

APPENDIX C

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET, SUITE 210
NAPA, CA 94559
(707) 253-4416

Initial Study Checklist (form updated February 2015)

1. **Project Title:** Phelan Residence - Use Permit Exception #P12-00265 and an Exception to the Napa County Road & Street Standards. (RSS).
2. **Property Owner:** JEP, LLC, Jeff Phalen; (949) 720-8000.
3. **Project sponsor's Name and Address:** Jeff Phalen; 12 Corporate Plaza, Ste. 150 Newport Beach, CA 92660.
4. **Representative:** Jeff Redding; (707) 255-7375; jreddingaicp@aol.com.
5. **County Contact Person, Phone Number and Email:** Charlene Gallina, (707) 299-1355; charlene.gallina@countyofnapa.org
6. **Project Location and APN:** The project is located on a 163.3 acre parcel accessed via Hennessey Ridge Road, which is shared with ten (10) parcels and approximately 2.75 miles from its intersection with Chiles Pope Valley Road and 0.4 miles north of Sage Canyon Road; 100 Hennessey Ridge Road, St Helena, CA 94574; APN: 025-440-007.
7. **General Plan description:** Agriculture, Watershed & Open Space (AWOS) Designation.
8. **Zoning:** Agricultural Watershed (AW) District.
9. **Background:**

The use permit entitlement request evaluated in this Initial Study pertains to improvements made to existing residential structures and other improvements that were constructed within a blue-line creek setback without required County approvals. The subject property is presently in violation of County Code and under a Stipulated Order by the Napa County Superior Court. Property owners with code violations have the right to request retroactive approval of developments/uses implemented without required permits.

This Initial Study/Negative Declaration evaluates the potential for new environmental impacts resulting from the applicant's request. This document is not an endorsement by County staff of the applicant's proposal. It is intended solely as a public disclosure document to inform all interested parties in advance of a decision being rendered by the Napa County Planning Commission.

Prior to the Planning Commission's scheduled December 2, 2015 hearing, Planning Division staff will issue a Staff Report analyzing project components and outlining decision making options for the Commission, including making a recommendation on one of the options. The Staff Report for the December 2, 2015 hearing will be issued no later than Wednesday, November 25, 2015.

Project History: The property was originally developed some time in the 1900's with a main dwelling, a shed and a man-made storage pond that is fed primarily from hillside seep and historically, had an open flume comprised of redwood conveyed passive flows from the pond during storm events. The property has deeded rights conveyed by the federal government to construct the pond, a dam, and channels prior to 1902 thus, establishing pre- 1914 State Water rights for the pond. A well and a septic/leach field also exist on the property. On October 16, 1972, the County issued a building permit (#16567) for the construction of an 864 s.f. caretaker cottage which was located near an existing creek.

Based on a citizen complaint received in September 2011, the County red tagged the property owner in 2011 for the reconstruction of and an 868 *s.f. addition to the caretaker's cottage located within a now designated blue-line creek setback. Upon investigation, it was revealed that the owner also made the following improvements without the benefit of a building permit, approval of a use permit exception, or authorization from the California Department of Fish & Wildlife: installation of a propane tank, construction of wooden retaining walls creating bocce ball courts and raised garden beds, construction of wooden retaining walls and steps, construction of a concrete retaining

wall, replacement of above ground drainage pipe below the retaining wall, replacement of an above ground wooden flume with an underground pipe below the concrete retaining wall, placement of a plastic waterslide on top of the a pre-existing dock, a makeshift waterfall within the defined stream channel, improvement to the associated driveway, and installation of two driveway gates and two residence identification signs. On September 27, 2011, building permits (B11-01008 and B11-01049) for these improvements were submitted.

On August 7, 2012, the applicant, as stated in the Stipulated Order, submitted an application in the form of a Use Permit Exception to the Conservation Regulations for all completed and proposed work within a blue-line creek setback. On April 18, 2013, a request for an Exception to the Napa County Roads and Street Standards was also submitted. The applicant has also submitted an application and received preliminary approval from the California Department of Fish & Wildlife for a Streambed Alteration Agreement, which includes implementation of a stream channel restoration landscape and revegetation plan in the areas disturbed. On June 5, 2013, the Division of Environmental Health authorized a Septic System permit to relocate the existing septic tank outside of the creek channel and shut down an existing leach field. This system has yet to be installed and the permit expired requiring the applicant to reapply. On June 27, 2014, another building permit (B14-00988) was submitted to convert the main dwelling into a guest house by reducing the footprint to meet County guest house size requirements. On December 3, 2014, two Well Permits were issued for the property and a final inspection was conducted and signed-off. It should be further noted that additional improvements have been made to the property with regards to the construction of a tree house and planting of additional trees on the hillside located above the existing structures without benefit of appropriate permits or other require approvals. To date, no permits have been submitted for the residential identification signs or the two driveway gates and the other recent improvements outside of the blue-line creek setback are still under investigation as to whether or not a permit is required from the County.

10. Description of Project:

Approval of an "Exception" in the form of a Use Permit to the Conservation Regulations (P12-00265) to authorize retention of previously constructed and/or installed improvements within the required blue-line stream setback along an unnamed tributary to Cedar Valley Creek. The improvements include the following:

- 1) Reconstruction of an existing 864+/- s.f. caretaker's dwelling, and 868⁺ sf addition; and
- 2) A propane tank, raised garden beds, wooden planters, retaining walls and steps, a bocce ball court, a concrete retaining wall, an above ground drainage pipe, a wooden flume, an underground pipe, a waterslide and dock; and
- 3) Removal and relocation of an existing septic system.

The following components have been specifically included under this request in order to implement the preliminarily approved California Department of Fish & Wildlife Streambed Alteration Agreement and Proposed Stream Channel Restoration Landscape and Revegetation Plan:

- 1) Replace the existing wooden retaining wall with concrete retaining wall and steps;
- 2) Replace the on-stream pond liner with a concrete liner;
- 3) Replace the above ground drainage pipe and extend the existing concrete channel and install storm drain pipes to connect to the existing concrete channel along the east side of the main dwelling;
- 4) Re-store and enhance portions of the creek within the vicinity of the non permitted improvements;
- 5) Remove an approximately 150 foot long 3 foot wide black plastic lining previously installed within the stream channel;
- 6) Remove rocks ranging in size from 12-36 inches from an area of approximately 150 foot long and 3 feet wide; and
- 7) Re-establish native riparian vegetation within the project footprint.

If this Use Permit Exception is authorized by the County, the applicant has requested that the caretaker's cottage near the creek become the primary dwelling and the original dwelling on-site become the guest dwelling.

The application also includes a request for a Napa County Road and Street Standards Exception request for the shared portion of Hennessey Ridge Road (a private community drive). The exception proposes a reduction in the number of required turnouts along a portion of the shared driveway, a reduction to the inside radius of curvature for a horizontal curve at nine stations, and an increase in the allowable maximum centerline slope at two sections when the RSS requirement is 20% maximum.

11. Describe the environmental setting and surrounding land uses.

The subject property is comprised of 163.3-acres of land which is accessed via a private community driveway named Hennessey Ridge Road. The project site is situated approximately 2.75 miles northeast of the intersection of Chiles Pope Valley Road. An existing improved driveway extends 0.4 of a mile from the terminus of Hennessey Ridge Road to the existing residential development. The site is located on the upper portion of the Greeg Mountains above the eastern margin of Napa Valley. The elevation of the site is approximately 1,600 feet above mean sea level (msl). The topography of the property is generally comprised of steeply sloping hills ranging from 1-62%. There is a mix of oak woodland and chaparral/scrub vegetation located on the property. The predominant soil type on-site is Lodo-Maymen-Felton

Association.

There are several seasonal drainages that traverse the site – four defined unnamed blue line streams of which two of the streams drain into Chiles Creek, one drains into Sage Creek, and the primary stream where all of the existing development has occurred drains into Cedar Creek and lies within a canyon of the Greeg Mountains. Specifically, a single unnamed ephemeral drainage channel initiates approximately 250 feet north of the storage pond at the very top of the watershed and extends north-to-south before transitioning into a man-made storage pond. The lower 150- to 120-foot reach of this drainage is the area proposed for restoration by the property owner through the removal of plastic and replacement of existing rocks. The reach of the drainage channel upstream from the project site forms an approximately two-foot wide and less than six inch deep scour channel within a relatively steep hillside surrounded by chaparral habitat. The minor scour channel flows naturally for approximately 50 to 100 feet. At this point, the channel is significantly altered from its natural state and marks the beginning of the proposed restoration area. Large boulders were used to construct step pools and delineate the outer edge of the channel, and the channel was lined with a layer of thick plastic to prevent infiltration and loss of seepage. The thick layer of plastic has prevented vegetation from establishing in the channel. This ephemeral drainage only has water during and immediately following significant rain events. At the south end is a man-made storage pond into which the ephemeral drainage flows across the relatively narrow (about 6 feet wide) road like area along the pond's edge during significant rain events. The pond is lined with an impermeable layer of plastic and contains a plastic culvert that acts as a passive spillway. Overflow from the pond is directed through this passive spillway, empties into a rock-lined dissipater and passes through another culvert under the roadway. From there, flows exit into a naturally functioning ephemeral stream channel, to a confluence with an intermittent channel, where it becomes a full Class II stream course. A Class II stream is defined as a seasonal or year round habitat that exists for aquatic non-fish vertebrates and/or aquatic benthic macroinvertebrates.

The parcel's current use is residential. A main residence, guesthouse and a detached garage exist on the property. A man-made storage pond, which has existed on the property for over 100 years and is fed by a natural spring, with a private dock and a waterslide exists approximately 55 feet northwest of the main residence. A blue-line creek is shown on the USGS Map, extending southeast from the pond through the existing residence into the blue-line creek (Cedar Creek). Other unpermitted improvements existing near the main residence and also in close proximity to the blue-line creek include a propane tank, raised garden beds, wooden planters, retaining walls and steps, bocce ball court, concrete retaining wall and an above ground drainage pipe, and a wooden flume with an underground pipe. Other improvements that have been installed without obtaining County permits include two gates, two identification signs, and private driveway retaining walls.

Surrounding land uses consists of vacant rural land, vineyards rural residences, and a winery (Green & Red Winery). The closest residence is located 1,752 feet from the project.

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

Discretionary approvals required by the County consist of a use permit in the form of an exception to the Conservation Regulations and a Roads & Street Standards Exception request. The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, and waste disposal permits.

Responsible (R) and Trustee (T) Agencies
California Department of Fish & Wildlife

Other Agencies Contacted
None required.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is

required.

- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Charlene Gallina

Signature

Name: Charlene Gallina, Supervising Planner

October 29, 2015

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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c. The project site is located on the upper portion of the Greeg Mountains above the eastern margin of Napa Valley. The subject property is comprised of 163.3-acres of land, which is accessed via a private community driveway named Hennessey Ridge Road. The project site is situated approximately 2.75 miles northeast of the intersection of Chiles Pope Valley Road. The elevation of the site is approximately 1,600 feet above mean sea level (msl). The topography of the property is generally comprised of steeply sloping hills ranging from 1-62%. There is a mix of oak woodland and chaparral/scrub vegetation located on the property.

The Community Character Element includes a policy that new development projects located within view of a scenic corridor should be subject to site and design review to ensure that such development does not destroy the scenic quality of the corridor. In conformance with this policy, the County's Viewshed Protection Program provides for review of projects in locations such as the project site, and establishes standards that must be met prior to project approval. The structures, as well as, roadway improvements are required to be located and/or screened from view such that visual impacts are reduced. Use of existing natural vegetation, new landscaping, topographical siting, architectural design, and color tone are mentioned in the Viewshed Protection Program as viable ways to reduce the visual impact, and either these techniques must be applied to effectively "screen the predominant portion" (defined as 51% or more of viewable areas as it relates to views or screening of structures and benches and shelves from designated roads) of the proposed structures, or the applicant must seek an exception pursuant to Code Section 18.106.070. Whether or not an exception is needed, the proposed project cannot be approved unless the County finds it to be in conformance with the Viewshed Protection Program, which is expressly designed to protect the scenic quality of the County and to promote architecture and designs that are compatible with hillside terrain and minimize visual impacts (See Code Section 18.106.010). For this reason, the project that is ultimately approved for this site must be one which has addressed potentially significant visual impacts. And by definition, such a project -- while noticeable from surrounding areas --- would not substantially degrade scenic views or visual quality pursuant to the California Environmental Quality Act (CEQA). In addition, prior to the issuance of a building permit, the property owner shall be required to execute and record in the County recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to "prevent the project from being viewed from any designated public road" in perpetuity pursuant to County Code, Chapter 18.106.050.(8). Construction activities previously conducted and/or proposed with the subject property, as well as, proposed improvements to the private access drive cannot be seen from Chiles Pope Valley Road and, therefore, no viewshed application is required with this project.

Given the above mentioned previously conducted or proposed site improvements, and landscape treatments, any potential impacts on the scenic vista, scenic resources, and the visual character or quality of the site and its surroundings will be reduced to a level of less than significant. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by a vacant rural, vineyard, and residential uses. The project would not result in substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings.

d. The proposed project will result in the installation of lighting associated with residence and other site improvements that could have the potential to have a significant impact on nighttime views. Although the project site is in an area that has a certain amount of existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. To ensure that any potential impacts resulting from new sources

of outside lighting are less than significant, the following standard condition of approval which will require that all proposed lighting is shielded and directed downward so that surrounding properties are not affected will be applied to this project.

"All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code."

Mitigation Measure(s): None required.

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

Discussion:

a/b/e. The project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important as shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The proposed project would not conflict with existing zoning for agricultural uses. There is no Williamson Act contract associated with the parcel. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site.

c/d. The project site is zoned Agricultural Watershed (AW), which allows a single residential unit, a guest house, a second unit and associated improvements. According to the Napa County Environmental Resource Maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest and Coniferous Forest) the project site does have sensitive biotic oak woodland (California Bay-Madrone Coast Live Oak, sensitive biotic chaparral/scrub - Leather Oak – White Leaf Manzanita, and sensitive biotic coniferous forest –

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

Douglas Fir – Ponderosa Pine Alliance growing on the property. However, the project is not within these sensitive defined areas and no trees have been previously removed or are proposed to be removed as part of this project. In response to the California Department of Fish and Wildlife's preliminary approval of a Stream Bed Alteration Agreement, the proposal and associated earthwork includes a restoration plan to address previous areas disturbed within the blue-line stream setback. The proposed restoration landscape and re-vegetation plan will include the planting of a variety of native grasses, forbs, herbs, and shrubs along with some small native "redbud" trees within the ephemeral drainage channel. Therefore, the proposed project will not conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production.

Mitigation Measure(s): None required.

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

Discussion:

a-c. The project site lies in the eastern portion of the Napa Valley within the Greeg Mountains, which forms one of the climatological subregions (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.

On June 2, 2010, the Bay Area Air Quality Management District's Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act (CEQA). The thresholds were designed to establish the level at which the District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Air District's website and included in the Air District's May 2011 updated CEQA Guidelines. On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the Air District had failed to comply with CEQA when it adopted the thresholds. However, on August 31, 2013, the Court of Appeals reinstated the Air District's thresholds of significance provided in Table 3-1 (Criteria Air Pollutants & Precursors Screening Levels Sizes) which are applicable for evaluating projects in Napa County. Furthermore, Air District's 1999 CEQA Guidelines (p.24) states that projects that do not exceed a threshold of 2,000 vehicle trips per day will not impact air quality and do not require further study.

As identified in Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes, a single-family residence is not a producer of a significant amount of air pollution that would result in a conflict or obstruction of any air quality plans. Other potential air quality impacts would primarily result from construction activities. Construction emissions would have a temporary effect and would consist 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.

Over the long term, emission sources for the project would consist primarily of mobile sources including deliveries and vehicles visiting the site. According to the Institute of Transportation Engineers (ITE), a single-family home would generate 10 vehicle trips per day, 2-4 total trips during the PM peak (4-6pm). Although, the ITE doesn't have an assigned number of trips for a guest house, the amount of vehicle trips per day would generally be less than 10 since this residential use would not be occupied on a full-time basis. Given the relatively small number of vehicle trips generated by this project, compared to the size of the air basin, project related vehicles would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. There are no projected or existing air quality violations in this area to

which this project would contribute. Nor would it result in any violations of any applicable air quality standards. The proposed project would not 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.

- d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction which consist solely of minor amounts private road widening for required turnouts and completion of the improvements as it relates to final action on the proposed Conservation Regulation Exception. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. With adherence to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

"During all construction activities, the permittee shall comply with the Bay Area Air Quality Management District Basic Management Practices as provided in Table 8-1, May 2011 Updated CEQA Guidelines.

- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- All exposed surfaces (e.g. parking areas, staging areas, soil piles, grading areas, and unpaved access (road) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked 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.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 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.
- 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.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

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

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

Mitigation Measure(s): None required

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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-d. The project site has been previously developed and highly altered over the years and more recently since 2011 when red tagged for new construction within a blue-line creek setback. Physical changes to the existing environment, if the Conservation Regulation Exception is approved, would consist of completion of previous improvements conducted and removal of a septic tank within the blue-line creek setback, the installation of a new septic system outside of the blue-line creek setback area, implementation of a stream channel restoration landscape and revegetation plan within designated areas in conjunction with the preliminary approval of a Streambed Alteration Agreement from the California Department of Fish & Wildlife, and an exception to three residential driveway/common driveway design criteria as outlined in the County's Road & Street Standards Exception request.

Attached to and incorporated into this Initial Study is the Phelan Residence Stream Channel Assessment, Stream Channel Restoration Landscape and Revegetation Plan, the Stream Channel Restoration Project Mitigation, Monitoring and Reporting Plan and a Draft Construction Plan, all prepared in March 2013 by Analytical Environmental Services, a qualified biological environmental consultant. In summary, the report confirms that the minor changes to the existing environment proposed at this time do not have the potential to significantly impact any sensitive biological resources. Furthermore, the following restoration and enhancement activities required by the California Department of Fish & Wildlife will be limited to removal of an approximately 150 foot long 3 foot wide black plastic lining previously installed within the stream channel, removal of rocks ranging in size from 12-36 inches from an area of approximately 150 foot long and 3 feet wide; and re-establishing native riparian vegetation within the project footprint. The proposed restoration landscape and re-vegetation plan will include the planting of a variety of native grasses, forbs, herbs, and shrubs along with some small native "redbud" trees within the setbacks of the ephemeral drainage channel. Overall, the proposed improvements will not require the removal of any native vegetation and will occur in areas previously disturbed by past uses or previous development. The potential for this project to have a significant impact on special status species is less than significant and would not result in substantial impacts to federally protected or potentially sensitive wetlands.

e. The project seeks recognition of previously constructed improvements within County required stream setbacks. The existing developed environment conflicts with the County's local ordinances protecting biological and hydrological resources. The County's Conservation Regulations allow the Planning Commission to grant encroachments into creek setbacks with the issuance of a use permit subject to the Commission determining that the project meets certain required findings. The findings are geared toward limiting the extent of encroachments into creek setbacks and preserving and/or enhancing environmental resources elsewhere on the project site in response to off-set the allowed encroachment. Some of improvements installed within the creek setback without a permit occurred in 2011, while other installed improvements occurred under the prior owner after adoption of the Conservation Regulations in 1994. As such, it is unknown to what extent, if any, biological and hydrological resources were impacted by the unauthorized construction activities. If the County grants the requested use permit exception after-the-fact, that action has no potential to adversely change the environmental setting from how it now sits and thus, the project does not have the potential to result in new impacts. Conversely, the County is under no obligation to authorize these improvements and denial of the use permit exception may occur. In the event the County denied the request, the unauthorized improvements would need to be removed and restored to a natural state. Denial of the permit request and restoration of stream setback areas would be exempt from CEQA pursuant to CEQA Guidelines Categorical Exemption 15321, Enforcement Actions by Regulatory Agencies, and as such this Initial Study/Negative Declaration would not apply.

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

Mitigation Measure(s): None required.

	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"/>
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 has previously been highly altered over the years and more recently since 2011. According to the Napa County Environmental Resource Maps (based on the following layers –Historical sites points & lines, Archaeology sites and flags), no historical, archaeological, or paleontological resources, sites or unique geological features have been identified on the property. Since the project site has been highly altered, and because only minimal amounts of new earth disturbing activities will occur in areas that have been previously disturbed, it is unlikely that any cultural resources will be encountered. The potential for impact is therefore considered less-than-significant. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval that will be imposed on the project:

“In the event that archeological artifacts or human remains are discovered during any subsequent construction in the project area, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.”

d. No human remains have been encountered on the property during past grading activities when improvements were constructed and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard condition of approval noted above.

Mitigation Measure(s): None 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:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil creating substantial risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project improvements if approved would result in a less than significant impact with regards to the rupturing of a known fault.
- ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the facility will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to the maximum extent possible.
- iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest edition of the California Building Code for seismic stability would reduce any impacts to a less than significant level.
- iv.) The Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) identified the presence of large landslide deposits on the property on the southwestern portion of the parcel. However, the proposed project is located outside of this area and therefore, if approved would not expose people or structures to any potential impacts.

b. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is comprised of soils of the Lodo-Maymen Felton Association which is characterized by very low potential for liquefaction or other ground failure. This level soil type is found mainly on 30% to 75% slope areas. For the minimal amount of earth disturbance requested, project approval will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.

c/d. Pre-Quaternary deposits and bedrock underlay the site according to the Napa County Environmental Resource Maps (Surficial Deposits layer). Based on the Napa County Environmental Sensitivity Maps (Liquefaction layer) the project site has very low susceptibility for liquefaction. All illegal construction will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level. In addition, a soils report, prepared by a qualified Engineer will be required as part of the building permit submittal for the residence. The report will address the soil stability, potential for liquefaction, and will be used to design specific foundation systems and grading methods which will reduce potential impacts to less than significant.

e. The Napa County Division of Environmental Health has reviewed this application and recommends removal of the existing septic system within the creek setback and previously approved septic improvement plans for the property. Soils on the property have been determined to be adequate to support the proposed new septic improvements.

Mitigation Measure(s): None required.

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

VII. GREENHOUSE GAS EMISSIONS. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

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

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

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO₂e)]. This threshold of significance is appropriate for evaluating projects in Napa County.

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

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO₂e. GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code and tightened vehicle fuel efficiency standards would combine to further reduce emissions below BAAQMD thresholds.

The increase in emissions expected as a result of the project will be relatively modest and the project is in compliance with the County's efforts to reduce emissions as described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

Mitigation Measure(s): None required.

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

VIII. 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"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 residential structures. A Business Plan will be filed with the Environmental Health Division should the amount of these materials reach reportable levels.
- b. The project would not result in the release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile from the proposed project site.
- d. The proposed site is not on any known list of hazardous materials sites.
- e. The project site is not located within two miles of any public airport.
- f. The project site is not located within the vicinity of any private airports.
- g. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan. The Napa County Fire Marshall has reviewed this application and recommends approval of the project subject to conditions of approval which requires fire hydrants, defensible space around the reconstructed residence, and a minimum of 10 feet of defensible space along each side of any existing and/or proposed private driveway and other conditions ensuring access to the subject parcel at all times. The Fire Marshal and Engineering Services have reviewed the proposed exception request to the private community drive, and finds that the proposed design as conditioned provides sufficient emergency access as designed.
- h. The proposed site is located within a State Fire Hazard Severity Zone and will increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The Napa County Fire Marshall has reviewed this application and recommends approval of the project subject to conditions of approval which requires a minimum of 100 feet of defensible space out from all portions of the structure and other conditions to ensure that fire apparatus will have access to all buildings, as well as, recommends approval of the Road & Street Standards Exception, subject to conditions. As-built plans submitted for permit, if the proposed project is approved, will need to indicate how the structures either comply with current life and safety standards, and/or how they will be retrofit. The Fire Marshal and Building Official have reviewed the proposed use permit exception request, and believe the unpermitted improvements can be brought up to standards. Therefore, the potential for impact is considered less-than-significant.

Mitigation Measure(s): None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b The proposed project will not violate any known water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. There are no new uses proposed on the parcel that would require an increase in ground water demand. A new septic system will be located outside the creek setback. Prior to installation, authorization of a Conservation Regulation Exception is required to conduct work in the blue-line creek channel. Any earth disturbing activities would be subject to the County's Stormwater Ordinance which would include measures to prevent erosion, sediment, and waste materials from entering waterways both during and after any construction activities. Given the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to significantly impact water quality and discharge standards.

c-e No changes to drainage courses adjoining and running through the project beyond existing conditions are proposed at this time. As noted in the biological resources section, these drainages have been highly altered over the years. Stormwater from the project area travels overland via sheet and shallow concentrated flows to the pond spillway/blue-line creek, which flows to Lake Hennessey via Clear Creek and Sage Creek. Runoff ultimately discharges to the Napa River. In 2011, the existing residence and other improvements were constructed within the County designated stream setback zone, for which approval is now sought. In the event the Commission grants approval of these features, no changes to the existing environment will result. Consequently, the propose project has no potential to result in a new alteration of drainage courses. The applicant is required to submit a Notice of Intent (NOI) for a Storm Water Pollution Prevention Plan permit (SWPPP) from the Regional Water

Quality Control Board for pre & post construction activities, as well as, a grading permit from the Engineering Services Division to ensure that no excessive run-off occurs during pre/post construction. Review and approval by the Division of Engineering Services of the grading and improvement plans will ensure that no there is no potential for significant on- or off-site erosion, impact to siltation, or flooding.

- f. There is nothing included in this proposal that would otherwise substantially degrade water quality. No information has been encountered that would indicate a substantial impact to water quality. As discussed in greater detail at, "a.," above, the Division of Environmental Health has reviewed the proposed septic system and has found that removal of the existing system within the creek setback and the proposed relocated system adequate to meet existing residential development septic needs as conditioned. Furthermore, the project is required to adhere to County and Regional Water Quality Control Boards regulations pertaining to grading which will ensure there is no significant erosion that could potentially impact the nearby Clear Creek.
- 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, nor would it impede or redirect flood flows or expose structures or people to flooding. The project site is not located within a dam or levee failure inundation zone.
- j. 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 estimates that the global average sea level will rise between 0.6 and 2 feet over the next century (IPCC, 2007). However, the project area is located at approximately 1,600 feet above mean sea level. 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 tsunami, seiche, or mudflow.

Mitigation Measure(s): None required

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project is located in an area dominated by rural residences and vineyards. The proposed use and the improvements proposed here are in support of ongoing uses in the area. This project will not divide an established community.
- b. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which permits residential uses. The proposed project has been requested in order to bring the project into compliance with the County's Conservation Regulations (Chapter 18.108), which was adopted to protect the public health, safety and community welfare, and to otherwise preserve the natural resources such as intermittent/perennial streams. The County's Road & Street Standards assures compliance with its goal to protect and ensure the preservation of the unique features of the natural environment while allowing an alternative method by which such standards may be achieved to protect life, safety and public welfare.

Although this use permit request is not in conflict with adopted policies, regulations and standards (property owner with code violations have the right to seek retroactive approval of unpermitted work), the prior unauthorized construction and improvements have occurred on the site are in conflict with adopted policies, regulations and standards. This conflict is not considered a significant environmental impact because the outcome of this use permit decision and associated code enforcement case will dictate how the conflict will be resolved and return the property to compliance with adopted policies, regulations and standards. In the event the Commission finds that the improvements merit grant of an exception, then as with other projects where approval is sought before implementation, the project would be considered not to conflict with adopted standards and thus have no impact to land use policies. In the event the Commission finds that exceptions cannot be

granted, then the project would be subject to denial, or a modified project would be approved with conditions the project to remove any and all items that the Commission finds to be in conflict with land use policies.

The project would allow for the continuation of an existing use as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed recognition of improvements, as well as proposed improvements on the property will not change the use of the property.

c. There are no habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measure(s): None required.

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

Discussion:

a/b. Historically, the two most valuable 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.

Mitigation Measure(s): None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. 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 groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 project will result in a temporary increase in noise levels during the brief construction of the project. Construction activities will be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. The project would not result in potentially significant temporary construction noise impacts or operational impacts. Given the proximity to the neighbors, the closest of which is approximately 1,752 feet away, there is a relatively low potential for impacts related to construction noise to result in a significant impact. Furthermore, construction activities would generally occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities will be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project will not result in long-term significant construction noise impacts.
- c/d. Substantial amounts of noise may be generated during project construction. The anticipated level of noise to occur following the completion of construction would be minimal and typical of residential uses within a sparsely populated rural setting. Conditions of approval as described under the Section above would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Enforcement of Napa County's Exterior Noise Ordinance is and will be provided the Napa County Sheriff address noise related issues including, but not limited to, prohibiting outdoor-amplified sounds and that mechanical equipment would be required to be kept indoors or inside acoustical enclosures.
- e. The project site is not located within an airport land use plan area nor is it within two miles of a public airport or private airstrip.
- f. The project is not within the vicinity of a private airstrip.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. 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 type="checkbox"/>	<input checked="" 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. The Association of Bay Area Governments' Projections 2003 figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (Napa County Baseline Data Report, November 30, 2005). Additionally, the County's Baseline Data Report indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%.

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

- b/c. The project would not result in the inducement of substantial population growth, either directly or indirectly. No housing or people will be displaced as a result of the project.

Mitigation Measures: None required.

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

Discussion:

- a. Public services are currently provided to the project area and there would be no additional demand placed on existing services as a result of the project. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times as a result of the project. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. The proposed project will have no impact on public parks. County revenue resulting from any building permit fees and property tax increases will help meet the costs of providing public services to the property. The proposed project will have no impact on public services.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. No portion of this project, nor any foreseeable result thereof, would significantly increase the use of existing recreational facilities. This project does not include recreational facilities that would have a significant adverse effect on the environment.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. 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 and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the Napa County Transportation and Planning Agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results 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 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) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-b. According to the Institute of Transportation Engineers, the existing single-family home and guest cottage generate 10 vehicle trips per day (plus less than 10 vehicle trips for the guest house), 2-4 total trips during the PM peak (4-6pm). Reconstruction of the single-family residence will not discernibly change the level of service or traffic volumes on Hennessey Ridge Road which is shared with ten parcels and/or within the vicinity, since no new units are being added to the parcel.
- c. The project does not have any impact on air traffic patterns.
- d/e. An exception to the County's residential road standards is requested with this project. The exception proposes a reduction in the number of required turnouts along a portion of the shared driveway, a reduction to the inside radius of curvature for a horizontal curve at nine stations, and an increase in the allowable maximum centerline slope at two sections when the RSS requirement is 20% maximum. The nature and constraints for the road exception are to minimize environmental impacts by reducing earth disturbances on steep slopes and preserving heritage trees. These exceptions have been reviewed by the Division of Engineering Services and the Fire Marshal who support grant of the exception as currently designed. To grant a Road Exception the Planning Commission must find that the alternative design meets the same overall practical effect as a project that complies with the standard. As proposed, the Division of Engineering Services and the Fire Marshal recommend that the design meets the same overall practical effect.
- f. Existing parking has been provided on site for the residential use of the property and have been determined adequate for existing development.
- g. The proposed project does not conflict with any known policies or plans supporting alternative transportation.

Mitigation Measures: None Required.

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- The project will not increase the need for wastewater treatment requirements as a result there is no impact.
- As previously approved by the Division of Environmental Health on June 5, 2013, construction of the new septic system will occur outside the blue-line creek setback and will not cause a significant impact to the environment. However, the new system requires the relocation of the existing septic system and tank outside of the creek channel. Prior to any work commencing, the Conservation Regulation Exception request will need to be authorized in order to conduct work within the creek channel. Any earth disturbing activities would be subject to the County's Stormwater Ordinance which would include measures to prevent erosion, sediment, and waste materials from entering waterways both during and after any construction activities. Given the County's Best Management Practices, which comply with RWQCB requirements, the project does not have the potential to cause significant environmental effects.
- The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, which will cause a significant impact to the environment.
- The project has sufficient water supplies to serve projected needs of existing residential development. No new or expanded entitlements are needed.
- Wastewater will be treated on-site and will not require a wastewater treatment provider.
- 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 project.
- The proposed project will comply with federal, state, and local statutes and regulations related to solid waste.

Mitigation Measure(s): None.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 project site has previously been disturbed and does not contain any known listed plant or animal species. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. Preliminary approval of a Streambed Alteration Agreement, which includes the implementation of a stream channel restoration landscape and revegetation plan in the areas previously disturbed recently and over the years has been received by the California Department of Fish & Wildlife. No historic or prehistoric resources are anticipated to be affected by the proposed project nor will the proposed project eliminate important examples of the major periods of California history or prehistory.
- b. There are no impacts from this project that would be individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. Cumulative impacts of these issues are discussed in previous sections of this Initial Study and would not be of significant impact. The project, therefore, will not contribute significantly to the cumulative traffic impacts identified in the General Plan EIR.
- c. There are no environmental effects caused by this project that would result in substantial adverse effects on human beings, whether directly or indirectly. No hazardous conditions resulting from this project have been identified. The project would not have any environmental effects that would result in significant impacts.

