Project initial study/mitigated negative declaration without requiring recirculation of the document. There is no dispute that the SEPs address all of the environmental concerns raised by the public, that with these measures the Project has no significant environmental impacts, and that therefore no EIR is required. It is also clear that the SEPs do not require recirculation of the mitigated negative declaration since they are measures that provide an even greater level of environmental protection that were voluntarily implemented in response to public comments, and these measures, themselves, do not raise any new or greater significant adverse environmental impacts. Napa 34 should be rewarded for its good faith efforts to address community concerns, not penalized with further delays. This Project promises to be a model green development project thanks to the good faith cooperative efforts of all parties. Please do not delay the benefits that this Project could provide to our community. Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Drury', with a long, sweeping horizontal line extending to the right.

Richard Drury

Attachment: Comment letter of Matthew Hagemann, PG

cc: Alicia Guerra, Counsel for Napa 34 Holdings, LLC



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May 11, 2010

Richard Drury
Lozeau | Drury LLP
1516 Oak Street, Suite 216
Alameda, CA 94501

Subject: Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California

Dear Mr. Drury:

I have reviewed the supplemental mitigation measures proposed by the developer for the Napa 34 Holdings Project in Napa, California. The supplemental mitigation measures have been developed, in part, to respond to comments we prepared on the March 17, 2010 Mitigated Negative Declaration regarding issues of stormwater, air quality (including greenhouse gas emissions and NOx), construction emissions, and odor.¹

The supplemental mitigation measures go well beyond what most developers have instituted on similar projects. With the supplemental mitigation measures, I find the project to have no unmitigated significant adverse impacts in the areas of stormwater, air quality, construction emissions, and odor. I discuss the supplemental mitigation measures below and the basis for my conclusion. I understand that the supplemental mitigation measures are in addition to the mitigation measures already set forth in the Mitigated Negative Declaration.

1. GREENHOUSE GAS AND NOx

- a. The Project buildings are to be designed to support structural loads associated with roof-mounted solar arrays. To further reduce greenhouse gas and nitrogen oxide ("NOx") emissions, in conjunction with construction of Project buildings, Napa 34 shall explore opportunities to provide individual buildings designed to support roof-mounted solar panels that may be

¹ Comments on Mitigated Negative Declaration, for Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application No P09-00329-UP and TPM and LLA Application No P09-00330-TPM; SCH Number: 2010032066, Weinbeg, Roger & Rosenfeld, April 20, 2010, Exhibit B

installed by future tenants ("Solar Panels"), and shall enable tenant use of the Solar Panels to help to meet the Project's electricity needs.

- b. Napa 34 agrees to purchase and retire 800 metric tons (MT) of carbon dioxide offset credits per year for ten years (total of 8000 MT) from the Chicago Climate Exchange or comparable broker.

DISCUSSION: The Project as proposed will generate 1896 MT/yr of carbon dioxide emissions, but meets the 2,870.4 MT/Y CO₂e efficiency threshold based on the analysis contained in the Napa 34 Initial Study/Mitigated Negative Declaration (see p. 13 of 41). The Bay Area Air Quality Management District's ("BAAQMD") proposed CEQA significance threshold for greenhouse gases is 1100 MT/yr. Therefore, carbon offset credits of 800 MT/yr will reduce the Project's carbon emissions to below the applicable draft significance threshold and will still meet the BAAQMD efficiency threshold. Installation of solar panels will reduce greenhouse gas and NO_x emissions even further. Napa 34 may purchase all of part of the 8000 MT of carbon credits early, thereby maximizing the environmental benefit through early retirement of credits. With these measures, the Project will not have any significant individual and cumulative greenhouse gas emission impacts.

2. CONSTRUCTION EMISSIONS

ALTERNATIVE FUEL CONSTRUCTION EQUIPMENT: Napa 34 shall require in its construction contracts that all construction equipment used by selected contractors to construct the Project shall be powered by one of the following alternative fuels: biodiesel, biodiesel blend, electricity, or natural gas, except where construction equipment capable of utilizing such alternative fuels is not available to the selected contractor through the exercise of reasonable diligence.

DISCUSSION: This measure goes far beyond the Bay Area Air Quality Management District's ("BAAQMD") suggested construction mitigation of 15% alternative fuel vehicles. With the other construction mitigation measures that the developer has already incorporated in the Project and the mitigation measures included in the Initial Study/Mitigated Negative Declaration, including the BAAQMD's suggested measures, the Project has incorporated all feasible mitigation measures and will have no significant unmitigated air quality impacts.

3. STORMWATER

Prior to the commencement of Project construction, Napa 34 shall retain a qualified third-party consultant to develop a stormwater pollution prevention plan ("SWPPP") in conformance with all applicable requirements of the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000 – 14598) and Federal Clean Water Act (13 U.S.C. 1251 et seq.).

DISCUSSION: Development of a stormwater pollution prevention plan (SWPPP) is the standard means to mitigate stormwater impacts. Requirements for the SWPPP are set forth in the State Porter Cologne Water Quality Act (Cal. Water Code §§ 13000 – 14598) and Federal Clean Water Act (13 U.S.C. 1251 et seq.). Use of a third-party expert consultant will enhance the objectivity and adequacy of the plan.

With this measure, and the other mitigation measures recommended in the MND, the Project will have no significant unmitigated stormwater impacts.

4. WATER SUPPLY

- a. Napa 34 shall ensure that landscaping for the Project employs native, drought-tolerant plant species to the extent practicable, provided that such landscaping shall not conflict with the provisions of any mitigation and monitoring plans providing for the preservation, restoration and creation of any existing and proposed wetlands.
- b. Napa 34 shall install water-conserving plumbing fixtures that maximize efficiency and water conservation in Project office-buildings, including dual-flush toilets and ultra-low flush or waterless urinals as required by applicable building codes.

DISCUSSION: SWAPE's comment letter on this project did not address water supply issues. Those comments were raised by the City of American Canyon. I understand that the developer has agreed to the mitigation measures included in the project Water Supply Report incorporated by reference in the IS/MND (see page 39 of 41) and agreed to pay mitigation fees in accordance with the City of American Canyon water capacity fee program (see p. 16 of the Water Supply Report). In addition, the developer has agreed to the above supplemental mitigation measures. Two of the largest areas of commercial water usage are landscaping and plumbing fixtures. The developer has agreed to incorporate two of the most effective measures to reduce water usage. Ultra-low flush plumbing fixtures can reduce water usage by one-half or more. Drought-tolerant landscaping can also reduce water usage by more than one-half. With these measures, and the other water conservation measures in the MND, the developer has incorporated feasible mitigation measures in the project, and the project will have no significant unmitigated water supply impacts.

5. ODORS

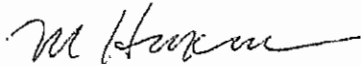
No additional measures required because the Napa 34 Project is a wine storage, warehouse, distribution and office complex and will not generate odor emissions that would affect residences located over 1,000 feet away from this industrial area.

DISCUSSION: The 1999 BAAQMD CEQA Guidelines state that the screening distance for significant odor impacts from a wastewater treatment plant is one mile. The wastewater treatment plant is just beyond the screening distance of one mile away from the Napa 34 Project. The second step in the odor analysis under the BAAQMD CEQA Guidelines is to determine whether there has been one or more confirmed odor complaints each year for the past three years. There appear to be no such complaints; therefore the Project has no significant odor impacts.

CONCLUSION

With the incorporation of the supplemental mitigation measures set forth above, and the mitigation measures already included in the MND, I conclude that the project has no unmitigated significant environmental impacts.

Sincerely,



Matt Hagemann, P.G



Attachment G

*Richard Drury, RE: Mitigated Negative Declaration for Napa 34
Commerce Center Use Permit and Variation to Development Standards
Application No. P09-00329-UP and TPM and LLA Application No.
P09-00330-TPM; SCH Number 2010032066,*

June 2, 2010

(including Clark and Hagemann {Air Quality, Hydrology}
appendix.)

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RICHARD T. DRURY, Of Counsel

* Also admitted in Arizona
** Admitted in Hawaii
*** Also admitted in Nevada
**** Also admitted in Illinois

June 2, 2010

BY ELECTRONIC MAIL and US MAIL

Honorable Members of the Planning Commission
County of Napa
c/o John McDowell
Deputy Planning Director
1195 Third Street, Suite 210
Napa, CA 94559
Email: John.McDowell@countyofnapa.org

Chris Cahill
Napa County Department of Conservation, Development, & Planning
1195 Third Street, Room 210
Napa, CA 94559
Email: chris.cahill@countyofnapa.org

RE: Mitigated Negative Declaration for Napa 34 Holdings Commerce Center Use
Permit and Variation to Development Standards Application No P09-00329-UP
and TPM and LLA Application No P09-00330-TPM;
SCH Number: 2010032066

Honorable Members of the Planning Commission and Mr. Cahill:

This letter supplements my letter dated May 23, 2010 in which I explained that Napa 34 Holdings, LLC ("Napa 34") had voluntarily agreed to adopt supplemental environmental projects ("SEPs") to address all of the issues raised by Carpenters Local 751, its members, and Mr. Dan Digardi (collectively, "Local 751") concerning the proposed Preliminary Mitigated Negative Declaration and its initial study and supporting documents ("IS/MND") for Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application No P09-00329-UP and TPM and LLA Application No P09-00330-TPM; SCH Number: 2010032066 ("Project" or "Napa 34 Project"). With this letter we submit the supplemental analysis of atmospheric scientist Dr. James Clark, Ph.D., and hydrogeologist Matthew Hagemann, PG.

Dr. Clark and Mr. Hagemann explain that the Napa 34 Project will implement measures to reduce construction emissions and greenhouse gas impacts that will render the Project's impacts insignificant even in light of draft CEQA significance thresholds that have been

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JUN 03 2010

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

Comments of Local 751

Napa 34 Holdings Commerce Center MND SCH Number: 2010032066

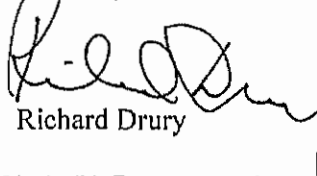
June 2, 2010

Page 2

proposed by the Bay Area Air Quality Management District ("BAAQMD"), but not yet formally adopted.

In light of these mitigation measures, and others that will reduce the Projects impact on traffic, water use, operational emissions, stormwater, and all other areas, all of the experts agree that the Napa 34 Project' traffic impacts will be fully mitigated. We urge the Planning Commission to approve the Napa 34 Project with the mitigation measures contained in the Initial Study/Mitigated Negative Declaration and the supplemental environmental projects that the developer has in good faith voluntarily agreed to implement. These SEPs will address all of the environmental issues raised by Local 751 and will result in a model "green" project with minimal environmental impacts, just as contemplated by CEQA. As such no environmental impact report ("EIR") and no recirculation of the mitigated negative declaration should be required. The developer should not be penalized for its good faith efforts to improve the Project with any further delays. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Drury', with a long horizontal flourish extending to the right.

Richard Drury

Attachment: Comment letter of Dr. James Clark, Ph.D. and Matthew Hagemann, PG

cc: Alicia Guerra, Counsel for Napa 34 Holdings, LLC



Technical Consultation, Data Analysis and
Litigation Support for the Environment

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June 2, 2010

Richard Drury
Weinberg Roger & Rosenfeld
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501

Subject: Review of Supplemental Mitigation, Napa 34 Holdings Project, Napa County, California

Dear Mr. Drury:

We have prepared the attached analysis to respond to questions from Napa County Planning staff related to the Napa 34 Holdings Project ("Project") in Napa, California. As explained in the letter dated May 11, 2010, Napa 34 Holdings ("Napa 34") has agreed to very significant supplemental environmental projects ("SEPs") to respond to public comments regarding issues of stormwater, air quality (including greenhouse gas emissions and NOx), construction emissions and odor. The SEPs go well beyond what most developers have instituted on similar projects. As stated in the May 11, 2010 letter, with the supplemental measures, we find that the project has no unmitigated significant adverse impacts in the areas of stormwater, air quality, construction emissions, and odor.

After reviewing our letter, on May 24, 2010, County staff requested additional analysis of Greenhouse Gas ("GHG") impacts and construction impacts. In particular, County staff requested the following analysis:

- 1) Please submit an analysis, drafted by a qualified professional, which provides quantitative support for the assertion at page 2 of the SWAPE letter of May 11

(attached, most recently to the Drury letter of May 23) that the “Alternative Fuel Construction Equipment” mitigation proposed by Mr. Drury would reduce identified significant construction-phase emissions of ROG and NOX to a less than significant level. For purposes of this analysis, please have your expert treat the construction-phase thresholds included in the May 2010 draft BAAQMD CEQA Guidelines (54 lbs per day in each case - see Table 8-1 at Page 8-3 of the draft Guidelines) as the operative limits. The analysis should also address the language of the draft mitigation limiting alternative fuel use to “selected contractors” and excepting circumstances in which “construction equipment utilizing such alternative fuels is not available...” and, if the expert deems it necessary in order to defensibly reduce impacts to a less than significant level, propose alternate language which is more enforceable and verifiable.

- 2) Please provide some technical and/or legal justification for the 10-year term proposed for purchase of carbon credits to offset the identified (approx) 800 MT/Y CO2 emissions which this project create above and beyond the BAAQMD proposed 1,100 MT/Y standard.

We will address these issues in turn.

1. The Project Will Have No Significant Construction Phase Emissions.

As discussed in our letter of May 11, 2010, Napa 34 has agreed to adopt significant measures to reduce construction phase emissions:

ALTERNATIVE FUEL CONSTRUCTION EQUIPMENT: Napa 34 shall require in its construction contracts that all construction equipment used by selected contractors to construct the Project shall be powered by one of the following alternative fuels: biodiesel, biodiesel blend, electricity, or natural gas, except where construction equipment capable of utilizing such alternative fuels is not available to the selected contractor through the exercise of reasonable diligence.

DISCUSSION: This measure goes far beyond the Bay Area Air Quality Management District’s (“BAAQMD”) suggested construction mitigation of 15% alternative fuel vehicles. With the other construction mitigation measures that the developer has already incorporated in the Project and the mitigation measures included in the Initial Study/Mitigated Negative Declaration, including the BAAQMD’s suggested measures, the Project has incorporated all feasible mitigation measures and will have no significant unmitigated air quality impacts.

In addition to the alternative fuel measure, the mitigated negative declaration ("MND") and Conditions of Approval already required a large number of construction mitigation measures. In our comment letter dated April 20, 2010, I cited the Bay Area Air Quality Management ("BAAQMD") draft CEQA Guidance document dated December 2010. BAAQMD has since issued a new draft CEQA Guidance document dated May 2010. County Staff has requested that we analyze the Napa 34 Project impacts with respect to the draft BAAQMD CEQA Guidance.

a. The May 2010 BAAQMD CEQA Guidelines is a Draft Document.

The May 2010 Draft BAAQMD CEQA Guidance document is a *draft* document. It has not been adopted in final form, and so is not yet legally binding. The final document may or may not be adopted by the BAAQMD Governing Board, and may or may not be revised. However, the operative BAAQMD CEQA Guidance Document dated December 1999 contains no significance threshold for construction emissions at all. Thus, our analysis applies only to the unique circumstance in which we find ourselves where there the operative BAAQMD CEQA document is silent as to CEQA significance thresholds for construction emissions, and the updated CEQA Guidance document is in draft but not final form. This analysis may well be different if and when BAAQMD adopts its new CEQA Guidance document in final form, depending on the terms of the final document.

b. The Napa 34 Project Has Agreed to Implement Measures that Render its Construction Impacts Insignificant Under the May 2010 Draft BAAQMD CEQA Guidelines.

Even if the May 2010 Draft BAAQMD CEQA Guidelines document were binding, the Napa 34 Project has agreed to implement measures that render the Project's construction impacts insignificant under the terms of that document. Section 3.5.1 of the BAAQMD Guidelines provides as follows:

3.5. CONSTRUCTION-RELATED IMPACTS

3.5.1. Criteria Air Pollutants and Precursors

This preliminary screening provides the Lead Agency with a conservative indication of whether the proposed project would result in the generation of construction-related criteria air pollutants and/or precursors that exceed the Thresholds of Significance shown in Table 2-4.

If all of the following Screening Criteria are met, the construction of the proposed project would result in a less-than-significant impact from criteria air pollutant and precursor emissions.

1. The project is below the applicable screening level size shown in Table 3-1; and
2. All Basic Construction Mitigation Measures would be included in the project design and implemented during construction; and
3. Construction-related activities would not include any of the following:
 - a. Demolition;
 - b. Simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously);
 - c. Simultaneous construction of more than one land use type (e.g., project would develop residential and commercial uses on the same site) (not applicable to high density infill development);
 - d. Extensive site preparation (i.e., greater than default assumptions used by the Urban Land Use Emissions Model [URBEMIS] for grading, cut/fill, or earth movement); or
 - e. Extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity.

(BAAQMD CEQA Guidelines, Section 3.5.1 (May 2010) (emphasis added))

Thus, if a project exceeds construction significance thresholds, its impacts will be rendered insignificant if it meets all of the listed criteria and if it implements the listed BAAQMD Basic Construction Mitigation Measures.

The Napa 34 Project meets all of the listed criteria. First, the Project is below the applicable screening level size shown in Table 3-1 of the BAAQMD Guidelines. The Napa 34 Project will be 490,500 square feet. Table 3-1 provides that the screening level size for a warehouse is 864,000 square feet. Thus, the project is below the applicable screening level size.

Second, we are informed that construction-related activities would not include any of the following:

- a. Demolition – there is no existing structure on the property requiring demolition;
- b. Simultaneous occurrence of more than two construction phases;
- c. Simultaneous construction of more than one land use type – the Project does not involve more than one land use type;
- d. Extensive site preparation (i.e., greater than default assumptions used by the Urban Land Use Emissions Model [URBEMIS] for grading, cut/fill, or earth movement) – the Project will not involve significant grading or cut/fill; or
- e. Extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity – the Project will not require significant soil transport.

Third, the Napa 34 Project will implement all of the BAAQMD Basic Construction Mitigation Measures. Table 8-2 of the May 2010 BAAQMD CEQA Guidelines sets forth the Basic Construction Mitigation Measures as follows:

- 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5. 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.
- 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The Mitigated Negative Declaration and Conditions of Approval already impose conditions 1 through 5 set forth above, but not conditions 6 through 8. Napa 34 Holdings, LLC, however, is willing to incorporate measures 6 through 8 as supplemental environmental projects (SEPs). Napa 34 has agreed to request that the County include supplemental environmental measures for Use Permit and Variation to Development Standards Application No. P 09-00329-UP and Tentative Parcel Map and Lot Line Adjustment Application No. P 09-00330-TPM as set forth in conditions 6 through 8 of the BAAQMD CEQA Guidelines Basic Construction Mitigation Measures (May 2010).

Since the Napa 34 Project will comply with all of the conditions set forth in section 3.5.1 of the BAAQMD CEQA Guidelines (May 2010), the Project *"would result in a less-than-significant impact from criteria air pollutant and precursor emissions"* from project construction.

c. The Alternative Fuel SEP Will Further Reduce Construction Emissions.

As discussed in our letter of May 11, 2010, Napa 34 has also agreed to use alternative fuels in almost all of its construction equipment. According to the California Air Resources Board ("CARB"), alternative fuels can reduce particulate matter emissions by up to 50% and nitrogen oxides ("NOx") by up to 15%. (<http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>) Thus, Napa 34's use of alternative fuels will reduce construction emissions even further below significance. However, given the language of BAAQMD CEQA Guidelines section 3.5.1 (May 2010), it is not necessary to rely on the alternative fuels measure to reduce Project impacts below significance. Therefore, it is not necessary to quantify this reduction.

County staff has inquired as to why the term "selected contractors" is used in the proposed permit condition with respect to the use of alternative fuels. This term means that contractors selected to work on the Project will be required to use alternative fuels. It does not mean that selected contractors among those selected to work on the Project will be required to use alternative fuels. Of course, Napa 34 has no control over contractors who are not selected to work on the Project.

County staff also asks why the alternative fuel requirement allows exceptions when “construction equipment utilizing such alternative fuels is not available...” This exception is required since almost all contractors have some equipment that is not designed to use alternative fuels, and alternative fueled equipment is not available at all for some applications. Given the various types of construction equipment required for any given project, and the varying fuel requirements, it is generally understood that flexibility is required in any alternative fuels requirements. For example, the Sacramento Metropolitan Air Quality Management District (“SMAQMD”) requires as standard CEQA mitigation that all heavy-duty (>50 hp) off-road vehicles to be used in a construction project shall achieve a project-wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.¹ In any case, given the language of BAAQMD CEQA Guidelines section 3.5.1, it is not necessary to rely on alternative fuels to reduce construction emissions. Therefore, this is a supplemental measure that will further benefit the environment, but is not otherwise required by law.

For the foregoing reasons, we find that with the supplemental environmental projects that Napa 34 has agreed to implement, the Napa 34 Project will have no significant construction emissions under the terms of the BAAQMD Draft CEQA Guidance dated May 2010.

2. The Project Will Have No Significant Greenhouse Gas Impacts.

As discussed in our letter dated May 11, 2010, Napa 34 has agreed to very aggressive greenhouse gas (“GHG”) reduction measures that go far beyond those imposed on most other similar projects, and which make this a model warehouse project. In particular:

- a. The Project buildings are to be designed to support structural loads associated with roof-mounted solar arrays. To further reduce greenhouse gas and nitrogen oxide (“NOx”) emissions, in conjunction with construction of Project buildings, Napa 34 shall explore opportunities to provide individual buildings designed to support roof-mounted solar panels that may be installed by future tenants (“Solar Panels”), and shall enable tenant use of the Solar Panels to help to meet the Project’s electricity needs.
- b. Napa 34 agrees to purchase and retire 800 metric tons (MT) of carbon dioxide offset credits per year for ten years (total of 8000 MT) from the Chicago Climate Exchange or comparable broker.

¹ Sacramento Metropolitan Air Quality Management District, CEQA and Land Use Mitigation, July 24, 2008; <http://www.airquality.org/ceqa/index.shtml#construction>, accessed July 27, 2008.

DISCUSSION: The Project as proposed will generate 1896 MT/yr of carbon dioxide emissions, but meets the 2,870.4 MT/Y CO₂e efficiency threshold based on the analysis contained in the Napa 34 Initial Study/Mitigated Negative Declaration (see p. 13 of 41). The Bay Area Air Quality Management District's ("BAAQMD") proposed CEQA significance threshold for greenhouse gases is 1100 MT/yr. Therefore, carbon offset credits of 800 MT/yr will reduce the Project's carbon emissions to below the applicable draft significance threshold and will still meet the BAAQMD efficiency threshold. Installation of solar panels will reduce greenhouse gas and NO_x emissions even further. Napa 34 may purchase all or part of the 8000 MT of carbon credits early, thereby maximizing the environmental benefit through early retirement of credits. With these measures, the Project will not have any significant individual and cumulative greenhouse gas emission impacts.

County staff has requested technical and/or legal justification for the 10-year term proposed for purchase of carbon credits to offset the identified (approx) 800 MT/Y CO₂ emissions which this project create above and beyond the BAAQMD proposed 1,100 MT/Y standard.

a. The May 2010 BAAQMD CEQA Guidelines is a Draft Document.

As discussed above, the May 2010 Draft BAAQMD CEQA Guidance document is a *draft* document. It has not been adopted in final form, and so is not yet legally binding. The final document may or may not be adopted by the BAAQMD Governing Board, and may or may not be revised. However, the operative BAAQMD CEQA Guidance Document dated December 1999 contains no significance threshold for greenhouse gas ("GHG") emissions at all. Thus, our analysis applies only to the unique circumstance in which we find ourselves where the operative BAAQMD CEQA document is silent as to CEQA significance thresholds for GHG emissions, and the updated CEQA Guidance document is in draft but not final form. This analysis may well be different if and when BAAQMD adopts its new CEQA Guidance document in final form, depending on the terms of the final document.

b. CEQA Requires All "Feasible" Mitigation Measures.

CEQA requires only that all "feasible" mitigation measures be imposed. 14 Cal.Code Regs. §15002(a)(2). Requiring Napa 34 to purchase 10 years of GHG offsets goes far beyond what is commonly required of similar projects by either Napa County or other agencies throughout the State. It is not necessary for the lead agency to implement mitigation measures that would be economically or technologically infeasible.

c. AB 32 Will Mitigate Cumulative Greenhouse Gas Impacts After 2020.

California's major initiatives for reducing climate change or greenhouse gas (GHG) emissions are outlined in Assembly Bill 32 (signed into law 2006), a 2005 Executive Order and a 2004 ARB regulation to reduce passenger car GHG emissions. These efforts will reduce GHG emissions to 1990 levels by 2020 - a reduction of approximately 30 percent, and then an 80 percent reduction below 1990 levels by 2050. Thus, by 2020, AB 32 and other state-wide requirements will have reduced cumulative GHG emissions by 30%.

BAAQMD's threshold of 1100 metric tons per year for GHG CEQA significance applies only to cumulative GHG impacts, not project-specific impacts. The BAAQMD CEQA Guidance states:

"If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a *cumulatively considerable* contribution of GHG emissions and a *cumulatively significant impact* to global climate change."

BAAQMD CEQA Guidelines, p. 2-4 (May 2010) (emphasis added).

Since AB 32 will address cumulative GHG emissions by 30% by 2020 and 80% by 2050, the 10-year period from 2010 to 2020 is the most critical period for the County to impose measures to mitigate cumulative GHG impacts. As discussed above, the mitigation measures imposed reduce the Napa 34 Project's cumulative GHG impacts to below the level of significance until at least 2020. After that date, AB 32 will adequately mitigate cumulative GHG impacts on a statewide basis. As such, with the imposition of the supplemental GHG measures, the Napa 34 Project will have no significant GHG impacts.

d. Water Use Reductions Will Further Reduce the Project's GHG Impacts.

In addition to the above GHG mitigations, Napa 34 has agreed to adopt measures that will significantly reduce the Project's water usage. It is well-established that water use reductions result in significant reductions in GHG impacts due to related reductions in water pumping and treatment. In particular:

- Napa 34 shall ensure that landscaping for the Project employs native, drought-tolerant plant species to the extent practicable, provided that such landscaping shall not conflict with the provisions of any mitigation and monitoring plans providing for the preservation, restoration and creation of any existing and proposed wetlands.

- Napa 34 shall install water-conserving plumbing fixtures that maximize efficiency and water conservation in Project office-buildings, including dual-flush toilets and ultra-low flush or waterless urinals as required by applicable building codes.

Ultra-low flow toilets and urinals can reduce water use by up to 68% compared to standard fixtures. (Seattle Public Utilities, Mayer, et al., Seattle Home Water Cons. Study, pp. 33, 58 (2000); Canada Mortgage & Housing Corp., Dual-Flush Toilet Proj., p. i (2002).) Drought-tolerant landscaping can reduce landscape related water usage by 50%. (http://www.earteasy.com/grow_xeriscape.htm.) Three applications account for 88% of water used in commercial buildings – sanitary (e.g. toilets and sinks), landscaping, and heating and cooling. (U.S. General Services Administration (1999) Water Management Guide.) Thus, the water savings measures to be implemented for this Project are likely to reduce water usage by approximately 50%.

The California Energy Commission has found that the State's water-related energy use – which includes the conveyance, storage, treatment, distribution, wastewater collection, treatment, and discharge – consumes about 19 percent of the State's electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year. (<http://www.energy.ca.gov/2007publications/CEC-999-2007-008/CEC-999-2007-008.PDF>.) Accordingly, reducing water use and improving water efficiency will help reduce energy use and associated greenhouse gas emissions.

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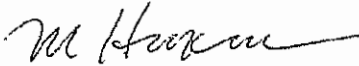
CONCLUSION

With the incorporation of the supplemental mitigation measures set forth above, and the mitigation measures already included in the MND, we conclude that the project has no unmitigated significant environmental impacts.

Sincerely,



James Clark, Ph.D.



Matt Hagemann, P.G.



